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BEFORE THE NUCLEAR REGULATORY COMMISSION

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Category 3 Public Meeting to Discuss the

Zion License Termination Plan

Docket Nos. 05000295 and 05000304

+ + + + +

TUESDAY

APRIL 28, 2015

+ + + + +

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The above-entitled matter commenced pursuant to
Notice before Bruce Watson, Facilitator.

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PRESENT:

Bruce Watson, NRC Branch Chief / Facilitator

John Hickman, NRC Project Manager

Robert Orlikowski, NRC Branch Chief

Bill Lin, NRC Inspector

Daniel Strohmeier, NRC Inspector

Rex Edwards, NRC Dry Cask Storage Inspector

Wayne Slawinski, NRC, Lead Inspector

Viktoria Mitlyng, NRC Public Affairs Officer

Prema Chandrathil, NRC Public Affairs Officer

Michael Dusaniwskyj, NRC Economist

Marlayna Vaaler, NRC Project Manager

John Clements, NRC Health Physicist

Karen Pinkston, NRC Systems Performance Analyst

Haimanot Yilma, NRC Project Manager

Kellee Jamerson, NRC Environmental Scientist

Allen Bjornsen, NRC Project Manager

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P R O C E E D I N G S

(6:01 P.M.)

MR. WATSON: If we can all have a seat, we'd like to get started please.

I'd like to welcome everyone here tonight and thank you for coming, taking time out of your busy schedules to be here. My name is Bruce Watson. I'm Chief of the Reactor Decommissioning Branch and I work out of our office of Nuclear Materials Safety and Safeguards in Rockville, Maryland.

This is an NRC Category 3 meeting, and that means we are here to solicit comments from the public on the Zion Nuclear Power Plant license termination plan. So, you're going to hear us refer to the LTP a lot just to be short.

A few of the housekeeping issues, there are emergency exits at both sides of the back of this room. Restrooms are down in front, by the front desk. This meeting is being recorded by a court reporter. The transcript will be made available on the NRC website once we get it from them and also have it, what do you

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call that?

MR. ORLIKOWSKI: Transcribed.

MR. WATSON: Transcribed with subtitles, right?

Okay. We are going to be from 6:00 to 9:00 p.m. tonight. We have the room until 9:00, I don't think we'll be going over that or be able to. As a first issue of record, we do ask for your feedback. There's forms in the back. There is also a brochure in the back on decommissioning, just general information on the decommissioning process for reactors.

Are there any public officials that would like to be recognized tonight as being here? Go ahead.

MR. RANKIN: Tom Rankin, representing Sheri Jesiel, State Rep for 61.

MR. WATSON: Okay. Any others?

MR. McDOWELL: Mike McDowell, Commissioner-Elect for the city of Zion.

PUBLIC PARTICIPANT: Felipe Landa for Congressman Bob Dold, the 10th District, Illinois.

MS. SHADNIA: Sarah Shadnia, Sarah with an H, and last name Shadnia, S-h-a-d-n-i-a, for State Senator Melinda Bush.

MR. WATSON: Okay. Any others? Well,

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thank you for coming this evening.

Let's go to our agenda. So, I'm going to say a few words on our mission. John Hickman who's the project manager for the Zion, from NRC headquarters will give a few words on the regulatory process. Bob Orlikowski who is from our Region III office will talk about the inspection and oversight program. And then Zion Solutions has volunteered, too loud?

PUBLIC PARTICIPANT: No, we can't hear you.

MR. WATSON: You can't hear me?

PUBLIC PARTICIPANT: No.

MR. WATSON: Oh, okay, we'll bring it back up a little closer. Is that better?

PUBLIC PARTICIPANT: No.

MR. WATSON: No? Okay, how is that? Two inches away, wow, close. All right. And Zion Solutions has volunteered to do a presentation on the actual content of their LTP. So, beginning with that, I'd like to go to the next slide.

The NRC has a fairly long history of decommissioning facilities. Our regulations went into effect, the current ones, in 1997. And since that time, we have terminated the license on seven large

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power reactors. In reality, we have done 10 in the past, but seven under the current regulations. We've also terminated the license on about 30 research reactors, and over 80 complex materials sites. Next slide.

Our mission, which is granted to us under the Atomic Energy Act, we regulate the nation's civil use of reactor materials to protect public health and safety, promote the common defense and security, and to protect the environment. Next slide.

The decommissioning regulations, parts of those are in Part 10 CFR 20, Sub-part E, but the reactor ones are in 10 CFR 50.82, just in case anybody is really interested in that. But by definition, decommissioning is to safely remove from service and reduce the radioactivity levels that permit either the release of the site for unrestricted use and termination of license, or for restricted use and termination of the license. Go the next slide please.

For unrestricted use, here are the criteria, and also the restricted release criteria. To date, all of the licenses we have terminated have been for unrestricted release, and this is the same criteria that the Zion plan is applying in their LTP.

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So, that means that for unrestricted release, the plant can be used or the site can be used for any uses in the future that the owner deems to use it for. Like I said, we do have restricted release criteria but we've never had anybody actually implement those or try to implement those. Go to the next slide.

The reactor decommissioning process has specific criteria as noted on the left here, for the licensee. As we'll hear tonight, we're here to talk about the license termination plan, so we're near the end of the decommissioning process. The NRC has certain responsibilities in carrying out its safety mission, those are down the middle. And this is one of the required meetings we have, to hold a public meeting to discuss and obtain comments from the public on the license termination plan.

On the right are the interfaces which the public can have in the process. And of course at this point, we are here to receive comments and there is an opportunity for hearing on the license termination plan.

So, with that, next slide, I'd like to introduce John Hickman who is the project manager for the Zion plant. He's been the project manager for Zion

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for over 10 years now. Thank you.

MR. HICKMAN: Good evening. Next slide please. Just wanted to go through a brief history of the Zion facility decommissioning history. Zion was shut down in 1997, and in February of the next year, the licensee submitted certifications that the shutdown was permanent and that the fuel had been permanently removed from the reactor vessel. At that point, the facility was put into a safe store condition until the license was transferred to Energy Solutions in September of 2010; at that point, active decommissioning began. Zion Solutions completed the first major milestone of decommissioning by transferring all the spent fuel to an ISFSI in January of this year. Next slide.

This is basically the content of the license termination plan. I'm not going to go through all of this because Zion Solutions will do a presentation on the content in a minute. What I wanted to state was the point of the license termination plan is that's the last significant licensing action that's conducted before the end of the license when the licensee requests termination.

The LTP is basically a document that

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develops how the licensee is going to demonstrate to the NRC that they have cleaned up the site sufficiently to meet our release criteria. It describes the characterization, the radiological characterization of the site, the work that needs to be done. It describes how they're going to model the measurements they are taking to convert that into a dose because our release criteria is based on a dose to someone after license termination. And it describes how they're going to survey the site to demonstrate that they have reduced the residual radioactivity to a sufficient level. Go to the next slide please.

This is just a slide that describes how you can obtain a copy of the LTP using our online Adams document system. A copy of this slide is in the back, so for anybody who wants to access the document later on, they can pick up a copy and this will explain to you how you can go into our online system and find a copy of the document for yourself. Next slide please.

Our review of the license termination plan is a multi-step process. Initially, we do an acceptance review, that has already been completed. The licensee will be receiving a letter shortly stating that our acceptance review is done. The acceptance

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review is just looking to see if they provided adequate content for a detailed technical review. It doesn't indicate the plan is acceptable yet, it just says that the licensee provided enough for our technical review.

The technical review is now underway. Most likely we will have some questions, find some additional information we need, and we'll then submit the licensee questions to fill that need.

We're required to have a public meeting on the LTP, and that's what we're doing today. And the public has an opportunity to provide comments on the LTP which would be considered in our review. Assuming the LTP is found to be acceptable, it would be approved by a license amendment.

Throughout the process, the NRC performs inspections to confirm that the licensee is conducting the decommissioning satisfactorily. And Mr. Orlikowski of Region III will address that in a few moments. Next slide.

Assuming the LTP has been found satisfactory and approved, the licensee will complete the decommissioning of the facility. At the end of the process, or during the course of that process they'll be submitting radiological final status survey reports

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of various areas of the site to demonstrate that it's been cleaned satisfactorily. We would review and approve those final status survey reports. We will also conduct confirmatory surveys. We'll have our independent contractor at Oak Ridge come out, review the same areas the licensee surveyed, and make sure that their surveys were conducted adequately. If the surveys have been conducted adequately and all of the site has been cleaned up to meet our release criteria, we would then terminate the license. Next slide.

And now, Mr. Orlikowski will discuss the inspection program.

MR. ORLIKOWSKI: Thanks, John. My name is Bob Orlikowski. I'm a Branch Chief in our Region III office. We are located in Lisle, Illinois. I'm the Branch Chief for Materials Control ISFSI and Decommissioning, and that ISFSI stands for Independent Spent Fuel Storage Installation. So, I've got inspectors that we do inspections for decommissioning reactor sites, also decommissioning material sites, as well as we have inspectors that go out and do inspections of spent fuel storage. Next slide please.

So, our inspectors were really the boots on the ground. Our primary mission and focus is safety

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and security. So, our inspections are geared towards looking at mostly radiological safety at sites and also the security at sites. For Zion, our primary focus are those two items. Next slide please.

So, our inspection program for decommissioning is outlined in Inspection Manual Chapter 2561. This document is available online publicly, so if you're interested, you can go online, you can download the document. This inspection program begins when a reactor shuts down and removes all the fuel from the reactor. At that point, they submit a letter to the NRC, they are no longer allowed to operate that reactor and our inspection program begins.

Our inspection program remains in place until the license is terminated. Our inspections that we conduct, they are available, we document all of our inspection results and inspection reports. Those are also available publicly online. Next slide please.

So, as I mentioned earlier, we're primarily focused on safety, specifically security and radiological safety. The inspection program is made up of core and discretionary inspections. The core inspections are essentially the minimum amount of

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inspections that are required to be performed at a site, and they're outlined in the manual chapter. We also have an option to perform what are called discretionary inspections. So, if there is a particular issue at a site, or if there is an activity that's going on that we would like to inspect, we can, we have the right to go and inspect that activity under a discretionary inspection. Next slide please.

In addition to decommissioning inspections, we also perform spent fuel inspections. Now at Zion, in January, they completed removing all the fuel out of the spent fuel pool and then sent to dry storage. So, my inspectors were involved with observing those activities. The spent fuel has its own inspection program and that's outlined in Manual Chapter 2690. This inspection program is in place as long as the fuel is on site. So, even though the fuel is in dry cask storage right now, we still have inspectors that go out and look at making sure the fuel is stored safely. And then we also have inspectors that go out and look at security for that spent fuels facility. Next slide please.

