

Harrington, Holly

From: Gene Nelson, Ph.D. <c0030180@airmail.net>
Sent: Friday, June 19, 2015 3:41 PM
To: Harrington, Holly
Subject: [External_Sender] RE: RE: Request for Interim Compensatory Measures for the Upcoming NRC DCPD End-of-cycle meeting

Hello, Holly: I've reviewed my correspondence record with you, with a particular focus on the period from 05 March 2015 to 06 March 2015. I attached the Lorenzini letter about halfway through our exchanges on those dates. Your final response to me on 06 March 2015 suggested to me that the matter had high visibility and would be taken care of.

I'm very surprised that my request for a specific set of actions to be taken by the NRC did not receive a response from Lara Uselding until a few minutes ago. However, I'm grateful for her response.

In order to obtain closure regarding this issue, I continue to respectfully request a direct response from the Office of the Secretary to the set of emails that I sent you on this issue starting on 05 March 2015 and continuing through today.

Sincerely,
Gene A. Nelson, Ph.D. San Luis Obispo, CA

At 12:18 PM 6/19/2015, you wrote:

>I'm sorry for the confusion. I was not referring to your email as
>needing to be in a formal manner. I was referring to the original
>letter, on which I was cc'd and to which your email referred. I had
>assumed at that time that the letter had arrived to the NRC in a more
>formal means and was therefore in our system. I have checked with our
>Office of the Secretary, and the letter is indeed in our system and in
>line for a direct response to Mr. Lorenzini. I had not, however,
>forwarded your email to the Office of the Secretary for disposition, as
>it appeared to me you were simply underscoring the importance of Mr.
>Lorenzini's letter. If that is in error, I can forward the original
>email you sent to me to the Office of the Secretary for a direct
>response.

>
>As I said earlier, I have contacted our Region IV office, which is
>responsible for the upcoming Diablo Canyon meeting, and asked them to
>get in touch with you directly. Neither the public meeting to which Mr.
>Lorenzini wrote nor the upcoming Diablo Canyon meeting you will be
>attending are in my area of responsibility. However, if you do not hear
>from Region IV in a timely way or there is some other action you wish
>for me to take, please let me know.

>
>Sincerely yours,

>
>Holly Harrington

>
>Senior Level Advisor

>Office of Public Affairs

>U.S. Nuclear Regulatory Commission

>
>301.415.8203
>
>
>-----Original Message-----
>From: Gene Nelson, Ph.D. [mailto:c0030180@airmail.net]
>Sent: Friday, June 19, 2015 2:56 PM
>To: Harrington, Holly
>Subject: [External_Sender] RE: Request for Interim Compensatory
>Measures for the Upcoming NRC DCPD End-of-cycle meeting
>
>Hello, Holly: Given the near-ubiquity of electronic communications
>today, I'm quite surprised that you expected me to also contact the NRC
>via other means. I received acknowledgements that my message had been
>received by NRC OPA Director Eliot Brenner on 06 March 2015 and
>19 June 2015.
>
>Thank you again for contacting Chairman Stephen G. Burns's Chief of
>Staff regarding this issue when I first raised it. Please forward it
>to the NRC Office of the Secretary for a formal response.
>
>Sincerely,
>Gene A. Nelson, Ph.D. San Luis Obispo, California
>
>At 10:46 AM 6/19/2015, you wrote:
>>Dr. Nelson -- Yes, I received your email and have discussed with
>>Eliot and Region IV your ongoing concerns. You will be hearing from
>>Region IV shortly, as they are responsible for the upcoming meeting.
>>As for the original letter by Paul Lorenzini, I assumed it was sent
>>to the NRC via a formal channel, not just as a cc via Dan Yurman to
>>me. I do know the letter was seen by the Chairman's Chief of Staff (I
>>did that personally) but it should have also gone through a formal
>>"ticketing" process for response. If the cc to me was the only way
>>the letter came to the NRC, then I apologize that I did not forward
>>it to our Office of the Secretary for a formal response, and can
>>certainly do that now. I will follow up with our Office of the Secretary.
>>
>>Holly Harrington
>>
>>Senior Level Advisor
>>Office of Public Affairs
>>U.S. Nuclear Regulatory Commission
>>
>>301.415.8203
>>
>>
>>-----Original Message-----
>>From: Gene Nelson, Ph.D. [mailto:c0030180@airmail.net]
>>Sent: Friday, June 19, 2015 11:21 AM
>>To: Brenner, Eliot; Harrington, Holly
>>Cc: Sheehan, Neil; Uselding, Lara
>>Subject: [External_Sender] Request for Interim Compensatory Measures

