

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: NEIMA Section 108 Public Meeting

Docket Number: (n/a)

Location: Plymouth, Massachusetts

Date: Wednesday, September 11, 2019

Work Order No.: NRC-0503 Pages 1-118

NEAL R. GROSS AND CO., INC.
Court Reporters and Transcribers
1323 Rhode Island Avenue, N.W.
Washington, D.C. 20005
(202) 234-4433

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

+ + + + +

PUBLIC MEETING

NEIMA SECTION 108

+ + + + +

WEDNESDAY,

SEPTEMBER 11, 2019

+ + + + +

PLYMOUTH, MASSACHUSETTS

+ + + + +

The Public Meeting was held at the Hotel
1620, 180 Water Street, Plymouth, Massachusetts, at
6:03 p.m., Brett Klukan, Facilitator, presiding.

NRC STAFF PRESENT:

BRUCE WATSON, Branch Chief, Reactor Decommissioning
Branch

TED SMITH, Project Manager, Reactor Decommissioning
Branch

KIM CONWAY, Project Manager, Reactor Decommissioning
Branch

BRETT KLUKAN, Region I Office

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

P R O C E E D I N G S

(6:03 p.m.)

MR. KLUKAN: Okay, welcome everyone to the meeting this evening. My name is Brett Klukan. I will be facilitating, as I have done in the past at other meetings for Pilgrim. Again, just a few quick housekeeping matters. The bathrooms are straight through the doors. The exits are to the back and then to the front of the building. While cameras are permitted, please try not to obstruct the view of others. And I notice there's a lot of signs, or banners. You're welcome to hold those up in the back of the room. I would just ask that you don't obstruct the views of other audience members. And if you would be so kind to please silence your cell phones at this time. And if we are asked to evacuate the building for any reason, please follow any instructions by hotel staff. Again, like you will evacuate through those back doors. And then I would ask that we keep the front row here clear. There's a bunch of cords up here that I don't want people to trip on -- and for security reasons as well. And with that, I will turn it over to Bruce Watson. Thank you, again.

MR. WATSON: Thank you. Can you hear me?

All right, thank you again -- thank you for coming

tonight. Today is 9-11. It is the 18th anniversary of the attacks on our country. I personally lost five members of my neighborhood in the Pentagon air crash.

So, I hope everyone is taking the time to remember them and also keep them in your hearts and minds.

The purpose of tonight's meeting -- we have been tasked with following through on The Congress's directive -- act -- The NEIMA Act -- the Nuclear Energy Innovation and Modernization Act. I have been tasked -- and my branch has been tasked with Section 108 which is to come up with the best practices for community advisory board -- boards at decommissioning nuclear power plants. And that is the sole purpose of our meeting tonight. If you have other issues, we're not here to hear about those. So, I am sorry about that. I sympathize with your -- with the situation. But it's also in litigation, so we're not allowed to speak about it.

So, with that -- you know, it was decided by other people than the people that are here tonight from the NRC. So, I appreciate it if you would stick to the topic that we're here for. Next slide, please.

This is an NRC Category 3 meeting. Like I said, it is a meeting to obtain comments to identify the best practices for ~~t~~The establishment and operation of

local community advisory boards -- commonly known as CABs. They're also known as ND CABs. Nuclear Decommissioning Citizen Advisory Panels -- and another of different names -- Citizen Engagement Panels -- around the country. And it -- there's four nuclear power plant -- power reactors. And we're also going to include any lessons learned from the existing CABs. So that's another reason we're here tonight.

We have certain meeting safety procedures. We know where the exits are -- over here. And so, with that, are there any NRC staff that would like to be introduced?

MS. HOLAHAN: I am Trish Holahan. I am the director of the Division of Decommissioning Uranium Recovery and Waste Programs. And I am happy to be here and listen to your thoughts and ideas and I welcome you all.

MR. WALL: Hello, I am Scott Wall, with the Project Manager for Pilgrim for the Nuclear Regulatory -- Reactor Regulations Office.

MR. WATSON: Are there any others? Okay. My name is -- again, is Bruce Watson. I am chief of the Reactor Decommissioning Branch. I have had the opportunity to speak -- not only at public meetings here on reactor decommissioning in the past here, but

also at ND CAP meetings. So, I am back again. So, we are here -- I am here with two of my staff members. On my right is Ted Smith. He is a project manager in the Reactor Decommissioning Branch. And Kim Conway -- she is also a project manager in my branch. They also -- I also have a number of other people in the working group that are working to get the input from the public, hear your comments, so we can formulate the report to Congress next July. With that -- after we get done with a short NRC presentation, I am going to turn the meeting over to Brett. He will be going over the ground rules. I do want to remind you that Mr. Pete Holland is over here, transcribing the meeting. And, also we had a last-minute cancellation by the closed captioning people -- the company that we had arranged over a week ago to be here. So, I apologize for their poor performance, but there is really nothing I could do about it at 4:00 this afternoon. So, with that, we'll go to my presentation, please?

Just as a reminder, the NRC has significant decommissioning experience. Our regulations are -- have been in place since 1997. And so, we have -- we have extensive decommissioning experience in the providing licensing and inspection oversight of all the nation's power reactors, research

reactors and complex material sites. A total of 10 power reactors have completed decommissioning. And unfortunately, seven of those still have spent fuel on the facilities. So, we continue to inspect those facilities each year to inspect -- ensure the spent fuel is safe.