Here is our primary contact information. Our public website is listed there. That's got a

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wealth of information as I mentioned earlier. A lot of our documentation is available online publicly, our procedures, inspection procedures, our manual chapters, our inspection reports. Next slide please.

So with that, actually before we get to the comment and question section, I'm going to turn things over, and Zion Solutions is actually going to do a presentation on the license termination plan.

MR. YETTER: My name is Bob Yetter. I am the site characterization and license termination manager at Zion.

Before I get started, I just wanted to show you, this is the hard copy of our LTP. And a lot of hard work and sweat went into this and I think it's, I know it is one of the best LTPs ever, right? I've been decommissioning since 1990, 25 years. My fellow rad workers have, they've got at least that much, so we've got hundreds of years of experience that went into this. It was an exhausting effort but I think it was worth it, right?

So, before I get started with my presentation, I'm going to play a little movie about what we've been doing here lately on site. Thank goodness there's no sound.

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(Video presentation.)

MR. YETTER: I'd like to thank John Sauger and his drone for that. It's actually really a cool video and it gives you a good bird's eye view, right, of the site layout. Okay. Next slide.

So, the license termination plan is made up of eight chapters, and that's the list of the eight chapters right there. Next slide.

The objective of the decommissioning is to reduce the level of residual radioactivity to levels that permit the release of the site for unrestricted use and allow for the termination of 10 CFR Part 50 license with the exception of the ISFSI hearing.

Chapter 1, well, the LTP was written in accordance with Reg Guide 1.179 and NUREG 1700. Chapter 1 primarily covers the site location, a description of the site, some of the background, operations and licensing activities, and it provides a summary of each chapter. It also discusses any revisions to the LTP, they would be done per federal regulations.

But we're also proposing a license amendment that allows us, or that establishes when we have to get Nuclear Regulatory Commission buy-in and

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approval before making some changes, basically decreasing survey units from a Class 1 to a 2, or a Class 2 to a 3. You may not know about what a Class, a Class 1 survey unit would require a lot more survey frequency than a Class 3. So if we wanted to do less work on a survey unit to show it was acceptable, we would have to go to the NRC. Next slide.

Oh, it gets reviewed every two years. So the purpose of the site characterization, it was performed over a two-year period. The primary was to verify the initial classification that was performed during the historical site assessment. So, at this point, we know where and what levels of radioactivity we have on the site. The characterization provided an extensive characterization of soil surface and subsurface soil.

We literally took, literally over thousands of samples. We performed open land measurements, either using an ISOCs unit, In Situ Object Counting System, or technicians actually performing gamma scans. We took numerous core samples in structure basements. And we've been doing quarterly groundwater monitoring.

The results of all that show very limited

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residual radioactivity in surface soil, and all the results were below our release criteria. We found no contamination in any subsurface soil samples and we found no contamination in any groundwater samples. I can honestly say it's the cleanest nuclear plant I've been to.

Chapter 3 basically identifies all the remaining dismantlement activities. I don't want to go into the detail of, it breaks it down by buildings and how we're exactly going to tear them down, remediate them, what we're going to do with them. But this is just a summary of major activities, and then you can see it all culminates to probably submitting a final report at the end of 2018.

You can see quarter three of this year, we're going to be doing the crib house, the final status survey of the crib house. So that's the next one coming up. You can see the big goal was to get the LTP submitted. We did that on December 20th, and a big milestone was completing the transfer of the spent fuel to the ISFSI. That was completed on January 10. Next slide.

This is an artist rendering of what the site will look like at the completion of

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decommissioning. There won't be much to see. The site is going to be zoned for heavy industrial use. All above-grade buildings will be demolished and removed to a minimum of three feet below grade. These basements that we'll be leaving will be backfilled with clean material, and the land will be returned to the natural contours.

Roadways and rail lines are going to remain. The intake and discharge piping from and into Lake Michigan will remain. There will be some buried piping that will remain. And per Exelon's request, there will be some facilities and structures still standing like the switch yard, the ISFSI complex, the associated warehouse, there's a microwave tower to the south of the site, and there is a sewage lift station.

Chapter 4 describes the remediation plan. It just goes through the various methods that we may utilize in remediating contaminated systems, components and structures. The plan remediation meets NRC as-low-as-reasonably-achievable criterion. Basically, that's a formula found in a regulatory document, and it's kind of like dollars versus dose, and we ran it through the formula. Next slide.

Chapter 5 is the final radiation survey

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plan. It discusses the comprehensive sampling and measurements that were going to be performed to demonstrate that the site meets our unrestricted release criteria. And our surveys are performed on NUREG 1575 MARSSIM, or Multi-Agency Radiation Survey Site Investigation Manual.

MARSSIM describes a statistical approach to designing, implementing, and assessing radiological surveys. It discusses turnover and control measures. It dictates how many samples we're required to take and where. It talks about data quality objectives and data quality assessment. It also discusses how we have to report results. And once we give that report to the NRC, they will most likely contract somebody like ORISE to come out and do a confirmatory survey.

I would go more into MARSSIM but typically it's a week or two intense training, that's if you have a radiological background. Read Chapter 5, it's all in there. Basically, for soil areas, we'll be doing scanning, gamma scans and static measurements, and also sampling for volumetric soil sampling. And we'll be doing that for the surface and subsurface.

For concrete, basically the basements, we're going to be utilizing the ISOCS, or we possibly

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will be utilizing Coburn. We're also going to be surveying buried pipe, embedded pipe and penetrations. You can see the picture down here in the middle, on the bottom, that's one of our pipe crawlers we would use. The picture on the left is an ISOCS unit suspended from an articulated boom lift. And we would basically offset it a certain distance to get a certain field of view.

The picture on the right shows a typical technician standing with a 2 x 2 sodium iodide detector. And those are Scottish teams out there taking soil samples. I would not allow people in the US to wear those hard hats.

We also have QA measures where we ensure that we're using the proper instrumentation, it's properly calibrated. We ensure our technicians are properly trained. And we also have like QA surveys built into our survey design, like typically five percent repeats of surveys or data analysis.

So, Chapter 6 discusses how we are going to comply with the radiological criterion. So, the dose criterion here at the site is above natural background to a member of the critical group does not exceed 25 millirem a year. What is 25 millirem a year?

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The average dose in the US is 310 millirem a year from natural background radiation. If you live in Denver, at 55 millirem a year just because you're closer to the sun. A mammogram, 30 millirem. Just to give you an idea of what 25 millirem is. We also have to meet the ALARA criterion which again is the dose versus cost. So, next page.

So, well, to determine the compliance with the 25 millirem, we have conservatively assumed a resident farmer is going to be a member of the critical group. And that is somebody is going to build a farm on this site, they're going to sink a well into one of these basements that we leave behind. The basements are going to fill up with groundwater, rainwater. You got three feet of clean fill on top. We're basically going to suck the water through a well and we're going to water our cornfields, our gardens, we're going to feed our cattle the water, we're going to drink the water.

You know, all that takes in account to come up with what we can leave behind. We use different dose modeling programs. We look at the external exposure, the inhalation of dust, and soil ingestion. And those are minimized because of the three foot clean soil.

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So, basically, the pathway is consumption of the beef and milk, consumption of the vegetables and fruit, and consumption of the well water.

Chapter 7 provides an update for the site specific decommissioning costs. It provides an estimate of the remaining decommissioning costs at the time of the LTP submittal and it compares the estimated costs with the present funds that have been set aside. The decommissioning cost estimate includes an evaluation of the following: cost assumptions including contingency, major decommissioning activities and tests; unit cost factors; cost of decontamination; removal of equipment and structures; final radiation survey costs; and estimated total costs.

And if you look at Chapter 7, it's just a big spreadsheet. So, all of that is summarized with a statement that the current cost fund provides sufficient funding and financial assurance for completion of the Zion restoration project.

And the last chapter is eight, which is a supplement to the environmental report. It describes the site environmental description of the site. It describes any new information or significant

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environmental change associated with site specific decommissioning and site closure activities. This includes looking at possible radiological effects from decommissioning or non-rad effects of decommissioning.

And the conclusion in Chapter 8 is that potential environmental impacts associated with decommissioning will be bounded by the previously issued environmental impact statements, and there are no new or significant environmental changes associated with decommissioning. End of the presentation.

MR. WATSON: Thank you for the presentation. At this time, I'd like to have the NRC staff who are here introduce themselves so you know who, what level of people are involved in this review of this LTP. Did you want to start with the Region III people first?

MR. ORLIKOWSKI: Yes, let's start with the Region III individuals.

MR. LIN: Bill Lin, I am for Region III. I'm one of the inspectors that's involved in the Zion decommissioning project.

MR. Strohneyer: Daniel Strohmeier I'm the Inspector for the decommissioning project.

MR. EDWARDS: My name is Rex Edwards. I'm

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the dry cask storage decommissioning inspector.

MR. SLAWINSKI: Wayne Slawinski, I'm the lead NRC inspector at the Zion site.

MR. ORLIKOWSKI: And that's it for us.

MR. WATSON: Harral?

MR. LOGARAS: I'm Harral Logaras. I'm the Government Liaison working in the NRC's Region III office. My principal duties are to interface with government counterparts in state, local and federal municipalities --

MR. WATSON: Okay.

MS. MITLYNG: I'm Viktoria Mitlyng. I'm a senior public affairs officer at Region III so I'm here if you have general inquiries, ask myself and my colleague here.

MS. CHANDRATHIL: Hi there. I'm Prema Chandrathil and I'm also a public affairs officer from the regional office out in Lisle.

MR. WATSON: Okay. Let's go to the NRC headquarters people.

MR. DUSANIWSKYJ: Michael Dusaniwskyj. The focus of my responsibility is decommissioning funding assurance.

MS. VAALER: Marlayna Vaaler, I'm a

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project manager for the decommissioning branch at our headquarters office.

PUBLIC PARTICIPANT: We couldn't hear that.

MS. VAALER: Sorry. I'm a project manager, yes, at the headquarters office.

MR. CLEMENTS: My name is John Clements, I am a health physicist at the reactor decommissioning branch at NRC headquarters.

MR. WATSON: Karen?

MS. NIXON: I'm Karen Pinkston, I am reviewing the assessment for the LTP

MS. YILMA: Hi, I'm Haimanot Yilma.

MS. JAMISON: Kellee Jamerson, project manager for the environmental review branch, NRC headquarters.

MR. BJORNSEN: Allen Bjornsen, environmental review branch, headquarters, NRC.

MR. WATSON: And that's it. As a couple of reminders, we are having this meeting transcribed, and so we have a court reporter here. The transcript will be available on the NRC website once we get it all together again.