> >for the Upcoming NRC DCPD End-of-cycle meeting
> >Importance: High
> >
> >Hello, Eliot and Holly:
> >
> >Thank you for your reply of 06 March 2015, Holly. I recognize that
> >these are very hectic times at the NRC with former Chairman
> >Macfarlane's resignation on 31 December 2014. I'm sure that the new
> >Chairman Stephen G. Burns is likely still being "brought up to speed."
> >However I did not receive any further correspondence.
> >
> >I and other members of Californians for Green Nuclear Power
> ><http://www.CGNP.org> will be attending, and intend to make citizen
> >comments in support of the continuing safe operation of Diablo Canyon
> >Power Plant (DCPD) at the upcoming NRC End-of-cycle meeting scheduled
> >for 24 June 2015 at the Embassy Suites in San Luis Obispo, California.
> >I wish this meeting to be one that facilitates the free exchange of
> >information between the NRC and all members of the public.
> >
> >I'd like to know what interim compensatory measures the NRC is
> >planning for the San Luis Obispo meeting. If this issue has "fallen
> >off the radar," I note that at a minimum, the local government bodies
> >have a uniform practice of limiting public comments to 3 minutes per
> >speaker, with some means to indicate the time remaining for a speaker.
> >
> >I also wish to learn if it would be beneficial to the Commission
> >staff attending to have public comments be submitted electronically
> >in advance. If so, what is the appropriate email address?
> >
> >Please confirm receipt of this email message.
> >
> >Sincerely,
> >
> >Gene Nelson, Ph.D., Government Liaison Californians for Green Nuclear
> >Power San Luis Obispo, CA
> >(214) 455 - 8065 cell

Harrington, Holly

From: Gene Nelson, Ph.D. <c0030180@airmail.net>
Sent: Friday, March 06, 2015 1:01 PM
To: Brenner, Eliot; Harrington, Holly; Sheehan, Neil; Uselding, Lara
Cc: Rod Adams; Meredith Angwin; Dan Yurman; Steve Aplin; Mark Flanagan
Subject: RE: Apparent Tolerance of Disruptive Behavior by NRC Public Meeting Participants
Attachments: NRC Letter - Paul Lorenzini 03 05 15.PDF; NRC must do more to insure civility at its public hearings - Stephen Aplin 03 03 15.pdf; NRC must do more to insure civility at its public hearings - Dan Yurman 03 05 15.pdf; Rod Adams Criticism of NRC Tolerance of Gary Sachs Disruptive Behavior 03 05 15.pdf

Importance: High

Eliot B. Brenner, Director
Office of Public Affairs (OPA)
U.S. Nuclear Regulatory Commission
11545 Rockville Pike
Rockville, MD 20852
(301) 415-8200 - OPA
(800)368-5642, (301) 415-7000 Main
eliot.brenner@nrc.gov

Holly Harrington, Senior Level Advisor, OPA
(301) 415-8203
Holly.Harrington@nrc.gov

OPA Field Office Region I (Philadelphia)
Public Affairs Officer: Neil Sheehan (610) 337-5331
neil.sheehan@nrc.gov

OPA Field Office Region IV (Dallas)
Public Affairs Officer: Lara Uselding - 817-200-1519
lara.uselding@nrc.gov

06 March 2015

Hello, Director Brenner, Senior Level Advisor Harrington, Public Affairs Officer Sheehan, and Public Affairs Officer Uselding:

I serve in a volunteer capacity as the Government Liaison for Californians for Green Nuclear Power. Our organization's web address is <http://www.CGNP.org> I and other members of our organization plan to offer citizen testimony at upcoming NRC hearings regarding the ongoing safe operation of the nearby Diablo Canyon Power Plant (DCPP.) Our interest is to be able to offer that citizen testimony free of intimidation and disruptive behavior that has been carried out by opponents of nuclear power.

During the past few days, I have become aware of the apparent tolerance by NRC officials of disruptive behavior by participants at NRC public meetings, in particular the one held on 19 February 2015 in Brattleboro,

Vermont. The NRC meeting facilitators permitted anti-nuclear power advocates such as Gary Sachs to be disruptive and disrespectful of advocates for nuclear power such as Meredith Angwin. There appeared to be a **lack of impartiality** shown by the NRC meeting moderators.

Attached find three relevant web articles and a letter from Paul Lorenzini to the Nuclear Regulatory Commission.

I would like to draw your attention to a relevant section of California's Brown Act, which applies to public meetings of deliberative bodies held in California:

http://ag.ca.gov/publications/2003_Main_BrownAct.pdf

54957.9. Disruption of meeting

In the event that any meeting is willfully interrupted by a group or groups of persons so as to render the orderly conduct of such meeting unfeasible and order cannot be restored by the removal of individuals who are willfully interrupting the meeting, the members of the legislative body conducting the meeting may order the meeting room cleared and continue in session. Only matters appearing on the agenda may be considered in such a session. Representatives of the press or other news media, except those participating in the disturbance, shall be allowed to attend any session held pursuant to this section. Nothing in this section shall prohibit the legislative body from establishing a procedure for readmitting an individual or individuals not responsible for willfully disturbing the orderly conduct of the meeting.

I understand that Vermont has enacted legislation analogous to California's Brown Act.

I request assurances via email that steps will be taken by the NRC to insure that advocates for nuclear power will be able to provide citizen testimony to the NRC during **orderly** upcoming California public meetings regarding DCP. We desire these meetings be free of disruptions, intimidation, or "political theater" by opponents of nuclear power. I believe that similar assurances are also requested by citizens in other states, such as Vermont.

Sincerely,

Gene A. Nelson, Ph.D.
Government Liaison
Californians for Green Nuclear Power <http://www.CGNP.org>
San Luis Obispo, CA
(214) 455 - 8065 cell

Harrington, Holly

From: Gene Nelson, Ph.D. <c0030180@airmail.net>
Sent: Thursday, March 05, 2015 2:24 PM
To: Harrington, Holly
Cc: Dan Yurman
Subject: More on apparent appeasement of antinuclear activists at NRC public meetings

Hello, Holly: As an advocate for green nuclear power, I was also very troubled to read the attached account from Dan Yurman regarding what I see as favoritism directed **against** green nuclear power advocate Meredith Angwin and her supporters for the continued safe operation of Vermont Yankee.