The other point I want to make is that, out of the -- almost these 80 reactors -- or, excuse me, 80 complex sites that have -- and their license is terminated, they have all been released for unrestricted use. Meaning that the owner of the property can use the land for whatever purpose they suit to -- suit to, after they've met our criteria for licensed termination. And with that, since there are -- are released for unrestrictive release -- and that's their intent -- there is no requirement in the NRC regulations for us to hold a citizen's advisory panel -- for us to require a citizen's advisory panel to be at the sites. So, all citizens advisory panel are voluntary. They're either supported by other -- other groups, but we are not party to them. We will come and talk at them, but -- when invited, as we have in the past -- but we do not require that they exist.

So, keep that in mind as we talk tonight. Next slide, please.

This is the Yankee Rowe Nuclear Power Plant. The license was terminated in 2007. It still has its spent fuel facility on site, so we continue to inspect that. The -- a member of the Yankee Row Citizens Advisory Panel was at our meeting last night in Vermont and provided some input on their citizens advisory panel. Next slide is the Worcester Polytechnic Research Reactor. This was decommissioned and ~~t~~The license was terminated in 2013. So -- just here in the state we've done at least two large projects in reactor area. Next slide, please.

On January 24th, Congress issued the legislation for the Nuclear Energy Innovation and Modernization Act. We call it NEIMA. And specifically, as I said, Section 108 was assigned to my branch. And it says in there that the Commission - - meaning the NRC -- shall submit to Congress a report identifying the best practices with the respect to the establishment and operation of a local community advisory board to foster communication and information exchange between a licensee planning for and involved in decommissioning activities and members of the community that decommissioning activities may affect - - including lessons learned from any such board in existence. So, we would like your comments by

November 15th. So, you have some time to think about them. We do have a questionnaire that's out on the table. We also have this card out there which has the information which will be going into a slide later on how to send in, by either using our website -- Regulations.Gov website -- or by letter, or by email. Next slide, please.

So, what are community advisory boards? They're an organized group of citizens interested in safety commissioning practices and spent fuel management at a decommissioning facility. The sponsor is usually the local licensee, or mandated by state legislature. Composition typically includes local community leaders and elected officials, state representatives, and members of a licensee's staff. Most CABs are -- have a governing charter to establish roles and responsibilities. Next slide, please.

What are the typical CAB responsibilities? They review licensee's plans for decommissioning. They provide insights into potential impact on the local community. There is an opportunity for public education on decommissioning and they can make recommendations to state officials. They provide input on site -- can provide input on site restoration plans for the future re-use of the site, and possibly

economic development. Next slide, please. So, what is our report to Congress going to contain? It is going to contain a -- a CAB discussion topics, CAB recommendations to form decision making processes during decommissioning, CAB interactions with the Commission and other federal regulatory bodies to support the board members' overall understanding of the decommissioning process and promote dialogue between the affected stakeholders and the licensee involved in decommissioning activities. How a CAB could offer opportunities for public engagement through all phases of the decommissioning process. Next slide, please?

So, the report will -- also continue the CAB membership composition, selection process, and the terms of that membership, when the CAB was established and the frequency of CAB meetings. And any specific logistics required to support the CAB activities, and other identified best practices or activities. And, like I said, these are captured -- these questions are captured in a questionnaire we had out front. It's available on our website. It was cleared by the Office of Management Budget to provide that -- that questionnaire to you. Next slide, please.

So, the methods to submit comments --

public comments you provide us here tonight, like I said, will be transcribed. And we will be looking at those, again, when we get the transcription back, as well as my staff taking notes tonight -- on your comments you give to us tonight. We will be taking some notes. The -- you can fill out The NEIMA Questionnaire and you can do it online at this website. You can submit the comments electronically to the Federal Rulemaking Website, which is Regulations.Gov under this NRC docket number here. We're going to put this slide back up -- it's a lot of information -- later. You can scan the completed questionnaires and send them to NEIMA108resource@NRC - - which is our email address. Or you can mail the questionnaires to Kim Conway here, who's got a large mailbox, waiting for all the comments. Next -- next page -- next slide, please.

The NEIMA Section 108 Web page is easy to get to. You can go to NRC.gov for our public website, and there's a section there called Spotlight, which I've got circled here on ~~t~~The slide -- on ~~t~~The left-hand side. You can click on The Community -- Advisory -- I can't read this here, but it's The -- Community Advisory Board Meetings -- and get your information. That will take you right to ~~t~~The website. Next slide,

please.

So, for further information, you can send an email or call Dr. Dave McIntyre from The Office of Public Affairs at NRC Headquarters. And of course, you can email our NEIMA108@resource at -- .gov email address. Next slide, please? Just to summarize, our whole intent of this meeting tonight is to discuss The NEIMA Section 108 requirements that were placed upon us by the Congress. We are going to be taking your comments -- listening and collecting those from this meeting and ten other meetings around the country. This is actually meeting number 6. So, we hope to get your comments, as well as the ones that we've received recently, and also the ones in the next -- in the few coming weeks. So, I -- I know you have a number of issues you're passionate about, but unfortunately, we're not here to talk about those tonight. So, with that, I will turn it over to Brett Klukan, our facilitator. Thank you.