For the record, if you make a comment, we'd

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like you to please give us your name. Please make a brief statement or question. We would like you to use this mic over here. If you're uncomfortable with the mic, coming up and standing, let us know, we'll bring the mic to you. But we ask that you are brief. We'd like to have everybody have the opportunity to make a comment that wants to make a comment tonight.

So, we will be reviewing the comments for any safety or environmental issues. And we will be publishing a meeting summary which will be on our website soon after this meeting. So, yes?

MR. KRAFT: Just a quick question. You introduced the NRC staff and the Zion Solutions. I was wondering if anyone is here from Exelon Corporation.

MR. WATSON: Is there anybody that is here representing Exelon?

(No response.)

MR. KRAFT: Thank you.

MR. WATSON: Okay. With that, we invite comments. We will do our best to listen to your comment. We will also do our best if we can answer a question, to the best of the staff's ability we will try and answer it. If not, we will write it down and get back to you. Thank you.

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MR. McDOWELL: Great, thanks. My name is Mike McDowell and I'm Commissioner-Elect for the city of Zion.

(Problems with the microphone.)

MR. WATSON: We thought it was on. Sorry, Mike.

MR. McDOWELL: Okay, is that better?

MR. WATSON: Yes.

MR. McDOWELL: All right. Mike McDowell, Commissioner-Elect for the city of Zion. I'm also the current President of Design Park District. And I appreciate the presentation tonight. I actually have a whole list of questions but most of them were answered in your presentation, so thank you very much for that. There are a few questions that I have remaining.

The first one is who actually owns the spent fuel that's being stored here in the city of Zion?

MR. HICKMAN: I can answer that one.

MR. WATSON: Yes.

MR. HICKMAN: Exelon still actually owns the fuel. Currently, Zion Solutions has the license for possession of it, but Exelon still owns it.

MR. McDOWELL: All right. Is there a point when this fuel becomes the property of the federal

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government?

MR. HICKMAN: When the Department of Energy is able to license a repository, it becomes the property of the federal government.

MR. McDOWELL: Okay. So, right now we're the licensed repository?

MR. WATSON: Yes, storage.

MR. McDOWELL: Yes, okay. I noticed, I don't know if it was in the LTP or if it was an additional document, but Zion Solutions has asked for the ability to make changes to the LTP without the oversight or approval of the NRC. There are some stipulations listed there.

MR. WATSON: Right. I can answer that.

MR. McDOWELL: But what kind of changes could you make without the oversight of the NRC?

MR. WATSON: The licensee can make some changes to the license termination plan. We spell out specific criteria where they'd have to come to us for approval, and part of that would be anything that would reflect a reduction in the possible safety consequences of that change. So, they can make some minor changes. They will follow what we would call a 50.59 safety review process. The regional inspectors will

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continuously look at their changes that they do make. And they are required, just like they would now, to send in any changes to their safety analysis report every two years to us.

So, we would do a formal review of that from the licensing perspective, but the inspectors would be inspecting those changes to make sure they remain within those criteria that the NRC would allow.

MR. McDOWELL: Okay, thanks. So, I understood from your presentation that upon Zion Solutions' return of the property to Exelon, the property could be used for any purpose?

MR. WATSON: You know, we don't, the NRC does not own the property.

MR. McDOWELL: Right.

MR. WATSON: So, Exelon Company owns the property, so whatever they decide to do with their property is their business once we terminate the license.

MR. McDOWELL: So, I mean a building, a structure could be built?

MR. WATSON: Yes, they could, I can only speak to what the other utilities have done.

MR. McDOWELL: Okay.

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MR. WATSON: Some have turned them into parks. Some have built additional generating stations on them, about a third of them do that. It's really up to the owner what they choose to do with the property. Obviously, if they want to build a new nuclear power plant, they'll have to come to us and have us license it.

MR. McDOWELL: Yes.

MR. WATSON: But it's their choice what they can do with the property.

MR. McDOWELL: All right. My last question just has to do with what will happen to this property when it is turned over to Exelon, and it has to do with the LTP. Can the city of Zion have any input into the LTP and the outcome of the use of this property? Is that an appropriate request from the city of Zion to have input into this LTP?

MR. WATSON: No, the actual LTP deals with radiological decommissioning on the site. Anything beyond that is outside our jurisdiction to do anything with. So, any state laws or city zoning or whatever else that may be in effect would happen without our permission or need to be involved once we terminate the license.

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MR. McDOWELL: So, the Zion Solutions could actually include input from the city of Zion in the LTP or that's not appropriate?

MR. WATSON: Well, like I said, the LTP is principally a licensing document on how they're going to terminate the license. And so, it is mainly a technical document, it's principally talking about how they're going to meet the criteria for the radiological release. Anything beyond that, once we terminate the license, is really between, I'll say Exelon and their stakeholders here in the state.

MR. McDOWELL: Okay.

MR. WATSON: Okay?

MR. McDOWELL: Thank you very much.

MR. WATSON: Any other questions, comments? Would you like to come up? Okay.

MS. OWEN: Good evening. My name is Verena Owen. I am a former resident of Zion. I now live three miles north of Winthrop Harbor. I have two questions. One to the NRC, I am curious how your public outreach was for this meeting tonight. This is not a bad turnout, but frankly I expected several hundred people.

MR. WATSON: You can handle this.

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MR. HICKMAN: Well, the meeting was in the local paper, both last Thursday's publication and the previous week.

MS. OWEN: Was that, which paper?

MR. HICKMAN: The Zion Benton Harbor News.

MS. OWEN: I don't really consider that a paper of general circulation because that's a weekly. I don't get it, I get the Lake County News Sun. Did you advertise in that?

MR. HICKMAN: No, I'm afraid I wasn't, I simply found out what was the local paper and that was the one I was informed was the --

MS. OWEN: Interesting. I have been attending off and on the decommissioning meetings with the Zion Commission and was actually, I heard only very last minute about this hearing, this meeting. And I was expecting it because it was mentioned before. So, you might want to tweak your public outreach a little bit, if you have to tune in just to get in the public comment.

MR. HICKMAN: Well, we did also publish in the Federal Register. It's been noticed on our website, I understand, it's been noticed on our website for quite sometime.

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MS. OWEN: I'm afraid I don't read the Federal Register.

MR. HICKMAN: And a press release was issued on it.

MS. OWEN: Okay. Thank you. As the Commissioner-Elect, I actually have a question about your comment that this site would be an unrestricted use, and then your comment that it's only for heavy industrial. Could you explain the discrepancy a little bit and what would it take to have the site be used for a residential or recreational and not heavy industrial use?

MR. WATSON: Well, let me answer one part of it.

MS. OWEN: Sure.

MR. WATSON: The site, as planned in the license termination plan, will meet the radiological release criteria for unrestricted use, meaning the owner can use it for any purpose they want including turning it into a farm, building houses or whatever.

MS. OWEN: I like the farm thing but --

MR. WATSON: Okay. But I'm just saying, that's the criteria we're using. So, as far as the use of the property, I think, I guess the Exelon Company

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would have to answer that.

MS. OWEN: Well, he mentioned it would only be usable for heavy industrial, so maybe he could answer it.

MR. YETTER: It's how it's currently zoned.

MS. OWEN: Zoned? It is already zoned?

MR. YETTER: Yes.

MS. OWEN: It could be rezoned for anything else to your knowledge?

MR. WATSON: That would be up to the city.

MS. OWEN: That would be up to the city, thank you. Thank you very much.

MS. LEWISON: Hello. I'm Linda Lewison, I'm with the Nuclear Energy Information Service. It's a 35-year watchdog on the nuclear industry in Illinois, and I also am with the Sierra Club Nuclear Free Campaign nationally.

I have some questions. One is to Rex who, we talked before the meeting. Where is Rex?

MR. EDWARDS: I'm right here.

MS. LEWISON: Hi. So, but I want it, as I said, for public record. Could you talk about the monitoring of the dry casks and what that's all about

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and the ways that we discussed before the meeting? I first started out, as I said, just knowing that it's going to be inspected once every two weeks visually, but as you described to me there's a lot more to it than that. So, could you elaborate on that?

MR. EDWARDS: Certainly. And for everyone, again my name is Rex Edwards. I'm a dry cask storage inspector. And your questions pertained to what are the monitoring requirements for the casks that are out there on the ISFSI pad. There are several aspects in the monitoring. There is the performance monitoring that has to occur to ensure that it's performing its function of heat removal. There's monitoring functions for dose. There's monitoring functions for security, dose, I'm sorry, radiological dose.

MS. LEWISON: So, heat, I mean there's thermal and there's radioactive heat. Which are you, is the dose the radioactive and the heat with the thermal? I mean could you distinguish?

MR. EDWARDS: Certainly. It's all of those. The cask has several functions it has to perform. We'll just take each of them. It has to provide a heat removal function, so there's monitoring

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criteria for that. It has to perform a radiological function of shielding the fuel and preventing radiological dose to the public. So, there's monitoring that occurs from that. And then it also has to perform a security function to keep the contents of that fuel safe. And there are security monitoring requirements for that as well. And there's monitoring happening 24 hours a day, seven days a week on those casks.

MS. LEWISON: When you say monitoring, you mean there are electronic nodes attached to each cask that you pick up on a screen and, well, I mean how does it work?

MR. EDWARDS: There's both electronic and visual means. Both can be acceptable, so there are options. Right now, there are electronic means of monitoring at the Zion Station.

MS. LEWISON: And that's measuring the heat and what else is the electronic part measuring as opposed to the visual?

MR. EDWARDS: The thermal performance, the heat performance is monitored electronically. The security requirements are monitored electronically.

MS. LEWISON: And the dose?

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MR. EDWARDS: The dose is not inputted directly into, say a computer type program, but there are instruments where an operator can walk around and visually see what the dose rates, the radiological dosage on those. There are also environmental monitoring that occurs required per our regulations, that they monitor for those.

MS. LEWISON: Is that also visual versus electronic? Or are there other ways to monitor?

MR. EDWARDS: Those are radiation monitoring devices.

MS. LEWISON: So, are they sitting there or are they on the casks, are they around the property? I mean how?

MR. EDWARDS: They are physically around the fence line I believe at the Zion Station, around the fence line of the casks.

MS. LEWISON: Around, but they are not on the casks?

MR. EDWARDS: They are not on the casks, no. Now, the operator could go out there, as we do with our inspections, we will take a survey meter and put it on the cask and verify what the dose rates are coming off the cask.

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MS. LEWISON: And what is the part that's every two weeks and what is the part that's every 24 hours as you had described to me?

MR. EDWARDS: I'm not sure. The question is what's every two weeks and what's every 24 hours? I'm not sure what you're referring to for every two weeks.