I'm requesting assurances that disruptive and intimidating conduct such as that shown by anti-nuclear activist Gary Sachs will not be tolerated at the upcoming NRC public meetings regarding the continued safe operation of Diablo Canyon Power Plant.

Sincerely,

Gene Nelson, Ph.D., Government Liaison
Californians for Green Nuclear Power
San Luis Obispo, CA
(214) 455 - 8065 cell

Canadian Energy Issues

Where energy converges with environment in Canada and the rest of the world

Free speech, Monty Python, and Civil War reconstruction: anti-nukes are not funny

by Stephen E. Aplin • March 3, 2015 • 7 Comments

<http://canadianenergyissues.com/2015/03/03/free-speech-monty-python-and-civil-war-reconstruction-anti-nukes-are-not-funny/>

The Union victory in the U.S. Civil War should have paved the way to a situation in which eligible voters in the defeated states could exercise their democratic right in elections. But what should have happened is not what did happen. People who had only a few years earlier been slaves and non-citizens and who had by wartime legislation been transformed into a sizeable portion of the voting public were, by the Ku Klux Klan, beginning in 1868 (see article), intimidated into refraining from just about any form of political participation. This intimidation occurred in spite of the fact that there were federal troops—men with guns, many of whom had fought in the battles that decided the civil war—stationed in the areas in question. Why did they not stop the intimidation?

For two reasons. First, those doing the intimidating were extremely determined: they were motivated by rage against the natural consequences of having lost a war they had started. And second, those who were ultimately in charge of making the decisions over whether or how federal troops stationed in southern states should intervene against armed Klansmen lost the will to enforce the law.

The upshot was that blacks lost their rights to vote, which had been granted through legislation during a war that cost a million casualties. And those rights did not reappear until the mid-1960s, nearly a hundred years later. Rage did not win just the day, it won the century.

The moral of that story is, legislation is only as good as the enforcement behind it. If there is no will to enforce a law, then the law does not mean much.

Now, everyone has been at a public meeting where somebody who has the floor gets carried away and starts to really foam at the mouth. There is a balance that the meeting organizers must strike: they must give the foamer his time at the mike but they cannot let him hijack the meeting or intimidate anybody else. If they do, then the same situation applies (albeit in microcosm) as during Reconstruction: people with legitimate rights are prevented from exercising them.

Here is a video of a public meeting convened by the U.S. Nuclear Regulatory Commission on the matter of decommissioning the recently shut down Vermont Yankee nuclear plant. If you can spare the time, have a look. It is an example of participative democracy in action.

NRC: Public Forum on Vermont Yankee 2/19/15 in Brattleboro, VT

<https://www.youtube.com/watch?v=vXk7IKDTbPo>

You will hear the voice of a heckler right at the outset. Get used to that guy. He is a major feature over the entire three hours and fifty four minutes of the video.

The U.S. NRC should reexamine its permissiveness and indulgence for people who attend its public meetings. It appears to have handed

the floor to people with anger problems whose rage, while based on comic-book analysis, dominates the room. The NRC is a U.S. federal agency that, through its unwillingness to run a proper public meeting, gives de facto preference to people on only one side of an issue that has global existential importance.

Ask yourself, as you watch: should the meeting organizers have allowed this guy to participate?

Yes, the overwhelming majority of the other members of the public who appear at the mike sound like members of a mob in a Monty Python movie: non sequitur piled on top of non sequitur, escalating to a crescendo of righteous and incoherent hyperbole. It's like getting cornered by a stoner at a party: the guy just babbles vacuously on about something he feels strongly about. But I have been assured by someone who was present that it was not funny at all. This person tells me she was extremely uncomfortable and did not feel physically safe.

She tells me that opponents of Vermont Yankee once, at another NRC meeting, deposited a pile of cow dung on a table in front of a representative of the company that owns the plant. The dung-depositor then dumped cow dung into the company rep's water glass and then smeared the wet dung on papers that were on the table. This apparently occurred in 2009. The spectacle in the video above occurred roughly two weeks ago—six years after the cow dung incident.

Which is to say, the NRC today allows into public meetings people who dispersed a known biologically hazardous substance in an earlier meeting.

Watching the video, you might get the impression that opposition to the plant is near universal. But ask yourself: would you attend such a meeting? Let's say you support nuclear power. Would you attend a meeting in which people who oppose it are allowed to stage temper tantrums and shout down anyone they disagree with, with the compliance of the meeting organizers? Would you attend a meeting in which you knew people who threw cow dung, which contains deadly e.Coli bacteria, in another similar public meeting were allowed to participate?

There is free speech, and there is irresponsibility and anti-social behaviour. I had a prof in university who during lectures had no tolerance for students who pulled the shout-down tactic. He would call security and have such students escorted out. He was not trampling on such students' rights of free speech. They were trampling on other people's rights.

The U.S. NRC should reexamine its permissiveness and indulgence for people who attend its public meetings. It appears to have handed the floor to people with anger problems whose rage, while based on comic-book analysis, dominates the room. The NRC is a U.S. federal agency that, through its unwillingness to run a proper public meeting, gives de facto preference to people on only one side of an issue that has global existential importance.

There is a reason so few pro-nuclear people show up at these meetings. Nobody likes to be in a room with a guy whose anger hijacks the proceedings.