MR. KLUKAN: Hello again -- oh, wow. Hello everyone. Just -- just some basic ground rules. Many of you who have come to meetings before for the NRC -- or hosted by the NRC -- have heard these already. But I feel like it's important that I, you know, be very clear up front. I play by a three-

strikes rule. Three instances -- after the third instance of disruptive behavior, I will ask you to leave the meeting. And then, as to this next point, let me be very, very clear. While I have no expectation at all that this will occur tonight, under no circumstances will threatening gestures or statements be tolerated in any way. If you engage in such behaviors, you will be immediately ejected from the meeting room. If you refuse to leave, local law enforcement will escort you out. All right. With that, if you've been -- if you feel that you've been threatened, please let me know -- or please let one of the other officers know -- or another NRC member you see wearing one of the name tags in the room. I just want to be very clear on that point.

All right, next up the ticket. So -- or, the order of speakers. As we've done in past meetings, we're using a ticketing system tonight. When you registered to speak, you should have received one half of a ticket, the other half went into a collection container -- the purpose of which is to randomize the order of speakers. So, during the public comment portion I will pull numbers from that.

That will determine the order of speakers. When we get to the public official -- or the elected official

comment portion, I will go out and see how many people we have and based upon that I will figure out how much time we can allow for each speaker. But at a minimum, you will get three minutes. You may get more, depending upon the number of speakers we have signed up. I will divide it up accordingly, depending upon how much time we have remaining.

You are free to donate tickets amongst yourselves. I ask that you try to figure that out in advance, so we don't spend time during the meeting trying to do little auctions of who gets to speak next, using what ticket. Again, my hope is that everyone will have an opportunity to speak tonight, so hopefully you won't need to donate your tickets around. I would point out that -- unless we get to a second round of comments, people will be limited to one time at the microphone. So, you can't use another ticket to speak again until we get to everyone has already had an opportunity to speak -- just so we give everyone a chance at the microphone who came here tonight with a desire to offer comments.

For your awareness -- this was already mentioned -- the meeting tonight is being transcribed.

So, when you get to the microphone and it's your turn to speak, I ask that you please state your name and

then spell it, if you wouldn't mind. And then also provide any organization with whom you are affiliated, or for whom you are providing comments. I will have a countdown clock -- or, the countdown clock is positioned in front of the microphone. Again, I will determine the amount of time once we get to the public comment portion. That will count down to zero, just so you know how much time you have left.

And then, I just want to echo what Bruce said. I recognize -- I've been here many times with you. And the reason I come here is to -- and you've heard me say this before, so I will be very brief -- is because I -- to be -- I believe in this dialogue between the public and the NRC, and I want to do my best to encourage it and to make this as worthwhile for you as possible. Now I recognize, with that said, that many of you have come tonight with feelings about the license transfer. That you are angry -- you are furious about it. I am not here to dispute that, all right? The question is, is what you do with this meeting. Congress set this meeting up to give you an opportunity to provide comments on how a CAB should be organized. And I can't -- as a facilitator, there are many actions I can't take. I can kick people out of the room -- I have no intention of doing that. I can

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

do certain other actions. But I can't force you to talk -- stay on topic. Like, that's up to you. So, it's a question -- it's a choice you have to make on what you want this meeting to be. This is your opportunity to provide comments to us -- and ultimately to Congress -- on what you think CABs should be -- how they should be funded, what should be their responsibilities, and then what should be their organization? Who should be on them? So, it's -- this is your opportunity to provide that, as well as written comments afterwards. So, I leave it up to you to choose how you use this meeting. Again, I am not going to cut people off, but I just want to ask that you think about what's the best use of your time here?

And I am not trying to tell you what that is. I am just asking you to take that into consideration.

And with that -- before we turn to Elected Official, I just want to make sure -- are there anyone -- does anyone have any comments on The NEIMA process?

This is, again, just on Section 108, the -- what we're doing with these meetings -- how we're collecting comments. Anyone have a question on that in particular?

(No audible response.)

MR. KLUKAN: All right, hearing none, we

will turn to elected officials. First, I would like to call up Jim Cantwell on behalf of Senator Markey.

(Pause.)

MR. CANTWELL: Mr. Chairman, thank you very much for the opportunity to speak. My name is Jim Cantwell. I am the State Director for the United States Senator Ed Markey. I am here -- first, I want to thank State Senator Vinny deMacedo. I want to thank State Senator Dan Wolf for their great work in The Massachusetts Legislature, creating The ND CAB. They worked very hard to make sure that there would be a public process. We were very disappointed in -- in -- thus far to know that the result of this process have not been listened to. I want to thank Sean Mullin, The Chair, and all the ND CAB members. There are over 21 formal meetings, over three hours a piece -- there were numerous subcommittee meetings, thousands of hours of individuals to try to make sure that this transfer process and that decommissioning would be done properly.

I applaud the Governor's Office, by the way. Republic governor along with a Democratic attorney general who worked hard to make sure that we set up an inter-agency working group that would be able to -- to make sure that they would represent and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

protect the public's interest. The first they wanted to take away -- from doing -- when you're -- best practice is, this was the best practice. And when you had every political persuasion, every citizens group - - I want to note, Pixie Lampert here, Jim Lampert -- the great work of Pilgrim Watch. All the citizens groups that have come together with a unanimous voice about some concerns with this transfer that went on deaf ears.