MS. LEWISON: But you said something, that people walked around?

MR. EDWARDS: I believe that was something that you had brought to the discussion.

MS. LEWISON: I see.

MR. EDWARDS: I'm not sure what that refers to. There are requirements for the license, that they do certain monitoring activities. And I'll just use the thermal performance, for example, it has to be monitored every 24 hours. And then the other frequencies are specified in the license requirements as well as in the documentation that supports that license. The licensee then, or Zion Solutions in this case, will have other programs for monitoring things such as the structural performance of the actual pad that the cask sits on, the overpacks that they're stored in, and numerous other programs.

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MS. LEWISON: So, is it my understanding, am I correct that when you put the fuel assemblies together to be transferred to the dry casks, that that work all had to be done under water because if it came in contact with oxygen it would combust?

MR. EDWARDS: The statement that it would combust is not correct, but it does have to be done under water for radiological concerns. That's the primary way to do it, it's not the only way to do it.

MS. LEWISON: But that's the way, so my concern is if there is a problem with any of these dry casks with the material in them, that the work that needs to be done to repair it in some way, whether the problem is, for any reason, doesn't have to be a terrorist attack, it could be some internal breakdown, must be done under water, that there is no technology developed for how to repair this. So, my concern is that these fuel pools are all we have right now to get it back under water to do the repairs. And so, I'm very concerned that they stay up and not be destroyed.

MR. EDWARDS: I understand your concern and certainly can appreciate that. But it does not necessarily have to be done under water. That is one method that it can be done. Our regulatory

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requirements is that the fuel has to be retrievable. Now, that means a couple of different things. But before they get a license by us to put it in the canister, it has to be retrievable.

MR. WATSON: Well, thank you for your question on the spent fuel storage. The NRC has inspection procedures. The program is being increased for surveillance and for some longer term testing of the current systems. There are systems available for transferring the fuel without being under water. Some of the vendors have developed those, they're being evaluated.

And lastly, I'd like to say thank you for your comments on that but we are here to discuss the license termination plan for the Zion Plant. And while the fuel may be a related issue, we really are looking for comments on the LTP. Okay?

MS. LEWISON: Okay. Thank you for saying that. So, one last question then on the license termination plan, and that is could you talk a bit about the finances? Or is the finance person here? What's going to happen in terms of what the estimate is for the final cost of the decommissioning? And will there be anything left over? Will it be rebated to the

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public? How will that work? Could you discuss that?

MR. WATSON: I'll have Mike Dusaniwskyj answer that.

MR. DUSANIWSKYJ: These are the kinds of questions that I'm sent here to answer. The first and foremost thing that always has to be told is that the Nuclear Regulatory Commission does not regulate commerce, it regulates safety. And it recognizes that in order to do anything safely, it takes money.

The decommissioning funds have been used properly to decommission this plant. The actual total cost is currently at my office because we have to do this for all of the plants that are permitting online, and for the costs of the licensees that are currently in decommissioning. Zion is not the only plant that is currently in decommissioning.

From the NRC's perspective, if there is any money left over, that is under the jurisdiction of the State Public Utility Commission. The NRC has no jurisdiction over those funds if such funds should be in existence when the license is terminated. So, I have no comment and there is nothing more that I can tell you except that it's under the jurisdiction of the State Public Utility Commission.

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MS. LEWISON: Thank you. And last but not least, could you, I don't know which person, comment on the disposal or what's going to happen to the pipe in the lake? I know you referred to it a bit but I think we'd like to hear a bit more about it. Thank you.

MR. WATSON: Yes. As far as I know, the pipe in the lake is going to stay. I believe the Army Corps of Engineers agrees that the pipes should stay. I know that from the previous decommissioning sites, piping that goes out into the cooling water whether it's the ocean or the local river or lake generally does stay mainly because to remove it causes more environmental insult than leaving it in place. And so, even at the San Onofre Unit 1, the discharge and intake conduits are still going out into the ocean and it's like that with a number of different sites.

So, at this point, I believe it's going to be staying. It's probably the, I'd say our environmental reviewers have looked at it and received comments from the Army Corps of Engineers that it would stay. Okay?

MS. LEWISON: Thank you.

MR. ORE: Hi, my name is Doug Ore. I'm a lifelong Zion resident. I'm also a member of the ZCAP.

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panel for the decommissioning. One question I had, as a Zion resident, if there is no permanent repository for the spent fuel, if a site was selected today, how long would it take to move this fuel out of Zion?

MR. WATSON: Well, I have no answer for that. I can't guess. It's really up to our national policymakers in Washington to draw the conclusion on what's going to happen. I think over \$15 to \$20 billion have already been spent on the repository that was going to be built in Nevada. The NRC was in the process of licensing that before the funding was all withdrawn. So, you know, for me to say when it's going to be is a speculation.

The only thing I can tell you though is the NRC's charge is to make sure that the fuel remains safe and is safely stored for whatever duration that the fuel will be there.

MR. ORE: Well, the baseline would be once the site is selected, how long would it take? Is it decades?

MR. WATSON: We're not the Department of Energy. We're not in charge of that part of the process.

MR. ORE: Okay. And then how often does

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the NRC have to inspect that spent fuel?

MR. WATSON: I think it's, what, annually?

MR. ORLIKOWSKI: Well, typically, the way that our inspections are set up, we aim to send an inspector out to the site annually. So, we'll have an inspector go out and look at the radiological aspects one year. And then the next year we'll have another person go out, and their primary focus is typically security. But our security inspector right now, he's also a health physicist, so he can also look at the radiological aspects.

MR. ORE: And then those casks have to be re-licensed after 20 years, is that correct?

MR. WATSON: Yes.

MR. ORLIKOWSKI: Yes. Yes, we issue a 20-year license, and then prior to that they would have to request a license renewal from the NRC.

MR. ORE: Thank you.

MR. KRAFT: Hello. Dave Kraft, Nuclear Energy Information Service in Chicago. I want a clarification here. I know that tonight's proceeding is about the license transfer of the decommissioning site. But the ISFSI, is that a separate license at this point? And who owns that license?

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MR. WATSON: Yes, it's a license under Part 50, it's a general license for the ISFSI.

MR. KRAFT: Okay, that last part? General license?

MR. WATSON: It's a general license. And Zion Solutions currently is the license holder, and of course that will be transferred back to the Exelon Company when they transfer the, complete the decommissioning.

MR. KRAFT: So, up until that time, is the pad considered part of the decommissioning process? Or is it separate?

MR. WATSON: No, it's a separate entity.

MR. KRAFT: Okay, that's the clarification I needed. And of course it will be, afterwards it will be transferred to Exelon, is that right?

MR. WATSON: Right.

MR. KRAFT: All right. So, we might need Rex up here one more time. I think you mentioned earlier though, systems which don't require water for the transfer of fuel in the case of either an emergency or the case that, I believe because of the waste confidence rule, some of the estimates were that casks

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will last anywhere from 30 to 100 years. And if we don't have a federal repository, you might have to go on a perpetual change-out of casks.

MR. WATSON: Right.

MR. KRAFT: So, the question I have is how many of these non-water related systems for fuel transfer are in existence today?

MR. WATSON: I really can't speak to that, it's not my expertise.

MR. KRAFT: Rex, do you have an answer for that?

MR. WATSON: Well, I know that a number of the cask manufacturers have come up with transferring systems so that the fuel can be transferred and actual maintenance be done on the dry storage containers. I don't know the exact status of that. That's with our Spent Fuel Transportation Division. But we do re-license the, excuse me, one of the plants was just re-licensed for a 20-year renewal and they volunteered to do a lot of testing and surveillances on the canisters in order to have that license approved.

NRC is working on a significant long-term surveillance program for doing a lot of testing on the dry cask storage systems because of the length of time

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it has taken thus far not to have a national repository.

MR. KRAFT: The question was not so much on the surveillance. The question I asked was what equipment exists today that could conduct a dry transfer of fuel without needing the spent fuel pool? And how many of them are there and where are they?

MR. EDWARDS: Mr. Kraft, I don't have a number for you per se.

MR. KRAFT: Okay, but they do exist?

MR. EDWARDS: Well, again I'll go back to the regulatory requirements. The casks are required to be able to be unloaded. So, they're all designed so that you can take the canister that contains the fuel and put it back into the transfer cask and then move that transfer cask and fix whatever component it might be. In this case, the long-term degradation is likely to be on the concrete overpack. If that's the component that needs replacement, then you would just put the transfer cask and align it to a new overpack and put the canister back in that overpack.

There is no credible event right now that would cause the canisters to fail. They are licensed to a limited amount of time and we're continuing inspecting that to ensure they continue to perform

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their designed function.

MR. KRAFT: I appreciate you coming from the standpoint of what the regulations say. I was just curious what exists in real life to be able to do that. I guess I would take some issue about credible failures because this is the overflight half of outbound flights to Europe from O'Hare field. So, that's always been a concern of ours for the last 30 or 40 years.

MR. WATSON: Okay. Thank you for your comments. Do we have some more comments or questions on the Zion LTP? Please.

MR. REILLY: Can I have a microphone?

MR. WATSON: Can you get him the microphone?

MR. REILLY: Hi, I'm Tom Reilly. I'm an executive principal of VISTA360. We are a public interest leadership group. We've been following the Zion decommissioning for sometime. And my first question will be addressed to you, I'm sorry, I didn't catch your name.

MR. WATSON: My name is Bruce Watson.

MR. REILLY: Thank you. Bruce, you're with the NRC, correct?

MR. WATSON: Correct.

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MR. REILLY: Okay. You had mentioned just a little bit about the NRC would be accepting comments on safety matters and security matters. And I guess it begs the question, on the LTP, we have a supplement that forecasts costs moving forward. And it's a supplemental issue that Mr. Dusaniwskyj here says, well, we're not going to comment on that. Why would it be?

MR. WATSON: I don't understand the question.

MR. DUSANIWSKYJ: I don't understand the question either.

MR. REILLY: Okay. There is a supplement from the licensee regarding finances that were put in on February 26, I think. It seems to be part of the LTP, is that correct or not?

MR. DUSANIWSKYJ: Yes.

MR. YETTER: Chapter 7.

MR. WATSON: Yes.

MR. REILLY: It is.

MR. WATSON: Yes.

MR. REILLY: Okay. So, what I'm wondering about is why wouldn't the NRC in future deliberations consider the financial dimensions of

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this decommissioning? What would be the reason? It's part of the LTP.

MR. WATSON: We are reviewing the LTP for the financial assurance requirements and to make sure they have adequate funding to complete the decommissioning. I mean what else is there? I don't grasp the question.