Just as nobody likes to go and vote when there's an angry guy with a gun and a rope menacing the voting booth.

7 comments for "Free speech, Monty Python, and Civil War reconstruction: anti-nukes are not funny"

1. Morgan Brown

March 4, 2015 at 12:56 am

Democracy is not a free-for-all. If someone wishes to participate, then they have that right but also an obligation to be respectful and take their turn. A heckler like "Garry" does not add

anything positive to the democratic process, but only contributes rudeness and wastes people's time. In this case, Garry is only demonstrating a smug self-satisfaction in hearing his own voice, and in disrupting the proceedings. That's not democratic process – the majority of people (regardless of their stance on the issues) are at the meeting to listen, learn, and to take the opportunity to express their opinion when the floor opens to questions. If I was an anti-nuclear campaigner, I would be embarrassed by Garry.

o Stephen E. Aplin

March 4, 2015 at 9:59 am

This guy is more than disruptive — he's an aggressive bully who has been allowed to use physical intimidation to hijack a public meeting attended by many people who are senior citizens. There are security personnel in the room who could and should have been asked by the meeting organizers to bounce him the hell out of there in Minute One, when it was clear he was there to disrupt and not offer comments. But the meeting organizers did not make use of this resource, but rather let a bully run rampant through a nearly four-hour public meeting.

Like I said, in post-war reconstruction there were federal troops stationed in areas where the Klan was active, who did nothing to enforce the law. From the viewpoint of a recently enfranchised person interested in participating in politics at any level, those troops might as well not have been there. Hence most southern blacks refrained for the next century from participation in democracy; the ones who didn't got lynched.

There is no way that a federal regulator should be allowing one side of this debate to win by intimidating the other, in meetings organized and paid for by the regulator.

2. James Greenidge

March 4, 2015 at 11:25 am

Very good article, but the sad thing about these clowns showing up at nuclear town halls and meetings is because they know that their rants and heckling is just strutting icing on the antis' FUD cake; their major PR damage toward nuclear power mostly due fatal lacks of nuclear self-promotion and ads and public education and a pop nuke spokesperson a'la Carl Sagan countering all their mass public attacks is long already done. They love showing up at these sessions just to see how well their FUD campaign worked when they smugly feel they've royally won when pro-nukers cower behind PC and "civility" and let the inmates take over the asylum when if they performed such antics in other fields they'd be briskly drummed out where they sit — and I've been to such very satisfying meetings. Order rules, not turning the other cheek!

James Greenidge
Queens NY

o Maury Markowitz

March 5, 2015 at 7:58 am

> fatal lacks of nuclear self-promotion and ads and public education

So is your argument is that this industry can't figure out how to run public meeting, and you trust them to make reactors? What sort of logic is that?

Of course, anyone that's actually worked in the industry knows the *real* reason nuclear is dead, and you can find it anywhere you look. Like right here:

<http://www.lazard.com/PDF/Levelized%20Cost%20of%20Energy%20-%20Version%208.0.pdf>

CAPEX on nuclear, ~ \$7.50, CAPEX on wind, ~\$1.25.

That is the reason, the *only reason*, why the nuclear industry is dead. And on that note:

<https://matter2energy.wordpress.com/2015/03/05/areva-in-turmoil-bullet-dodged/>

Maybe a little early for the violin, but one can hear them warming up in the wings.

▪ Stephen E. Aplin

March 5, 2015 at 10:42 am

you don't understand how these public meetings work. It's not the industry that runs them. It's the regulator.

That is kind of the entire point of the article.

▪ seth

March 6, 2015 at 12:41 am

Maury is well known solar advocate on other comment sites. He routinely complains about anybody that contradicts his spiel in an effort to get negative comments blocked.

Currently the VC Summer plant is running \$5B/GW, overruns included, about the same as the Korean Plant well under way on time on budget in ultra high cost UAE. Given the current cost low interest rates prevalent a public power operator like OPG can finance at rates below 2%. Adding the 2 cent a kwh operating cost, Grade school arithmetic gives the nukes a cost of a little over 3 cents a kwh.

Lazard as Big Oil's banker is just trying to protect it's embedded investments in petrol by producing cherry picked nonsense based on wacky assumptions.

Because of the immense risk of wind/solar projects totally dependent on taxpayer subsidies, Ontario recently tarified wind at 12 cents a kwh. However a recent study showed that when the cost of 4 times sized transmission plant, surplus dumping and gas backup was included the cost of wind tripled.

From "what-goes-up-ontarios-soaring-electricity-prices-and-how-to-get-them-down"

" Among other things we found that adding wind power to the grid increases costs by about three times the amount of the direct payments to wind turbine operators."

If you look at the IESO web site you will note that Ontario wind power is always 100% exported often at nearly a 100% loss to taxpayers.

Note that today the Canada Customs tripled the cost of Maury's Chinese solar panels, imported to Canada, as they are dumped on world markets at a small fraction of the cost of production.

3. James Burkes

March 5, 2015 at 2:44 pm

It is not even a question of democracy. The issue is the rule of law. And that requires order and procedure, along with the willingness of the participants to abide by the rules and conduct business in an orderly and civil manner. If you don't have that, you have nothing but mob rule, which is pretty close to what we see in this video. It isn't democracy so much as thuggery and subjugation by means of fear and threat.