On behalf of Senator Markey, I have a written statement that I wanted to give. But I want to note first that -- that based upon the inability, or the refusal of the NRC to listen to these folks -- NRC no longer stands for Nuclear Regulatory Commission. It's now saying, you are no longer -- Not Recognizing Citizen Input. And I wanted to note --

(Applause.)

MR. CANTWELL: And I will read into the record the Senator's comments. Now the Nuclear Regulatory Commission Staff are here to look at best practices and lessons learned in how community advisory boards can hope to effect nuclear decommissioning activities. But the lesson learned here is clear. Despite promising to listen to local stakeholders, their opinions were ignored. They were

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

cut out at every single turn. The Pilgrim Nuclear Decommissioning Citizens Advisory Panel ND CAB has done a tremendous job. Indeed, they took in its role as community advocate and liaisons very seriously. For two years members of the ND CAB fulfilled their legislative duty, holding regular meetings -- I mentioned the 21 full meetings -- but also working day in and day out to gather community concerns to ensure the people of Massachusetts are well represented and protected. The panel has repeatedly raised concerns over ~~the~~ the use of decommissioning trust funds for desired to have a 10 millirem radiation standard -- not what the federal standard would be. The safety of communities within the 10-mile emergency protection zone -- concerns about what you've already started to do, which is not to allow funds to go to the surrounding communities, even while this waste is being transferred -- and the cost of emergency preparedness. The NRC did not address a single one of these concerns before allowing the transfer.

Entergy -- Entergy did not address a single one of these concerns, and Holtec has not addressed a single one of these concerns through the process. It is hard to take the NRC's search for best practices seriously tonight when our community members

too often saw the worst of government bureaucracy and corporate indifference throughout this process. When we needed reassurance and responses, we got delayed and denials. Pilgrim's decommissioning should not have had this canary in the coal mine for the NRC to realize it needs to do much more to ensure that stakeholders are heard throughout ~~t~~The decommissioning process. The best practice would have been to listen ND CAB when it first convened two years ago. Or at any point throughout the process -- or at any time moving forward.

The Pilgrim Nuclear Decommissioning Citizens Advisory Panel is made up of bright, passionate public servants. This panel cares deeply about the community. They deserve to be listened to, not brushed aside, or to be pushed out. In summary, the senator would like you to know that, as a member of the United States Senate, feeling that these people have been disregarded and not listened to, he will be calling for U.S. Senate hearings and will be joining with others to make sure that we have some review process of the Nuclear -- the NRC not doing its job before allowing this transfer to be done. We thank you for the opportunity to be heard~~r~~ and look forward to hearing from others tonight. Thank you.

(Applause.)

MR. KLUKAN: And thank you. Next, we will have Ms. Hannah Benson of Senator Warren's office.

(Pause.)

MS. BENSON: Hello, thank you very much. As they said, my name is Hannah Benson and I have a short statement here from Senator Warren. Senator Warren believes that the Nuclear Regulatory Commission's handling of the Pilgrim Power Station jeopardized the health and well-being of Massachusetts residents. The Nuclear Regulatory Commission's decision to grant the license transfer from Entergy to Holtec without appropriately considering input from the people of Southeastern Massachusetts is deeply troubling, especially given Holtec's plans to decommission the site on a much more rapid timeline than previously announced. Furthermore, The Nuclear Regulatory Commission should reject Holtec's request for an emergency preparedness exemption, and instead ensure that Pilgrim develops and maintains emergency procedures that could prevent or respond to potential future disasters.

It is unfortunate that the Nuclear Regulatory Commission came to Pilgrim to discuss best practices with the community advisory boards, but

remains unwilling to change its behavior to assuage residents' concerns. Senator Warren will continue advocating on behalf of her constituents, and holding federal agencies accountable for putting the safety of Massachusetts at risk. Thank you.

(Applause.)

MR. KLUKAN: Thank you very much. Next, we will have Mr. Michael Jackman on behalf of Congressman Keating.

MR. JACKMAN: Thank you. I just want to thank the NRC for including Plymouth. The original list for public hearings on this topic did not include Plymouth. And through the advocacy of Congressman Keating and our Senate colleagues, we were able to get Plymouth included. So, we appreciate that. A letter that the Congressman has written to the Chair of the NRC. I write today to express my support for the incorporation of public input into the Commission's decision-making process -- especially during The decommissioning of a nuclear power plant. Under the Nuclear Energy Innovation and Modernization Act, the NRC is required to consult with stakeholders and report to Congress on best practices for community advisory boards in the areas surrounding Nuclear power plants that have ceased operations and begun

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

decommissioning.

In anticipation of the announced cessation of power generation operations at Pilgrim Nuclear Power Station, the Commonwealth of Massachusetts established the Nuclear Decommissioning Citizens Advisory Panel -- ND CAP in 2016. ND CAP has had an important role in discussing the impacts of decommissioning on local communities and residents, and has amassed a large body of fact-based information through its hearing process. ND CAP has conducted its meetings with transparency and with fairness to all parties, including the licensee.