MR. REILLY: Well, maybe I don't understand. I don't mean to be argumentative but --

MR. WATSON: No, I'm trying to understand what you're asking.

MR. REILLY: Your exact comments were at this meeting we're considering the LTP and we will consider only safety and security matters. How could that be when part of the LTP is the financial aspect?

MR. WATSON: Okay. I think Mike explained it that while we are looking at the safety and environmental issues associated with an LTP, as Mike said, safety costs money. So, we look at the financial parts of this, of the LTP also. So, it is part of the review process. That's one of the requirements in the regulations is to provide us a status on the financial assurances in situations so we can make a judgment that they have sufficient amount

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of money to complete the decommissioning. So, it is part of the LTP. And like we said, safety costs money, so we do look at the financial aspects.

MR. REILLY: The regulations call out for the licensees to make assertions that there are assurances that the decommissioning proceeds in national decommissioning trust are adequate to begin the decommissioning, do you affirm that?

MR. DUSANIWSKYJ: I'm really quite, I'm not exactly sure where you're going with this because I'm not sure what you're asking.

MR. REILLY: I guess I'm asking that it isn't up to the NRC to assure us that there is enough money in decommissioning trust, it's up to the licensee to assure the NRC that there is enough money.

MR. DUSANIWSKYJ: Ah, I believe I understand the question. Yes, your premise is correct. We have what's known as performance-based regulations. The regulations put on to the licensee certain financial requirements that they have to fulfill. And they have to do this with us every year. So, since the license has gone into decommissioning, active decommissioning around 2010 I believe was when you started decommissioning activities, every year we

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have to review their financial statements as to what they believe it's going to cost and what they are going to have in the way of funds to make sure that these costs are covered as we move forward in time.

We take into account not necessarily the nominal dollars that are going to be involved, but rather the purchasing power of those trust funds which are held in an external trust outside of the control of the licensee. So, the reasons that we have the regulations is to assure that once when the license was first issued many years ago, every licensee takes on the responsibility of decommissioning, and that does take money. During the operating life, those funds are usually collected and it is going to be dedicated to the decommissioning of any particular facility.

There can be exceptions made to this which as long as they are still able to provide decommissioning funding assurance, and even if these assurances should turn out to be wrong, in Zion's case there is still an additional \$200 million line of credit. And Energy Solutions has just pumped in \$25 million on top of the funds to assure to the NRC that there are in fact adequate funds to clean the site up safely and to terminate the license.

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MR. WATSON: Radiological decommissioning.

MR. DUSANIWSKYJ: Radiological decommissioning, that is correct.

MR. REILLY: Yes, thank you. I want to give everybody else in the audience an opportunity to take the microphone but I feel that this has to be expanded based on where we are at this point in time. May I go back and visit a little history here? This has to do with the LTP and the certifications made by I think a regulatory officer.

In the 2007 era, Exelon Generation came together with Energy Solutions and effectively forged an agreement for a new model of decommission. So, this decommissioning is the first and only one like it in nuclear history. On top of that, the Zion transaction is the largest in nuclear history. As an unprecedented matter, the US Nuclear Regulatory Commission never approved the transfer of a license to a non-utility. So, this is the first decommissioning we have with a private-public entity if you will that is not a regulated entity.

Additionally, it's worthy of comment that we heard I think from Mr. Dusaniwskyj early on along

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with the branch chief of decommissioning that the licensee, the proposed licensee, Zion Solutions was adequately financed back in 2008. Representing the public, and I'm sure there are some other people here that can confirm it, in less than 16 months, the general manager of Zion Solutions was in front of us and his name is Patrick Daly and I'm sure there's a record of this, he said our biggest issue will be not going bankrupt in this transaction. Secondly, as a professional engineer, and obviously on top of the decommissioning, he further asserted that it is very very difficult to project down the line on a complex project like this what costs will be and so on and so forth.

So, with that in mind, we feel the NRC has done an admirable job. Certainly the region staff and the headquarters staff has done great on safety and security. But in terms of the leadership on finances, there's a lot of questions unanswered when you have not only one unprecedented transfer of a license but a second. If Mr. Dusaniwskyj would like to take the microphone, he can tell us more about how he feels the licensee has assured us financially and give us, if he will, a sense of his guarantee that there's plenty of

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money with this \$25 million. And it is a letter of credit, not a line of credit, according to regulatory guidelines.

MR. DUSANIWSKYJ: Okay. I am aware of the comments that I think you are referring to and I have to admit that it caused quite a flurry back at the headquarters. And we did contact Energy Solutions and Zion Solutions for clarification on those comments. Backing up those comments was the fact that we did get reports to show that they do in fact have the proper amount of funds available to complete the safe decommissioning to NRC standards of this unit.

As far as all the other comments associated with what you're describing before, I have no comment on that. One thing that I want to make sure is perfectly clear here, I am not using the word guarantee. You will never find the word guarantee on any of the financial subjects that the NRC regulates. You're just looking for reasonable assurance. And so far, all of the assurances that the licensee has provided is reasonable and that there are still funds available.

We do not dictate simply because the fact that the funds are in the decommissioning trust fund that this is the exclusive source of all the funding

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for decommissioning. If a licensee chooses to use other funds, we are not going to object. This was the decision made on their part, it was a business decision, and all of the indications still show that they will have reasonable assurance to decommission the plant safely to license termination.

MR. REILLY: Well, we thank you for that comment. I guess what I would ask, too, is in the LTP, we have a forecast here in month 56 of the decommissioning that moves forward to the end of 2018 and it deals with tens of millions of dollars. I guess we'd ask what about the money that's already been expended? And I guess our main point would be that in our organization, we're representing the public, and make no mistake about it, the public in this rate paying area advanced \$800 plus million. And as Mr. Dusaniwskyj said, he doesn't regulate commerce, our state does. But in this case, our state agreed, quite appropriately so, that the rate payers would top off the decommissioning fund.

So, where we're very confused as an organization is how is it we can have the NRC stand in front of us and make nonsensical comments like we're only going to consider safety and security. Because

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you undertook, you hit the tar baby when you approved this transaction and there is no moving away from the finances. So, from the first request, we request that the NRC call for a complete accounting and give the public a certification that all of those costs, from February 26th back to 2010, fully comply with decommissioning criteria. I guess we would ask the question also, is the Zion facility amongst the five reviews that are currently going on at the NRC on questionable trust fund mechanics?

MR. WATSON: The plants that you're talking about, the five, are the newly shutdown plants which are San Onofre, Kewaunee, Crystal River and Vermont Yankee. And so, the staff is looking to that, some of the questions we have with the submittal of their post-shutdown decommissioning activities reports.

As far as the actual comment that you made about we are concerned about the finances, we are authorized under the Atomic Energy Act only to look at the radiological decommissioning. The rest of the decommissioning, as you stated, is under the purview of the Public Service Commission, so I would encourage you to engage them and have them do whatever audits you

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think are prudent and ask them to do that.

So, can we move on to another person? We have people raising their hands behind you.

MR. REILLY: Sure. I agree to give up the microphone. But we're here until 9:00, right?

MR. WATSON: Yes.

MR. REILLY: Sure, no problem. Thank you.

MR. WATSON: Did you want to come up here again?

MS. LEWISON: No, I can talk from here, thank you. Just to put Tom's comments in a different light, because we remain concerned about, is the quote that, I'm not getting the quote right now about dosage and finances, whatever it was, that it all costs money, you said that yourself in the beginning. It's my understanding that \$200 million letter of credit is costing the public trust funds or the funds that are being spent \$10 million a year to hold on to that for however many years? Is that correct?

MR. DUSANIWSKYJ: I'm sorry, I wasn't --

MR. WATSON: Can you repeat the question? I was trying to understand it myself.

MS. LEWISON: What is the cost of holding

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that \$200 million letter of credit?

MR. DUSANIWSKYJ: I'm trying to remember the bank. I believe it's the Bank of New York, I'm not positive. It was \$70 million over 10 years.

MS. LEWISON: So, that, we have paid, we the public in the form of our public trust fund, we have paid \$70 million of this total of \$800 plus million.

MR. DUSANIWSKYJ: I understand the nature of your concern. But the truth still remains that the NRC is not going to terminate this license until this plant is safely decommissioned. All of the questions that you are describing are more appropriately handled by the Public Utility Commission of the State of Illinois. The NRC's concern is that this plant be safely decommissioned and that the funds are adequately available to complete that activity. I understand all of your concerns, but I must point to the Public Utility Commission of Illinois for you to really get an answer to the kinds of questions that you're asking.

MS. LEWISON: Thank you.

MR. WATSON: The gentleman behind you, right next to you, had his hand up, to your left, your right. Yes, he had his hand up before you.

MS. LEWISON: At the ZCAP meeting a few

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years ago, it was reported by the project manager here that, it was actually the third year of the project, that they needed an audit, they needed a public audit, an auditor. It was a little surprising to us that a project of this size would just come up with that idea in the third year of their operation. It took them several months to find an auditor, and the audit that they put out was not easily if at all available to the public.

The reason I tell that story right now is just to indicate that we the public here remain concerned about the operation, if this is how it's handled, in terms of just that one piece of the financing, so I'll just stop there.

MR. WATSON: Okay, thank you. Yes, sir?

MR. SCHWARTZ: Hi, my name is David Schwartz and I'm a retired citizen. I did read Chapter 4 of your plan, and this is the financial question, too. And that is, it pertains to Chapter 4, Section 4.4.1., ALARA and subsequent, it says "ALARA Analysis of Soil Remediation. In order to determine if additional remedial action is warranted by ALARA analysis, the desired benefits and the undesirable effects, costs must be calculated. If the benefits of the remedial

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action will be greater than the costs, then the remedial action is warranted and should be performed. However, if the costs exceed the benefit, then the remedial action is considered to be not ALARA and should not be performed."

That strikes me, as a retired citizen, as being rather crass I must say. First of all, it's a subjective judgment. And I know that there's going to be lawsuits and whatnot and so forth, but it would be nice to get this put together in the right way so the public can have some confidence in that. And in addition to what I just read to you, just further down, a few more paragraphs down, it talks about transporting material from the site out to Utah and somewhere else in Tennessee or Louisiana or something. There it talks about costs of fatalities.

I mean how do you, and I know there's a big, great big calculus thing here, equation which I didn't understand. But as just a layperson, it's hard for me to understand how you can impute costs and benefits to fatalities. I'm pretty sure there are no benefits to fatalities.