The only thing that protects us from the torches and pitchforks of the lynch mob is the rule of law. **Pure democracies inevitably fail when the majority becomes a mob. And an Ochlocracy usually ends badly for everyone.**

About Steve Aplin

<http://canadianenergyissues.com/about-steve-aplin/>



Flamanville 2 EPR construction project, Normandy France, 2010. Photo courtesy of Areva.

I am Vice President of Energy and Environment at the HDP Group Inc., an Ottawa-based management consultancy. Though I work at HDP, the views and opinions expressed in this blog are mine alone and do not necessarily represent those of The HDP Group. Any errors or omissions related to the content of this blog are of course mine alone.

I lead energy- and environment-related projects dealing with current and future energy production and use at the macro and micro levels. In addition to the technical, technological, and organizational aspects, all of these projects involve also a political dimension, which often necessitates advocacy at various levels of government as well as in the general public arena. See "Energy as a political issue."

These projects include

- Reviewing markets for energy products, and recommending strategies for obtaining the funding for renewing the manufacturing infrastructure for these products.
- Introducing new environmental technologies into mature energy industries.
- Developing new novel fuel manufacturing processes.
- Energy/environment policy advocacy.
- Energy production and use data management.

In addition to the custom cases that typify strategic consulting, I manage a portfolio of ongoing research projects. These are applied research in the chemistry and chemical engineering fields—development and optimization of chemical reactions and chemical manufacturing processes.

These projects call on the following capabilities:

- Conceptual business strategy development.

- Research project management.
- Organization strategy and design.
- Strategic/tactical communications.

You can reach me at 1+613-567-5300 or at s.aplin@hdpgroup.com

Agencies should not allow creation of a hostile environment at public meetings

Rod Adams · March 5, 2015 ·

Archived by Gene A. Nelson, Ph.D. 03 05 15

<http://atomicinsights.com/agencies-should-not-allow-creation-of-a-hostile-environment-at-public-meetings/>

13 Comments

On February 19, 2015, the US Nuclear Regulatory Commission (NRC) transported a substantial contingent of regulators to Brattleboro, VT to hold a public meeting about Entergy's Post Shutdown Decommissioning Activities Report (PSDAR) for the permanently shutdown Vermont Yankee nuclear power plant. Brattleboro Community TV produced a video record of the event.

Watching that video is a disturbing, stressful way to spend nearly 4 hours. It should have ended at 9:00, but the last speaker didn't get the microphone until nearly 10 when the room had to be vacated. Quite a few of the people who signed up to talk had gone home by the time the moderator called their name.

The meeting was frequently disrupted, with some hostile and intimidating actions by a large tribe of people sharing a specific point of view. That tribe had a designated warrior named Gary Sachs who was often cheered and congratulated for his disruptions. The meeting moderator not only tolerated the disruptions, he enabled them in the same way as a parent who only pays attention to the child who is acting out while virtually ignoring the one who is behaving.

Because I know that most people don't have the time or the stomach to watch a four hour marathon, I produced a clipped version that focuses on Mr. Sachs's actions and the actions that respond to his presence. Even with that filtering criteria, the clip is still 26 minutes long.

It distresses me to see how many people have forgotten certain key components of our revered 1st Amendment.

Congress shall make no law respecting establishment of religion or prohibiting free exercise thereof; or abridging the freedom of speech, or of the press, or the **right of the people to peaceably assemble, and to petition the Government for a redress of grievances.**

(Emphasis added.)

I support that entire statement and recognize that it puts a burden or responsibility on all of us when we remember that its delineated rights apply to all Americans. Each of us has the right of free speech, but our right to say what we want or need to say fades out when it intrudes on the rights of other people to say what they want or need to say. At a public assembly, we would not want our government officials shutting us out of the conversation, but we must recognize that those officials have a responsibility to protect the rights of everyone else to participate.

We do not live in a country where the person with the loudest voice, the largest bank account, or the most intimidating demeanor gets to dominate a public conversation and shut everyone else out. We cannot have a peaceable assembly when bullies insist they own the turf and we cannot petition the Government for a redress of our grievances if an individual backed by a mob shouts us down in a public forum specifically designated as a venue for speaking to Government representatives.

The responsibility to protect everyone's rights falls on the shoulders of the designated government officials and law enforcement officers assigned to hold a public meeting. They have the equivalent of a

judge's gavel and should use it to maintain order. In situations where stakes are high, emotions are charged up, and tempers may flare, keeping order requires early and effective action.

Meeting ground rules should include procedures for peacefully escorting people out of the meeting when they have proven that they don't respect the rights of others and escalation responses that might include a recess or complete adjournment.

When people learn that their government officials have abdicated their responsibility and developed a habit of holding raucous meetings where disorder and hostility prevail, some of them will avoid participation. Many good and thoughtful people walk away from conflicts, but that means that their voices aren't heard and their thoughts are not shared.

I have been following the long-running public discussions about the Vermont Yankee nuclear power station for at least five years. **There is a history of meetings hosted by the NRC where uncontrolled outbursts and hostile actions were tolerated.** There is also a record of special, almost encouraging meetings with groups that have a habit of disrespecting others. Those meetings have often excluded responsible individuals and groups with a different point of view.

I've written about this issue in the past, but haven't always had such good visual evidence of the interruptions and the way NRC meeting leaders have tolerated those interruptions, almost to the point of subtle encouragement.

After watching the four hour video of a meeting that should have only lasted three hours, I contacted the NRC Public Affairs office to ask why they had let the meeting be dominated by disrupters. Here is the first response in what turned out to be a rather lengthy exchange.