By inviting the testimony of stakeholders from residents, from environmental regulators, from local businesses, and from other states dealing with decommissioning process, ND CAP has developed recommendations geared towards maintaining public safety and environmental integrity. The ND CAP process has also allowed for a full airing of concerns by the host community, as well as activist groups concerns about a range of issues -- including radiological testing, water and air quality monitoring, and support for emergency planning resources. For the last year or so, these discussions occurred with the pending possibility of a license

transfer that would allot responsibility for the decommissioning of Pilgrim to Holtec, LLC.

This pending license transfer shaped the discussion and afforded the participants the opportunity to share concerns regarding the inexperience of Holtec and its partners in the decommissioning process. Despite concerns expressed by ND CAP members and by the community at ND CAP meetings, the NRC moved rapidly ahead to approve the license transfer last month. The NRC did so despite Holtec's refusal to enter into discussions with the Commonwealth or with the host community regarding its commitments to environmental protection, emergency planning support and site redevelopment. In addition, the NRC approved the transfer, absent a full hearing of the contentions -- five by the Massachusetts Attorney General and Pilgrim Watch -- regarding Holtec's financial integrity, and its ability to finance a complete decommissioning of the plant without taxpayer support.

The chain of events demonstrates the need to give citizens advisory boards a more meaningful role in the decommissioning process. I have co-sponsored with Representative Welch of Vermont The Nuclear Plant's Decommissioning Act of 2019, which

would require ~~t~~The licensee to consult with affected states and localities before submitting a post-shutdown decommissioning activities report -- PSDAR. It would also require the NRC to solicit public comment on ~~t~~The PSDAR, hold at least two public hearings, and invite the state to register its support or non-support for the proposed PSDAR, as well as make specific recommendations to approve ~~t~~The PSDAR. This will give the host community and host state greater oversight of the decommissioning process ~~and~~ and require the licensee to work with the affected communities to develop a safer, more effective decommissioning plan.

As I work in Congress to effectuate this change, I urge the NRC to review its own regulations and policies to allow greater and more meaningful input from the public in its deliberations around decommissioning plants. The public must not be shut out of these discussions, as it unfortunately has been here in Plymouth. Across the country more and more nuclear plants will undergo decommissioning in the years ahead. The NRC has the opportunity to learn significant lessons from its experience with Pilgrim's decommissioning and license transfer. I urge the Commission to take steps to ensure local public input is considered fully and incorporated into its

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

decision--making processes. Signed Congressman Bill Keating. Thank you.

(Applause.)

MR. KLUKAN: Thank you. Are there any other representatives on behalf of federal offices who would like to speak this evening?

(No audible response.)

MR. KLUKAN: Okay. Next, we will have State Senator Vinny deMacedo -- please --

(Simultaneous speaking.)

MR. KLUKAN: DeMacedo, apologize.

MR. DEMACEDO: Thank you, my name is Vinny deMacedo, I'm the State Senator from the Plymouth and Barnstable District. I would like to thank Congress for giving us an opportunity to speak about the NDCAP and how the best practices go forth.

As you heard earlier, I, along with my colleague Dan Wolf and Representative Muratore, worked together to create this NDCAP, because we felt it was very important. We learned from, and this -- from people in Vermont, that they did this and it was important that we have these tools early on. And so, we did it.

And I would like to thank the members of the NDCAP, because I was thoroughly impressed over the

Formatted: Font: (Default) Courier New

few years that they have met and they have spent time and really educated the community and the Commonwealth of what would happen when this plant was decommissioned.

I stand here to tell you how concerned I am about my disappointment in regards to the way that the NRC dealt with us through this process. I tried to be reasonable, I tried to share my concerns.

Not too long ago, I had a meeting, along with my colleagues at the state and local and federal level, to ask the NRC, in regards to some concerns that we had in regards to the trust fund and how that process would go and giving us an explanation.

I was told by the NRC at that time, along with my colleagues, you need to put that request in writing and we will get you this information. Of course, that information was in regards to what would happen if there was not enough money in the trust fund to finish and who would be liable.

Would it be the Commonwealth of Massachusetts? Would it be the Town of Plymouth? Would it be the licensee? A pretty simple question, I believe.

Probably about a month and a half later, I received a letter telling me, from the NRC, thank you

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

for writing this letter, but I'm sorry, we can't answer that question, because there's been a request to intervene and for a hearing, a license transfer amendment application for the Pilgrim Plant, and we have to be impartial, so we can't answer the question.

However, you told me to write you a letter and now, I get a letter back. This is just another example of how disappointed we are with the process.

So, I say this to really make this message clear to Congress, because I hope that everything that is being said here is going back to Congress, so that people around the country will understand how, despite the goodwill and efforts of local communities, the Commonwealth of Massachusetts, bipartisan delegation, to try to get to a common sense answer, because guess what?, at the end of the day, we are a de facto spent fuel repository for nuclear waste.

And that is just a reality. And I'm simply asking, how is it that we know that we're protected? And I know I'm getting cut off in a second. However, I just wanted to say that that is not fair and I do not believe that the NRC was fair in dealing with us through this process.

They should have taken the time to have listened to a greater degree to the community, to the

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

Attorney General, to the Governor, everyone was concerned about this and you still just moved forward and it really didn't matter what we thought.

And that's disappointing, because you're a federal agency, you work for the people of the country, just as we do. I'm only here advocating on behalf of my constituents that are concerned, because I'll be gone by the time that this could be a problem, 15-20 years from now.