MR. WATSON: Well, yes, as part of the environmental review process, you look at all the

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options. And one of those is the potential for events to happen during the processes you pick so you can make a judgment on what you're going to do. So, if it meant sending millions of truckloads of dirt, say to Utah, there would be a certain amount of risk with that. And the way they'd look at that is in terms of fatalities or traffic accidents. Just like if you and I were driving back and forth a million times, the probability of us having an accident eventually is probably pretty good. But I'm just saying you evaluate each process you're going to follow, and that's one of the criteria you look at from a transportation standpoint is a fatal accident.

Unfortunately, that's the way the process is set up. But it's one way you look at the evaluation of what you're going to do. So, I didn't set up the environmental reviews but that's one of the things they look at. Okay? Next? Anybody else have any comments?

MS. LEWISON: Can you tell us what the concerns are that the NRC, on this Zion project, what are your concerns?

MR. WATSON: First and foremost is safety. We want to make sure that the plant is decommissioned

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in a safe fashion, not only to the workers but also to the public, and making sure there is no additional insult to the environment. So, that's our primary concern. So, we will look at, continue to inspect the plant throughout the remaining decommissioning activities to make sure they're done safely. That's principally our role and that's our mission.

So, other than that, we will continue to inspect and make sure that things are done properly, safely, and not endangering any of the workers, you know, the environment or any of the public. That's it in a nutshell. We've already demonstrated in this country that we've decommissioned 10 power plants, seven in most recent years with the plants in New England, and so we know it can be done safely. We expect Zion Solutions to do it safely. I think it's their expectation they're going to do it safely.

And so, we will continue to monitor and inspect and provide oversight of the decommissioning process. Any other comments? I think Mr. Reilly would like to have the mic back.

MR. REILLY: And likewise I will give the mic to anybody who has the urge. Hi, I'm Tom Reilly, executive principal of VISTA360. This is regarding

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the LTP. There is a Zion Nuclear Power Station Unit 1 and 2 licensee transfer service list that is provided with the LTP. It seems that the licensee has seven of the 11 people that were on line of importance of reviewing this document. We also see that you've sent it to the IEMA health physicist and the Nuclear Facility Inspection at the Illinois Emergency Management Agency. And we also see that you sent it to the Lake County Emergency Management Agency, and of course the region and this was the original drafted for the headquarters, and the counsel to the company.

I guess what we're wondering is why wasn't the mayor of Zion given this license to transfer service list in the one case, and if Mr. Dusaniwskyj indicates our state regulates commerce, why was this not given to, for example, our Attorney General, the Illinois Commerce Commission, or to that extent perhaps some fiscal agency in the state? Humbly speaking ourselves, we are on the license transfer service list now for seven years. So, I guess we would ask, as an organization that has over 5,000 hours invested in the decommissioning, why didn't we get a copy of these documents?

MR. HICKMAN: Is this a document the

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licensee sent or a document the NRC sent?

MR. REILLY: This is a licensee-generated document, Zion Nuclear Power Station.

MR. HICKMAN: Well, the service list you're on is an NRC service list, and I put you on it because you asked to be on it. It's up to the licensee to determine who they want to send copies of their submittals to.

MR. REILLY: Understood. Is there some reason why they wouldn't want to send it to the state for commercial issues such as Mr. Dusaniwskyj said? These all go to department people, they all go to other people, when we've got a document right here that's dealing with financial forecast. That's the whole issue.

MR. WATSON: It's a simple answer. Your Attorney General and the other members of the state haven't asked to be part of that list.

MR. REILLY: I see.

MR. WATSON: Okay? I mean we can add them to our service list if they want to be but --

MR. REILLY: Totally understood. If our Attorney General asked for a complete accounting on this, would that be supplied to us? Would the redacted

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documents in the hands of the NRC be able to be conveyed to the Attorney General in Illinois?

MR. DUSANIWSKYJ: It would be with the licensee. They would be contacting the licensee.

MR. WATSON: Yes, the licensee has the --

MR. REILLY: What if they contact you?

MR. DUSANIWSKYJ: They would be contacting the licensee.

MR. REILLY: For what reason?

MR. DUSANIWSKYJ: If you're asking for information that they hold.

MR. REILLY: You hold, it's a redacted information and I'm saying --

MR. DUSANIWSKYJ: No, no. What you're describing is completely different from --

MR. WATSON: Mike, you might have to --

MR. DUSANIWSKYJ: In your hypothetical scenario, if the Attorney General were to request such information, they would be getting it directly from the licensee because the nature of your question is not the same as with the regulations requiring the licensee to provide to the NRC. Now, I don't want to get into an argument with you but the process would still remain that if the Attorney General of the State of Illinois

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wishes that information, they would go directly to the licensee.

MR. REILLY: It would seem here in the document that the licensee is petitioning you to effectively give them cover on expenses. There are numerous expenses in the decommissioning that are not qualified. You know this and we know it.

MR. DUSANIWSKYJ: Do you have a list of these items?

MR. REILLY: Well, I mean fuel management, there was \$25 million conveyed to Exelon Corporation. We support Exelon, they're our utility. They keep my lights on. We financed this plant, we don't have any problem with that. But the issue is the NRC on its own conveyed \$25 million off the top to Exelon Corporation, and as we would see it, fuel management is not a decommissioning expense by the regulations.

MR. DUSANIWSKYJ: Well, first off, you are correct, they are not. And the NRC did not just give \$25 million for any purpose other than what was requested by the licensee. The regulations stipulate that the primary reason for the money is for decommissioning. They also had to petition to the NRC to use some of what we would call excess funds for spent

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fuel management which we found to be reasonable and was granted such an exception.

But I don't like the characterization that just the NRC on its own decided to do something. As I remind you, all of our regulations are performance-based regulations. They are required to fulfill certain obligations by which the manner in which they choose, so long as it is reasonable to the NRC, can be granted. Well, not necessarily be granted in all cases, but in this particular case, they petitioned, they got it, because the regulations specify under 10 CFR 50.54(b)(b), if you wish to look it up, it says that a licensee for spent fuel management must have a financial plan. They submitted such a plan which is very, very different from 10 CFR 50.75 which states that a certain amount of funds must be set aside in an external trust fund dedicated to the purpose of radiological decontamination.

MR. REILLY: Did NRC give them a waiver or no?

MR. DUSANIWSKYJ: We gave them an exemption to the regulations, yes.

MR. REILLY: Okay. And where is that \$25 million right now?

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MR. DUSANIWSKYJ: It's still in the trust fund. It is extracted as needed for the spent fuel management.

MR. REILLY: I see. And why is that not then in the report from the company when they have their elective programs quarterly like, I think it was Mr. Ore who was up here, he's a member of that panel, why was that never disclosed? Is there a reason?

MR. DUSANIWSKYJ: I'm not sure who you're talking to about disclosure. The reports that I have does categorize the major decommissioning costs into three major categories: license termination which is under the jurisdiction of the Nuclear Regulatory Commission; spent fuel management which is required since they did get an exemption from the regulations; and the third which is more or less for information purposes for site restoration. So, all of this information, I'm not sure where you're quoting that you do or do not have.

MR. REILLY: Well, I guess what I would ask for, if regulations are on the books, what is it that brings about the action of bringing an exemption? I don't get it. Right here in this very document --

MR. DUSANIWSKYJ: May I ask what document

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are you looking at?

MR. REILLY: The subject at hand, the LTP and the supplemental, it is what this meeting is all about. There is a forecast moving forward from now until the end of 2018 where there is a one percent residual in the trust fund, right? So, if you go back and look at history here, you will see that licensees by regulation are required to make from time to time assessments of the very funds you talk about, filling the jar so to speak where money can be expended. And in this particular case, the NRC allowed data that was almost 10 years old in considering the first license transfer.

Secondly, then, there is reference in this document that the licensee amended the PSDAR. What it is, they gave the US Nuclear Regulatory Commission a number of sheets with estimates on it, no bids, no nothing covering that, and you guys gave them the green light. You transferred the license based on that. And then what happened was, after that, there was the issue of going and reviewing various different things. There was never any third party association.

Now, we fast forward 56 months, we're given a forecast here where there is only a one percent

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residual left, \$13 million out of 860 or whatever the number is. And we're expected to say, oh, that's fine, there's enough money here.

MR. DUSANIWSKYJ: Well, again I'm not exactly sure where you're driving with all this, but again I must remind you that the NRC regulates the financial requirements in order to make sure that there are assurances that the plant will be safely decommissioned. All indications from a financial standpoint are that this is being done.

What your moral is I think trying to determine is why is there not more money left over, and again I must advise you that will be under the jurisdiction of the State Public Utility Commission of the State of Illinois. Our regulations and our function is to make sure that the plant is safely decommissioned. All indications by all the reports that I have received from Zion Solutions since the time that the license has been transferred and during the time that they have in decommissioning, they are fulfilling their requirements. And they are going to hopefully successfully terminate the license when the site has been deemed to be radiologically safe.

MR. REILLY: I gather then what you're

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saying is that the NRC can tell the people in this room and in our community that advanced \$860 million to this project that we are getting a fair and effective decommissioning even though we are not allowed to talk to the NRC nor the licensee about where they're spending the money, what their responsibilities are and their accountabilities? We're flying blind on that except for your future assurances.

MR. DUSANIWSKYJ: No, sir, you're looking, you're not flying blind, you're looking in the wrong place. I again would advise you that all your questions, which are legitimate, are to be asked to the State Public Utility Commission of the State of Illinois. The NRC's requirements, the NRC's function is to make sure that that plant is done safely. There has been no indication of anything other than the fact that they will be able to successfully decommission the plant and that they have sufficient funds to do so. All of your other concerns would again be more effectively brought to the attention of the Public Utility Commission of the State of Illinois.

MR. REILLY: Well, I don't think the Public Utility Commission has anything to do with the allocation of resources that the public provided that

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the NRC approved, and many of these do not qualify as decommissioning expenses. They're subjective. So, what that says to us is you are subjectively treating this and hiding behind the regulations. That's what you're doing, because there are many, many costs here that are not decommissioning expenses by the rules and regs.

MR. DUSANIWSKYJ: The only one that I did talk about was spent fuel management which was, the licensee was granted a regulatory exemption in order to do exactly what you described. If you have other factors that show us that they are using money for something other, like, and I'm going to be sarcastic slightly, a trip to Las Vegas, then I would wholeheartedly advise you to make an allegation, submit an allegation to the NRC, because all of the indications that would show that they are not providing the proper financing would be is if we have an allegation that shows that money is absolutely, without question, being used for something other than all of the requirements of decommissioning. Or if during the course of the time that they are in decommissioning, the licensee suddenly discovers that they do not have enough finance to finish this plan safely, that would trigger a whole

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different sort of regulations which would require additional information.

But at this time, none of these things exist. So, again my advice to you would be that your concerns go to the Public Utility Commission of the State of Illinois. They are the proper agency, they have the jurisdiction, they have the authority to ask those questions that you are looking for.