Rod,

Gary Sachs is a longtime opponent of the now permanently shutdown Vermont Yankee nuclear power plant. When the Seven Days publication ran a story on the closure of the plant last December, Mr. Sachs and his wife were among those featured: <http://www.sevendaysvt.com/vermont/gone-fission-assessing-a-future-without-vermont-yankee/Content?oid=2484782> .

We knew going into the meeting that Mr. Sachs might be interested in seeking to disrupt it. This was based on his behavior at past NRC meetings regarding the plant. Our decision was to not exacerbate the situation by having him removed from the meeting. Instead, our facilitator, Chip Cameron, repeatedly reminded Mr. Sachs that his interruptions were unacceptable; were doing a disservice to audience members there to learn more about the decommissioning process for the plant; and that eventually he would have an opportunity to speak at the microphone, which he did. The lack of Mr. Sachs' removal should not be considered in any way an indication that the NRC condones such behavior. We would also note that Vermont has a high threshold for the removal of citizens from public meetings.

The NRC always tries to strike the right balance between allowing members of the public to express their views – and all of the passion accompanying that for some – and creating an environment in which other audience members can gain information without distractions. As we always do, we will seek to learn from the Vermont Yankee meeting and further refine our meeting protocols going forward. In the meantime, we will continue to encourage attendees at our meetings to be respectful and to strive for civil discourse that serves everyone's best interests.

Eliot

(Note: From an older email with a more complete signature.)

Eliot Brenner
Director, Office of Public Affairs
US Nuclear Regulatory Commission

Mr. Brenner and I then exchanged some short, philosophical emails about ways to run a meeting, with me pointing out that appeasement doesn't work. Here is another important response from him.

Rod: We have been in the process of fleshing out a plan to improve NRC public meetings, including guidance for the conduct of meetings. As that work unfolds the experience at VY will be taken into account.

While we want to be inclusive, we do not want that to impact those who are at our meetings to listen and learn, regardless of their perspective.

With respect to the VY meeting. There have been other VY meetings that were more challenging and we did not seek the removal of individuals. That includes a case in which manure or compost was thrown at and on members of the NRC and the licensee. There is every chance that seeking to remove Mr. Sachs would have been the story, not the information being presented. And the act of ejecting someone could have led to further disruption, given the composition of the audience. Additionally, there is a very high legal threshold in Vermont for ejecting someone from a public meeting and, as I understand it, it could bring the hearing to a halt. Beyond that, we had a good facilitator who has dealt with this individual before and who was working politely to rein in the person.

That said, we are working on this issue with the aim of developing a more structured way to permit the public to better be able to participate, comment, ask questions and learn, and to better deal with, and if necessary remove, those who would disrupt meetings.

As I think I said earlier, we regret that the behavior of one individual detracted from the experience of others at this meeting.

Eliot

After letting Brenner know that I would be writing about this topic in hopes of encouraging continued efforts to ensure that all people have their rights respected, I responded with the following email.

Eliot:

There is every chance that seeking to remove Mr. Sachs would have been the story, not the information being presented.

Why are you so concerned about what "the story" about the meeting would have been?

The purpose of a public meeting is to provide information and an opportunity for comment to the responsible citizens who take the time to attend the meeting and who behave themselves.

Additionally, there is a very high legal threshold in Vermont for ejecting someone from a public meeting and, as I understand it, it could bring the hearing to a halt.

Vermont may have a high threshold for ejection, but the conduct that is clearly visible on the recorded video is illegal. One is not allowed to call someone a "scumbag" (twice) or to snatch the microphone from the hand of someone else, or to physically threaten someone by intruding on their space.

Walking out of or stopping a disruptive meeting is an appropriate response that has been used at certain regulatory agencies, including one to the north of us.

http://www.vice.com/en_ca/read/activists-are-lashing-out-at-the-canadian-nuclear-safety-commission

With respect to the VY meeting. There have been other VY meetings that were more challenging and we did not seek the removal of individuals. That includes a case in which manure or compost was thrown at and on members of the NRC and the licensee.

The NRC's tolerant responses to incredibly nasty behavior like the "manure or compost" incident in previous meetings did not help to establish good order and peaceful assemblies. It encouraged worse behavior, in the same way as purchasing a candy bar for a child who is acting out in the grocery store encourages future misbehavior.

Beyond that, we had a good facilitator who has dealt with this individual before and who was working politely to rein in the person.

I disagree with your judgement about the skills of your chosen facilitator. Being nice to problem children is unfair to the adults who are there to engage in an important civic duty.

At least in this tiny corner of the internet — which reaches many people who care deeply about using atomic energy to improve public health, safety and prosperity — the "story" about the meeting is the way that the NRC failed in its responsibility to provide a peaceful assembly so that all people — including those whose lives will be harmed by the successful actions that helped to force the plant closure decision — could petition the Government for redress of their grievances.

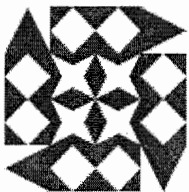
The current commission is not the same one that enabled the protesters in Vermont to establish a pattern of behavior that discouraged nuclear energy supporters from participating fully in the public dialog. Fortunately, the NRC has a well-deserved reputation of being a learning organization that recognizes that self-criticism and focused efforts to improve based on extracting lessons from operating experience will result in improved performance.