But you know what? My children and my children's children will be here, and so are everyone else's, and those spent fuel rods will still be here and we don't know how it's all going to play out. We're just asking for answers.

That was a simple question that we asked and the NRC just basically said, we're not answering you at all. I just think that that's just irresponsible and I'm disappointed in the NRC. So, I hope Congress gives communities and the states more power to require responses from the NRC in the future.

Thank you very much.

(Applause.)

MR. KLUKAN: Thank you. Before we turn to local officials and the NDCAP members, I just want to make sure, are there any other elected officials from

the State of Massachusetts or from state-level offices who would like to offer comments at this time?

MR. MURATORE: I did sign up.

MR. KLUKAN: I --

MR. MURATORE: Am I being ignored on purpose?

MR. KLUKAN: No, I -- what's your name, sir?

MR. MURATORE: Is that part of the process?

MR. KLUKAN: No, what's your name, sir?

MR. MURATORE: I'm Matt Muratore, State Rep for Plymouth.

MR. KLUKAN: So, you wrote down no for prepared remarks.

MR. MURATORE: I don't have prepared remarks, I'm going to talk from the heart. That's what I meant by it.

(Applause.)

MR. KLUKAN: Okay.

MR. MURATORE: First of all, thank you for coming here. And every time where I was as Selectman or State Rep, I've always welcomed you here and I appreciate that. Just a little bit of background, I became an elected official in 2010, as a Selectman, very proud of that. Became Chairman in 2012.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

And invited the NRC to a meeting we had. And it was a meeting to have open and honest discussions and have the public be involved as well. And on our side, we felt the meeting went well, but the feedback we got from you that it didn't go well. I'm a very optimistic person, so I said, okay, we'll take lessons from that, we'll keep learning.

I was fortunate to be elected State Rep in 2014. So, still involved with this whole process as a State Rep now. And I was still optimistic, up until recently. And it's disappointing that, as a representative for this community, as a family man, a father of six daughters, with grandchildren that will be coming on the way, that they see what this is going to become.

As the Senator said, and he said it well, this is becoming a de facto site for us. And what's disappointing and what's hard to get by -- first of all, let me say this, I was curious why you were coming, because of the timing of all this.

And then, I realized from your opening comments why. It sounds like you really don't even want to be here, but Congress is telling you to be here. So, I think, with that, I think hopefully this is going to help.

I'm still going to try to be optimistic. And that you're going to hear from all of us, from all these people here, from Pilgrim Watch, from the Attorney General, from the federal delegation. The process has to change.

Now, you are very good at listening, I know that firsthand. You're very good at communication. But the substance isn't there. And I think what needs to change, and I'll wrap it up, I think what really needs to change at this point, and this is the lesson that I learned from this the last couple of months, is you really need to at least fake it.

(Laughter.)

MR. MURATORE: At least fake the fact that you've got an Attorney General, well-respected by both parties in this Commonwealth, that filed a motion to ask for you at least to hear her out. You have Pilgrim Watch send a motion to at least hear you out.

You could have at least had the hearings.

And I think that's the lesson I want to bring back to Congress is, don't close the loop on anything you decide to do until you hear everyone out.

Yes, do they need to be put in writing? Sure, they do. But at least fake it. Thank you.

Formatted: Font: (Default) Courier New

Formatted: Font: (Default) Courier New

Formatted: Font: (Default) Courier New

(Applause.)

MR. KLUKAN: And again, my intent was not to reject anyone, I just interpreted the no on prepared remarks as you didn't want to stand to be recognized. My apologies again.

So, moving on, just to make sure, are there any other state-level representatives who would like to, even just to stand and be recognized at this time, we'll gladly bring a microphone to you?

Okay. Hearing none, we will move on to local officials. We will first start with Ken Tavares, who is the Chair of the Board of the Plymouth Selectmen.

MR. TAVARES: Good evening. My name is Ken Tavares, I'm Chair of the Plymouth Board of Selectmen.

I've gotten to know a number of you over the -- well, I should stay, I started this game back in the '70s, so I've seen some of you for a good number of years.

But I have to be very sincere with you tonight and to tell you that I am extremely disappointed. When I first looked at the call to this meeting, I wondered why, what happened in Plymouth is done. And I feel extremely, on behalf of my community, let down.

I asked a number of our citizens to work

on our NDCAP committee and they have put in countless hours. I've been to many of their meetings and I know that they have put in the hours with a great deal of passion and concern for our community, as well as the surrounding communities. But nothing has happened.

And this road that we've been on since the '70s is disappointing. I went a number of years ago to Yucca Mountain, I was invited to go on the tour and see the mountain. So, I went with the Town Manager at the time and one of my other colleagues.

We took a tour, we actually went through, around. It looked like a Disney ride to me at first.

But when we came out, the person that was our guide said, this place will never see any fuel put into that mountain. And I thought, you have to be kidding me. That was a promise that the federal government made to all of us and it was broken.

I feel that you're all good men and women, I don't doubt that. But I feel your hands are tied and I'm trying to figure out, where are they tied? I don't think you have the freedom to speak as clearly as you do and it was demonstrated just recently in Plymouth. Asking for time, asking for addition consideration, went by the board. And it just shocked me that people on the federal level could do that to

us.