MR. REILLY: I will respectfully say you're either uninformed or misinformed. The US Nuclear Regulatory Commission itself undertook an investigation on Exelon's decommissioning trust. As you may know, it was a multi-quarter investigation. This investigation included these two very licenses. So, if you'd like to speak about why somebody in another area of the NRC decided to make this, without coming to the State of Illinois I might add, to ask about the people that are regulating Congress, why is it they carried out that investigation? And why in fact weren't any of the findings ever presented to us despite us asking?

MR. WATSON: I think you're mixing a number of different issues, but there was an investigation into the Exelon Corporation's

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decommissioning funding issues, and it did include I believe looking at the Zion's systems funding. But that's a separate issue from the license termination plan, and that investigation I believe was resolved. And so, I believe that's public knowledge.

Again, I want to reiterate what Mike has said. It appears that most of your questions are under the jurisdiction of the Illinois Public Service Commission. So, you're welcome to contact them as you know and file whatever grievance or concerns you have with them. In the meantime, we are not in any situation where we would trigger any additional investigations from the NRC over the decommissioning fund at Zion Solutions right now.

So, do we have other people who would like to speak? Can we --

MR. KRAFT: A couple of short questions again. Mike, you may want to go to the mic. Could you tell us what parts of the 10 CFR we can find the actual NRC financial obligations?

MR. DUSANIWSKYJ: While the licensee is in operations, they are dictated under the regulations of 10 CFR 50.75. This basically tells the licensee while they are in operations how much money they should be

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setting aside and how the formula is recalculated every time that the biannual decommissioning funding report which is under 10 CFR 50.75, they must make sure that they comply with all those regulations. Once a licensee goes into decommissioning, they are then under the dictates of 10 CFR 50.82 which basically tells the licensee that the licensee must only decommissioning trust funds for decommissioning purposes under the certain guidance that basically says that whatever actions, I'm again paraphrasing, whatever expenses they do incur do not deplete the decommissioning trust fund to a point that they are unable to finish decommissioning. 10 CFR 50.54(b)(b) regulates the financial plan for spent fuel management, and 10 CFR, I think it's 72, either 70 or 72 which dictates the decommissioning of the ISFSI.

MR. KRAFT: So, those are the requirements for the licensee. I guess my question is what part of the CFR articulates NRC's responsibilities in terms of the --

MR. DUSANIWSKYJ: I think that that's intricate to all the regulations because it's the NRC's responsibility to make sure that these regulations are complied with.

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MR. KRAFT: So, that would tell us what your obligations are in terms of overseeing the licensee?

MR. DUSANIWSKYJ: I think I understood the question.

MR. WATSON: The technical review, I think, that's inherent to the regulation.

MR. KRAFT: Is that correct?

MR. DUSANIWSKYJ: I think I understand the question that if the technical review that we conduct is in compliance with the regulations, is that the question?

MR. KRAFT: I just want to know what the NRC itself considers its obligation in terms of finances, and what part of the CFR would we find that in? The sections you dictated were --

MR. DUSANIWSKYJ: I think I'm beginning to understand the question a little bit better.

MR. KRAFT: What's the agency's --

MR. DUSANIWSKYJ: I believe that they are intricate to all those regulations that I just told you.

MR. KRAFT: All right. Then the question that follows from that is you said there are 10 decommissionings, is that correct?

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MR. WATSON: Completed.

MR. KRAFT: Completed, all right. Is it the NRC's policy, or would we find it in the CFR somewhere, to permit companies to conduct decommissioning without following standard accounting principles and practices?

MR. DUSANIWSKYJ: I would say that's a correct statement, yes.

MR. KRAFT: And I'm not sure that this is an obligation, but you're aware that the contractor here operated for up to three years without an auditor?

MR. DUSANIWSKYJ: Yes.

MR. KRAFT: And that's perfectly all right?

MR. DUSANIWSKYJ: I would not say it's perfectly all right, but nothing that you have described so far does not show any kind of violation to our regulations.

MR. KRAFT: Well, that's what I'm getting at is, so there is no regulation that actually requires an auditor for a decommissioning? And the follow-up question for that is on any of the 10 previous decommissionings, were any of them conducted without having an auditor?

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MR. WATSON: I really can't answer that, but I know there are federal regulations from the, what's it, FERC? Federal Energy, what's that called?

MR. DUSANIWSKYJ: Federal Energy Regulatory Commission.

MR. WATSON: Yes, on accounting, how the utilities are supposed to do their accounting and there are regulations on that. And I'm sure that is also probably a requirement, there are requirements from the State Utility Commission, too.

MR. KRAFT: The NRC doesn't have them?

MR. WATSON: No. Like I said, the actual accounting requirements are under FERC, I know, for an operating facility. And I would assume they would continue to follow the same type of requirements for a decommissioning site. Okay?

MR. DUSANIWSKYJ: I'll sit in the front now.

MR. WATSON: Can we get some lights on over here, too? Working on it? Okay, okay. Yes, sir?

MR. CARROLL: Hi, my name is Mark Carroll and I'm with Murray & Trettel, we're meteorological consultants. And we have actually been maintaining a meteorological tower here at Zion for 40 years. And

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at some point this year, actually very soon, we're going to be decommissioning the meteorological tower here. And I'm just trying to get, because we work in 20 plus other plants around the country that will be going through this process somewhat, is it the fact that the fuel is now on the move to the, what's that word, ISFSI?

MR. WATSON: Dry storage.

MR. CARROLL: Is that the trigger point for the decommissioning of the met tower? And again, I'm trying to learn for future reference for these other clients that we work with when we get to this point.

MR. WATSON: Rex can correct me if I'm wrong, but it's part of the licensing for the dry storage to ISFSI. It's our requirements for doing meteorological monitoring and other things associated with the site. Correct?

MR. EDWARDS: Yes. Yes, Bruce.

MR. CARROLL: But it's not on the scale of a big tower and all that?

MR. EDWARDS: I don't know the exact answer to your question. I would speculate that there is no effluents released from the dry cask storage facility, and therefore, they wouldn't necessarily have the met tower for monitoring. But that's

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speculating.

PUBLIC PARTICIPANT: We couldn't hear you.

MR. EDWARDS: I responded that I don't know the exact reason. As Bruce was going towards the dry cask storage facility, it doesn't release anything so there's no effluents coming out of there. So, that may be part of the reason why the licensee has decided to decommission the met tower.

MR. CARROLL: That's probably true. Some of the work that we did showed that the long-term average meteorology has been consistent through the years. So, if they're using that for anything in the future, well, there just won't be any real-time data if there's no release from that.

MR. WATSON: Okay, thank you for your question or comment. Anybody else?

MS. LEWISON: Yes. Can you help me out with this thing? I'm not sure --

MR. WATSON: We're back to, can you say your name again?

MS. LEWISON: I'm not sure I remember --

MR. WATSON: Can you identify yourself again?

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MS. LEWISON: Linda Lewison, Nuclear Energy Information Service and Sierra Club Nuclear Free Campaign. At one of the most recent ZCAP meetings, John Sauger, is that correct, mentioned the possibility that Zion Solutions may run out of funds and that there would be, in terms of the trust funds, that they would, they meaning perhaps Energy Solutions/Zion Solutions, would cover the gap if that happened. It had to do with variation in the stock market where the funds were invested, that they would then cover it if there was such a gap.

So, is that, if you could help me with that, people who were at that meeting, I might not be quoting the situation correctly, could that be in terms of what the NRC would see as proper kinds of financing to approve of?

MR. WATSON: I think along with the, go ahead.

MR. ORLIKOWSKI: Hi, Linda. I was at that ZCAP meeting. I can't, I don't want to speculate or try and derive what John's statement said. After that meeting, I did reach out to Mike Dusaniwskyj and I mentioned that and, you know, we did look at the funds to verify that there are sufficient funds. So, as far

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as the, you know, we verified that the funding is there to complete the decommissioning. So, other than that, I can't speculate on the comment itself.

MR. WATSON: Anybody else? Comments, questions? Back there? Oh, I thought I saw someone motioning, okay. Got a gentleman up here who hasn't spoken yet.

PUBLIC PARTICIPANT: Hi. Tim Erdwell with Reduce Magazine. Just a question. The date 2018 has been set for license termination. Does that mean that the NRC will have published in the Federal Register the release of a site or is there kind of an estimate on the timeline of when that actual license will be terminated?

MR. WATSON: We can't give you a specific date when the license will be terminated. It is pending our verification and confirmatory surveys of the site. And it's also with them documenting the final condition of the site which they'll do through the final status survey reports, okay. And that review will take a certain amount of time, I can't, based on the quality of that, we may have to request or issue information from them, so I really can't put a time line on that. I know it usually takes a few months if not

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more, sometimes depending on the volume of material they provide to us.

PUBLIC PARTICIPANT: Just a follow-up question, too. I'm not sure where the NRC is in this, but the rulemaking for decommissioning plants, would that affect the license termination plan at any point?

MR. WATSON: No. The NRC staff has been asked by the Commission to put in decommissioning regulations which will cover the transitioning period. As mentioned before, we had five plants shut down in the last few years, and these regulations were new regulations intended to make that a smoother process from when a plant shuts down to getting into decommissioning. Because for each one of these plants that prematurely shut down, there's about, I want to say 20-25 licensing actions that have to take place, some of those could be codified to make it simpler because they are based on a lot of operating status and plant conditions. So, that's what we've been asked to do and which we'll start that here in 2016 I believe.

So, it's a separate issue, it has no effect on the current regulations as they exist. It will take a number of years to provide the regulations that requires public comment on the review, you name it, to

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get those implemented. So, that's the current status of that situation. So, we did have, like I said, five plants prematurely shut down, and so they didn't necessarily follow the normal process that the original regulations were intended to be satisfied with because in a normal shutdown process, they're required to tell us five years in advance if they plan to shut down, so all those licensing actions can be prepared by the licensee and we are prepared to handle those.

So, in this case, we had the five plants basically instantaneously shut down, and so there were all these various issues to be resolved because we didn't have that in the regulations. Additional questions? Yes, Mr. Reilly.

MR. REILLY: I thank everybody for their questions. I am Tom Reilly, executive principal of VISTA360. And I do have a question about Chapter 7, 7-2 of the Zion Station restoration project. And it relates to the implementation now of a third party called TLG at the 2000 assessment in Zion. Isn't this organization external and don't they possess other people's information? So, now apparently they would possess the redacted information of the licensee in coming to the conclusion that we have adequate funds,

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would that be a correct assumption?