NRC leaders also know the value of learning from the best practices of others, so I hope they find some good examples of agencies that run effective meetings that allow peaceful participation by people of varying points of view. They probably have some internal examples of more successful approaches to habitual disrupters.

Preview of things to come: Yesterday I watched the Senate Appropriations Energy and Water Subcommittee hearing on the NRC's FY2016 budget request. It was a refreshing example of our government at work. My Twitter feed has a number of comments about the hearing.

For those who don't have time or interest in watching the full hearing, I plan to post clips that include key highlights

Categories: Antinuclear activist, Politics of Nuclear Energy, Public meetings

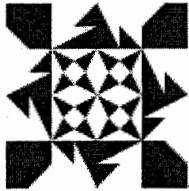


About Rod Adams

Pro-nuclear advocate with small nuclear plant operating and design experience. Former submarine Engineer Officer. Founder, Adams Atomic Engines, Inc. Host and producer, The Atomic Show Podcast. Resume available here. Please subscribe to the Atomic Show RSS feed.

13 Responses to "Agencies should not allow creation of a hostile environment at public meetings"

Read below or add a comment...



Rob Brixey says:

March 5, 2015 at 6:54 AM

Let them rant.

In civilized discourse, the party resorting to hostility is generally viewed as having an untenable position. If one can't defend their position with facts submitted with manners – they likely are offering an indefensible thesis.

Reply



Ioannes says:

March 5, 2015 at 9:08 AM

Let me ask something.

(1) Are these kinds of emotional rants and disruptions permitted at FCC hearings? Or FAA hearings? Or FDA hearings? Or EPA hearings? Or whatever? Truly I do not know the answer. But consider that if this is the norm for discourse at any agency public hearing regardless of the area – nuclear, communications, airlines, medical, environmental, etc – then what we are witnessing are the consequences of our society's disrespect of authority and disdain of law. It is one thing to question the action of authority or the wisdom of law. It is another thing entirely to behave without regard or respect. I am reminded of the Occupy Wall Street movement, or the pillage, burning and looting that occurred in Missouri late last year.

(2) On the other hand, if this is something unique to the nuclear power industry, then let us ask ourselves why agencies and commissions for other industries do not tolerate this behavior, but the US NRC does? Simply put, why would the FCC or FAA or FDA or EPA NOT tolerate this kind of behavior, but the US NRC does tolerate it? Has the regulator for nuclear been given an agenda to provide credence and voice to disruptors opposed to the industry being regulated? And if so, then who has the power to give it that agenda? I think we know the answer to that question.

(3) By the way, can you imagine the IRS tolerating this behavior at a public meeting?

Reply



Wayne SW says:

March 5, 2015 at 9:20 AM

Ranting is okay if done within the rules. Illegal and threatening behavior falls outside the rules of almost every civilized society. Throwing potentially harmful materials (animal feces) at people is generally accepted as a criminal act (attempted assault).

A long time ago (so it seems) in this country bad behavior was dealt with swiftly and firmly and was not tolerated. When I was in (public) school if a student disrupted class they were thrown out. There was an understanding that we were there to learn and if there were those who were determined to prevent that then they were removed. Our government officials should learn from the past. If the NRC truly is a "learning agency", then this is one lesson, before any others, they should learn.

Reply

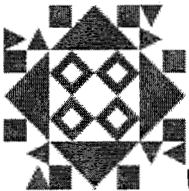


Mays says:

March 5, 2015 at 10:04 AM

Dang it! This is what tasers are for.

Reply



Wayne SW says:

March 5, 2015 at 10:05 AM

I don't understand this "high threshold for the removal" in Vermont business. What's right is right and what's wrong is wrong and what's unfair is unfair anywhere, including Vermont. What, is it written into their state Constitution that citizens get to act like jackasses at public meetings and get away with it? The bottom line is that the NRC is running the meeting and they are being paid to run it in such a way that everyone who has a thoughtful contribution to make to the public discourse should be able to do so without threats and intimidation. Those who work for the NRC are professionals working in a technically advanced field and they should uphold their responsibility to serve the public interest in a way that allows for civilized discourse. If they don't, if they allow and do not prevent their meetings from devolving into a chaotic, unproductive, and dangerous circus act, they bring dishonor and disrepute to themselves and the agency they serve.

Reply

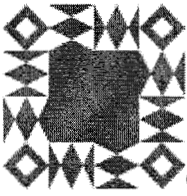


Mays says:

March 5, 2015 at 10:11 AM

These guys really should smoke more pot before one of these meetings. It's supposed to mellow you out, you know.

Reply

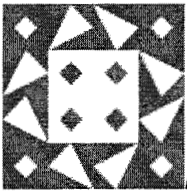


Cyril R. says:

March 5, 2015 at 12:13 PM

That may have been the problem, they might have run out and sat there cold turkey in the meeting!

Reply



Meredith Angwin says:

March 5, 2015 at 10:29 AM

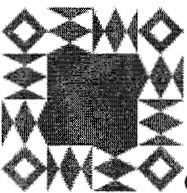
Rod

As you must know, I can't possibly thank you enough for writing this post. You watched the whole four hours and abstracted something that regular people can watch in less than half an hour! You emailed the NRC and shared their responses. (Hey, we're proud that we don't even throw people out when they commit assault!)

Thank you again and again.

Meredith

Reply



Cyril R. says:

March 5, 2015 at 11:12 AM

It's amazing how much mindless hate there is towards nuclear energy technology in any shape, size and form. The hate appears to disregard any facts and engineering such as the proven robustness of dry casks.