And going back to the community, we're beginning anew. We have a nuclear plant here, we have spent fuel here, and as previous speakers have said, we have to deal with it. So, the road is not over for us.

But boy, I'll tell you, my respect for the federal government, for the Congress right now and the rules that we're actually governed by right now, scare the living daylights out of me.

I don't think we're out of the woods and I'm hoping that word will get back to the right people at the right time that we all need help and that this process has to change. It's not working, gentlemen. I know you've tried hard, but it's not working. Thank you.

(Applause.)

MR. KLUKAN: Thank you very much. Before I turn to members of the various Nuclear Advisory Boards and Commissions that have signed up to speak, I just want to, are there any other local elected officials who would like to stand and be recognized or to offer prepared remarks at this time?

So, again, we will next turn to the Nuclear Advisory Commissions and Panels, or members.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Any other local elected officials? Again, my intent is not to exclude anyone.

Okay. So, I will go -- I do have a list of people who have signed up and then, I'll open it up to other NDCAP members. So, first, we have Sean Mullin, the NDCAP Chairperson.

MR. MULLIN: Hi, my name is Sean Mullin, and I'm the Chair for this year of the NDCAP here in Plymouth. Mr. Watson, other representatives of the NRC, welcome back to Plymouth. We're glad you came.

Thank you for including Plymouth and Pilgrim in your efforts to identify the best practices and lessons we have learned from the creation and operation of the Commonwealth's Nuclear Decommissioning Citizens Advisory Panel, or NDCAP.

While I truly appreciate your presence and I'm sure you fully expect and understand the reasons for the anger and the outrage you'll hear tonight, please know that it's not directed to you personally, as you've heard, but to the ongoing actions, or in way too many cases, the inaction of the organization you work for and represent, as well as the Congress and the other agencies of the federal government.

Many of the citizens you'll hear from tonight feel this way because of the lessons they have

learned over the past five decades, including the current license transfer and decommissioning process.

As Chair of the NDCAP, I'm going to share some very specific observations and lessons learned and offer some equally specific suggestions for the Congress, other states, other host communities, and the NRC to consider as these many additional locations and facilities go through this same process in the future. I hope with your help and with Congress's efforts, they don't go through what we've been through.

These are my own observations, opinions, and conclusions, they don't necessarily reflect the thoughts of other members of the NDCAP or the public.

I hope you'll hear them tonight as well.

But before I get into the details, let me summarize my observations, lessons learned, and conclusions. The system, the entire system, the regulations, the policies, the practices are rigged in favor of the nuclear power industry.

(Applause.)

MR. MULLIN: As I'll describe, the outcome of the license transfer, decommissioning, and exception approvals was known to the companies involved well before the decision was made, almost

down to the exact date. That is the very definition of the word rigged.

As a result, I can only conclude that the NRC's process and decision on the license transfer and decommissioning approval has been nothing short of a travesty and a sham.

With all due respect to your personal intentions and professional experience and integrity, which are not in question here tonight and have never been, this evening's meeting and this process are a costly charade.

(Applause.)

MR. MULLIN: You know it's true, we know it's true. You're here because Section 108 of the Nuclear Energy Innovation and Modernization Act, NEIMA, requires the NRC to develop a report identifying best practice for the establishment and operation of local Community Advisory Boards, CABs, associated with decommissioning.

We're here, all of us, not because we have any confidence that our opinions, based on past practices, will change anything, but we're here because we can't be silent when what is wrong is so clear.

(Applause.)

MR. MULLIN: Without strong Congressional action, and you heard some of the comments tonight, this dangerous farce will continue until a disaster occurs. And that is particularly noteworthy on September 11th.

I hope I'm wrong. I hope your findings and report convince Congress to act. But I'm pessimistic, because in some cases, past performance is in fact a very good indicator of future performance.

That said, here are my personal lessons learned and best practices. I've organized my thoughts by the purpose, creation, composition, role, and governance of Citizens Advisory Boards.

Let's start with the purpose. As the name states, these are citizens advisory boards, advisory being the key word. Advisory is not authority. Advice can be considered or ignored by those who have the power and the authority to make decisions.

In our case, our advice was considered by the Commonwealth and was ignored by the companies involved and the NRC. I would urge every other state to create a Citizens Decommissioning Authority, not an Advisory Board.

(Applause.)

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

MR. MULLIN: Average citizens who live in the impacted communities should have more than just an advisory role, they should have a voice.

Now, on to the composition. I learned that the nuclear industry's money, power, and influence extends far beyond Washington, D.C., Rockville, Maryland, and in Plymouth's case, King of Prussia, Pennsylvania.

I learned that the industry's highly paid lobbyists are just as effective on Beacon Hill as they are on Capitol Hill. This is a very important lesson for every state and every host community, because the industry's lobbyists and their locally hired mouthpieces can permanently undermine and pervert every Citizens Advisory Board before it even gets started.

Let me give you an example. Here in Massachusetts, the bill that created the NDCAP, we have the sponsors, co-sponsors of it here with Senator deMacedo and Senator Wolf, that bill mysteriously changed at the last minute, altering the original language and composition of the Panel.

These changes ensured that the citizen appointees to the Panel were unable, even when they voted unanimously to support a motion, to gain the

required majority vote without the support of the appointees of the plant's operator and the ex officio appointees on the Board.

This still unexplained change to the legislation effectively stacked the Panel and muted the collective voices of the citizen members and public. It was a disgrace.