MR. WATSON: TLG is a company that specializes in doing decommissioning estimates. They are currently owned by, I believe the Entergy Corporation which is another large utility, to the best of my recollection. I don't know what the contractual agreements were between Exelon or anybody else with them, but they may have hired them to do some work which may have been under a confidential agreement. That's not within the NRC's requirements. Like I said, we just require that they provide the financial assurance to make sure that we have reasonable judgment that they have the funds available to do the decommissioning safely.

MR. REILLY: Is that document available?

MR. WATSON: What document?

MR. REILLY: The TLG document that assures that. It's referred to here as a collaborative document or collaborative effort to determine these assurances.

MR. WATSON: I don't know if that was ever submitted to the NRC.

MR. REILLY: Could you request it? We would like you to request it, maybe in a formal request.

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MR. WATSON: Okay, we have the Freedom of Information Act.

MR. REILLY: We're asking you to request it for your records, not us. We're not --

MR. WATSON: We will look at the record if we need to look at to review to make our decisions in the present time. But going back and looking at 2002 or whatever --

MR. REILLY: No, it's not 2000, it's right here, sir. They're talking about recently.

MR. WATSON: Recently?

MR. REILLY: They're talking about since the spring of 2014, the third quarter of 2014. It's on page 7.2 here.

MR. WATSON: Okay.

MR. DUSANIWSKYJ: I'm trying to remember if they submitted that or not. I am familiar with the TLG report because there are a number of licensees that have used this company in order to come up with an estimate, usually when it comes time for the PSDAR, the Post Shutdown Decommissioning Activities Report. The licensee is free to summarize those findings without necessarily submitting the document itself. That's why I'm trying to remember whether the TLG report for

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Zion was ever submitted, and if it was, it would be part of our --

MR. REILLY: Great. Are you speaking about 2000?

MR. DUSANIWSKYJ: Yes.

MR. REILLY: The answer is yes, it was, I'll confirm that to you.

MR. DUSANIWSKYJ: Thank you.

MR. REILLY: I'm not speaking of that, I'm referencing that. What I'm referencing now is Zion Solutions assurances to the NRC in the LTP document that says that we in collaboration with TLG, this is TLG now, what would it be, it would be 15 years later. They've gone back to TLG. So, presumably they have shared information with TLG who you indicate is a wealth of knowledge or --

MR. DUSANIWSKYJ: It is a contractor to Zion Solutions, yes. And my statement to you again is that the licensee is always free to summarize what that report was without necessarily submitting the TLG report itself. Now, if your reports say that it was submitted in 2010?

MR. REILLY: No.

MR. DUSANIWSKYJ: What year?

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MR. REILLY: We're talking in the last four months here, the last five months.

MR. DUSANIWSKYJ: Okay. And again I'm saying to you --

MR. REILLY: It doesn't say it was submitted. They said that to convince the NRC in so many words, they went and got this expert that they're collaborating with. So, my question is you have taken them at their word or you've actually looked at the work product of the collaboration to determine, yes, their numbers are right on the money, there's plenty of money in the --

MR. DUSANIWSKYJ: I want to make sure that we're absolutely clear about one thing here. You're speaking about a document that was done by TLG for Zion Solutions?

MR. REILLY: Yes. And it appears right here on page 7.2.

MR. WATSON: Okay. I think, okay, what you're doing is going into significant detail. We have done what we call an acceptance review. We believe they've addressed the major issues that are required to be in the LTP. We are now beginning our detailed review. Mr. Dusaniwskyj would be looking at the

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financial information. If he has a question about that particular report from TLG, he can certainly request that or in the form of a request for additional information, request that of a licensee to provide that information if he feels a need to have that information.

So, at this point we don't have an answer for you because we're just beginning our detailed review. And so, I will leave it up to the financial experts if they feel they need that information to provide that request to our project manager who will then provide that information in a public document, make it publicly available that we've requested that information.

MR. REILLY: How do we move forward if the public has questions that are not of a regulatory and commerce? I just want to simply know what the NRC is thinking. Can we only do that in a public meeting or in fact will staff speak to us?

MR. WATSON: I think the best way to do that is through a letter to the NRC requesting whatever information you need clarification on.

MR. REILLY: Okay.

MR. WATSON: I mean we've done that in the past with many people, I mean I'm sure including

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yourself.

MR. REILLY: Well, we did call about four months ago, we called for a special meeting. I'm finances, so we would be able to give the NRC ample opportunity to be able to address this important matter with the local public. Frankly, we were told by the NRC that there are travel budget issues and that they couldn't do so, but the members of the public can certainly travel to Washington to speak to the NRC. So, we're kind of wondering what in the hell is going on with that?

We have a billion dollar budget and this is a billion dollar project and we're down to, we've already blown through \$600 or \$700 million. And the company, I might say, the very management that you seem to be supporting, it's very important to say historically this is the same management that destroyed almost a billion dollars in market cap. This licensee also misled investors. They had to settle in tens of millions of dollars for, if you will, misrepresentation. And now you seem to be saying that, well, TLG, we don't really need to look at that, the licensee is putting down --

MR. WATSON: We did not say that. We said

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if we feel a need to look at that document, we will request it. My point is that you've requested a letter which you sent to the NRC management and asked for some kind of a meeting on financial issues. Apparently the management of the NRC decided that was not appropriate at this time. I do know that our people are continuously looking at financial issues, especially the decommissioning area.

Now, like I said, we only regulate the radiological decommissioning. Most of the questions we get are about the entire decommissioning including site restoration, fuel management, and a variety of topics. You know, these are not only questions that we will be able to answer if we get the correct questions, but also, you know, they are also a matter of the Public Utility Commission. So, you know, having a meeting with the NRC where most of the costs are controlled or required by a Public Utility Commission on how they're collected and used are not our purview.

MR. REILLY: Well, I respectfully disagree. First of all, the licensee has to give you full notice that you're taking down decommissioning costs. The decommissioning costs have to pair up with, if you will, the bills which they have to pay before

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they can take it down. There is also a provision that allows you to question any single financial transaction. We see that the NRC has not done that on any occasion, they have not taken any effort to even examine one of those takedowns. And for those people that are assembled, these takedowns aren't \$50,000 or \$100,000, they're 10 million, 20 million, 60 million, that the NRC has its blinders on when you in fact do have control of that. So, I take exception with that.

In regard to these meetings and whatnot, I want to take you back to the very first meeting which was with the branch chief and the staff from the NRC headquarters. And you can go and check the transcript of that very first meeting pre license transfer where the branch chief told us in no less than five times that the NRC regards input from the public of the utmost importance, that all questions were noted and would be answered. What we find very strange here in month 56 is the NRC never contacted one person on the sign-in sheet. The NRC never justified why the license transfer order went.

We had to fight the NRC, I might ask, and I thwarted us, and there is record on this, we asked them for the copy of the letter of credit that

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guaranteed the licensee that is in the Commission order. And the NRC said we don't have it. So, we'd like to know what gives the NRC the ability to circumvent Freedom of Information Act law? We'd really like to know that, we'd like that to be part of the record here. And we'd love to hear from the people from D.C. that couldn't be at this meeting to tell us how that happens when it's in the Commission order.

MR. WATSON: The only thing I can comment on is that you are welcome to use the Freedom of Information Act, the FOIA process to ask for any documents that you would like.

MR. REILLY: And I am telling you we did that and we appealed that. And additionally, it wasn't given to us. We were told that the very instrument that guaranteed the licensee's financial performance was not available, that the NRC didn't have it, despite the fact that the transfer order had been approved by the Commission. So, we wonder, well, how does this happen in a bureaucratic world? I mean we've got all kinds of regulations.

MR. WATSON: All I can tell you is we are responsible to the Office of Management Budget and other accounting agencies in the government to follow

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the FOIA process. And if a formal request was made, there's got to be a record of that and there's also got to be a record of what was responded to. And I honestly can't speak to that.

MR. REILLY: Would you be able to get back to us? On that record?

MR. WATSON: Yes, we'll look into it. John will look into it.

MR. REILLY: Sure. How much time would you need for that?

MR. WATSON: A lot of records.

MR. REILLY: Well, our FOIA request is going to come out, the time line will be very evident by the project manager. The response will be very adequate, too. I mean will you need two months, three months?

MR. HICKMAN: Yes.

MR. REILLY: Three months, okay. Very well.

MR. WATSON: Fair question, but we'll look, okay. Do we have any other comments from anybody else in the group?

MS. ORE: I don't think I need this, I'm a teacher. My dad helped build the power plant.

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MR. WATSON: Excuse me. Could you --

MS. ORE: Diane Ore. My dad helped build the power plant as a pipefitter, a union pipefitter. And I'm very disappointed that we're so outnumbered. If everybody stood up that works and is involved, I feel like we just have a handful of people and I'm very disappointed. So, I'm hoping if you do interface with the public again, that you are going to make us aware with more publication. The only reason I knew about this is because of my husband. And this is just not, I think a lot more people would have come, I think if you would let us know. Thank you.

MR. WATSON: Thank you.

MS. LEWISON: I would like to end with a request for you about the fuel pools. We are all in clear and present danger when you take down, or if you take down those fuel pools. I would beg of you to take another look at the technology that exists. It doesn't, it hasn't been tested, and it's not on site, and we need those fuel pools to stay intact for the duration of when the dry casks are on the ISFSI pads.

So, I'm not talking about finances at all here, although we know that is part of it, just in terms of the safety of all of us. Please keep those fuel

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pools up and filled. Thank you.

MR. WATSON: I think this was adequately addressed in the long-term storage studies and stuff that were done recently. And so, I would refer you back to look at those. I understand your position, but it's been addressed by the NRC in that work. Thank you.

Anybody else have any questions? Comments? I said we will be here until 9:00 o'clock.

MR. ORLIKOWSKI: Do you want to mention that they can still submit comments?

MR. WATSON: Oh, yes, yes. In the back is the sheet that has the information on how you can provide written comments to us. So, this is not the only opportunity to provide comments on the Zion LTP. You can go to the website or there's other information that's available there. You can actually look at the Zion LTP and download it if you want to really take a look at the document itself. We also have the meeting feedback forms in the back, so you can provide your comments to us from this meeting. And we will be accepting comments, what, another 90 days or something? Another 90 days on the Zion LTP.

So, we welcome your comments and we will take a look at those and, like I said, we will evaluate

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them from a safety and environmental perspective. Obviously, as we said before, there are financial issues that we maybe need additional information on. So, you're welcome to provide written comments and the information is back on the table. And so, anything else to add?

We'll be here until 9:00 o'clock because that's what we advertised, but thank you very much.

(Whereupon, at 8:08 p.m, the meeting was concluded.)

The NRC staff and the recorder remained until 9pm to be available for comments from the public.

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