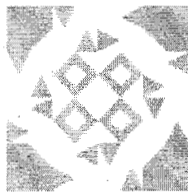
Nuclear energy is one of those subjects where most people are as negative as they are totally clueless. The more clueless they are about engineering, behavior of materials and generally science and technology, the more negative they are.

So this is in my opinion and also in my personal experience, a knowledge problem. How do we get people to become interested in the technology? It seems to me we should give people something to read that will make them think and start the process. This is a hot potato that needs to cool down a little. For me one of the main reads that made me change my mind about nuclear energy was the late professor Cohen's book, "the nuclear energy option". It is a bit dated now but it is mostly a timeless gem. It is available online:

<http://www.phyast.pitt.edu/~blc/book/BOOK.html>

How do we get millions of people to read books like that?

Reply

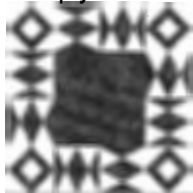


northcoast says:

March 5, 2015 at 11:47 AM

I recently purchased a hardback copy through Amazon.

Reply



Cyril R. says:

March 5, 2015 at 12:12 PM

Ok I checked it is \$23.

Is there some billionaire available to buy, say, every North American household a book like this and distribute it to them?

Reply



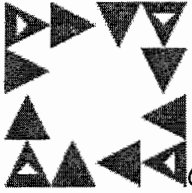
Steve Aplin says:

March 5, 2015 at 11:25 AM

"... why would the FCC or FAA or FDA or EPA NOT tolerate this kind of behavior, but the US NRC does tolerate it?"

Maybe because the NRC is mindful of the, uh, nuclear preferences of the two chairs who preceded the current one and of those of certain members of the congress (e.g. Markey, Boxer, Reid). Do those paragons of civic virtue really care if their supporters throw cow dung around at public meetings?

Reply



Greg says:

March 5, 2015 at 12:15 PM

Gary Sachs looks like he got his training from Westborough Baptist Church.

Paul Lorenzini
5905 SE Columbia Way, Unit 103
Vancouver, WA 98661

March 5, 2015

Stephen G. Burns, Chairman
U.S. Nuclear Regulatory Commission
Mail Stop O-16G4
Washington, DC 20555-0001

Dear Mr. Burns:

I am writing to request you give immediate attention to establishing and requiring the enforcement of standards for the conduct of public meetings. As you know, from the very earliest efforts to introduce atomic energy, public participation in proceedings as they relate to the regulation of atomic power has been a national goal. Current practices by the U.S. Nuclear Regulatory Commission (NRC) are compromising that goal by tolerating acts of intimidation and permitting disruptions that are chilling the legitimate efforts of citizens to participate in these proceedings.

I understand from communications with the Nuclear Energy Institute that this matter has been raised in the past and efforts have been made to give the matter attention. It is apparent from recent hearings, however, as highlighted in this letter, that those actions are too slow, ineffective, and not being given the attention they need.

On February 19, 2015, the NRC held a public meeting in Brattleboro, Vermont to address decommissioning issues for Vermont Yankee. One of the attendees at that meeting was Ms. Meredith Angwin, a housewife who has been an active citizen in past proceedings involving the plant. Her account of that meeting follows:¹

"Friends:

I was at this meeting, but I have been unable (emotionally unable) to blog about it. Listening to lies is hard. Over 100 opponents and few supporters is hard. Being booed is hard. Having someone shout "you're getting older, Meredith" as I finished speaking is hard. I hope to pull myself together and blog about this perhaps this weekend. There was one other person who spoke for the plant. He was booed and harassed to the point he was shaking. I saw it. Later he wrote long email to some friends, including me, about

¹ Email from Meredith Angwin to ANS social network, Feb 27, 2015.

his reaction and how he plans to have the ability to go forward. It was not a trivial event. It was like Agincourt, "we few etc" except that we lost. None of us will forget it. What Howard wrote below is correct.

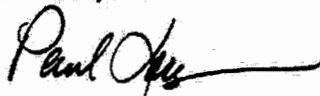
Meredith"

The reference to "Howard's email", relates to an email by Howard Schafer expressing concerns that opponents would be doing everything they could to disrupt these proceedings.

In response to the email by Ms. Angwin, Rod Adams, author of a website dealing with nuclear issues (www.atomicinsights.com), reviewed the entire four hour tape of the meeting and summarized his observations in a blog which included a twenty minute condensation of the proceedings.² Included in his blog is correspondence with the NRC relating to this incident indicating they were aware of concerns prior to the meeting but chose not to take action to exert controls that would have protected the integrity of the process because they worried about "exacerbating the situation." By not doing so, they enabled acts of intimidation and contributed to an overall environment that had a chilling effect on genuine citizen participation in these processes, one whose ripple effects will be felt at future proceedings. Providing a safe atmosphere for citizen participation seems a pretty minimum standard. It seems obvious, if this is all correct, that efforts made so far to deal with this issue have been inadequate.

The effect on participants, as evidenced by Ms. Angwin's anguished email, should be a concern to you and every member of the NRC. No court room would permit this sort of behavior, and NRC proceedings should be accorded no less respect. Anything you can do to give this matter your attention would be greatly appreciated.

Sincerely,



Paul Lorenzini

² <http://atomicinsights.com/agencies-should-not-allow-creation-of-a-hostile-environment-at-public-meetings/>