If other states and communities use legislation to create their Advisory Panel, they need to ensure that the industry and its lobbyists are not allowed to subvert the citizens' efforts before the process even begins.

In addition, I learned that reasonable and sufficient financial support and resources are needed to effectively operate the Citizens Advisory Panel. The volume and complexity of the issues involved require financial and human resources and expertise beyond the hundreds of hours citizen volunteers, other advocacy groups, such as Pilgrim Watch, no matter how committed, can realistically devote to this effort.

When you compare these limitations to the rate payer funded deep pockets of the industry, the need for a true regulatory agency becomes even more apparent. Keep in mind, every dollar that was spent against the proposals made by the NDCAP, by Pilgrim

Formatted: Font: (Default) Courier New

Watch, by the Attorney General, every dollar came from rate payer money.

The role. I also learned that the existing open meeting laws, unintentionally, but effectively, curtail the role of Citizen Advisory Boards by limiting the open and transparent discussions they were meant to ensure.

Massachusetts open meeting laws require, their requirements, rather, unintentionally distorted the role of the NDCAP by placing unnecessary, questionable, and obviously very counterproductive restrictions on open discussions among Panel members.

While the members of the Panel who represented the license holder and the operator and the successor were free to discuss and deliberate the license transfer and the decommissioning issues with their management in private, and the ex officio state employees could meet, discuss, deliberate, strategize in private meetings, the Citizens Panel was strictly prohibited from doing so.

This severely undermined the effectiveness of the NDCAP, because among other things, it meant the plant's operator had to be involved in every group conversation. Absurd, nothing short of absurd. This had a chilling and damaging effect on the Panel's

Formatted: Font: (Default) Courier New

ability to discuss and deliberate critical decommissioning issues.

For example, the NDCAP here in the Commonwealth was prohibited from learning the details of or participating in any meetings, discussions, or negotiations between the State and the plant's owner or the decommissioning successor.

This effectively limited the Citizens Panel from participating in precisely what it was created to do, advise the Governor, the Attorney General, and the legislature. As a result, a critically important lesson was learned that employees of the license holder or its successor must always be prohibited from becoming voting members of any Citizens Advisory Panel.

(Applause.)

MR. MULLIN: In this context, they do not fit the definition of a citizen. They only represent the interests of their stockholders and management. Inherently, and quite understandably, they cannot represent the best interests of the communities in which they operate, because those interests are naturally at odds with the stockholders' interests.

I also learned that it's essential to draw on the experience and knowledge of other communities.

The information we received from Vermont's NDCAP was invaluable and greatly appreciated. This, in my opinion, is the best of the best practices other communities should adopt and embrace.

Turning to the lessons I learned from the federal perspective. I learned that the doctrine of preemption, based on the supremacy clause as it applies to the licensing and regulation of nuclear power facilities, continues to solely benefit the nuclear power industry at the expense of public safety, health, environmental concerns of the citizens of the host community, the region, and the state.

Since 1972, this doctrine has provided the legal basis for preventing ten separate administrations in the Commonwealth of Massachusetts, four Democrats and six Republicans, from effectively asserting the Commonwealth's right to protect its citizens and communities from the seemingly arbitrary and capricious actions and decisions of the NRC.

Like so many of the lessons learned in our case, the Congress must bear the blame for allowing this to happen and continue.

And just like the host communities, who are in fact spent nuclear waste dump sites for the foreseeable future, I find it difficult to believe,

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

personally, that any member of Congress would have ever allowed preemption to apply to the NRC if they had known the communities in their districts or their states would end up also being de facto nuclear waste sites.

Finally, the lessons I learned regarding the NRC. First, and again, I want to say that everyone I have personally interacted with at the NRC, including you, Mr. Watson, and several of your colleagues who are here tonight, have always been very responsive and professional. And I know I speak on behalf of all members of the NDCAP when I say thank you for the time you have spent with us in the past.

That said, as our second president and local favorite son John Adams said, facts are stubborn things. In this case, the facts support my conclusion that the NRC's regulations, policies, and practices are rigged in favor of the nuclear power industry.

(Applause.)

MR. MULLIN: For example, in May of this year, three months before the NRC approved the license transfer application, decommissioning plan, and exemptions, without any public hearings on the petitions to intervene, on the contentions, and on the motions, Entergy employees were openly saying that

they had been told the NRC would approve the proposed deal on August 21. Three months in advance.

Now, the folks here tonight had conversations with me about this. I personally spoke with NRC staff to determine whether this information was true, because the NRC had told the NDCAP that no timetable had been established. Like that old expression, you can look it up in our meetings.

In telephone conversations and in written responses to my questions, I was told that the NRC could neither confirm nor deny that the employees' information was correct. As we all know, the NRC approved the license transfer on August 22, one day later. Only one day later than the employees knew three months in advance.

Lesson learned, the fix was in. The fix was in between the NRC and the companies. By itself, this fact, in support of any reasonable person's conclusion that the entire process was and is rigged in favor of the industry the NRC is mandated to regulate. That's the facts, there is no dispute.

Unfortunately, there are many more examples of the results of the NRC's egregious failures to follow its own regulations, practices, in order to accommodate the corporate desires,

convenience, and bottom line of the companies it is mandated to regulate. Each is another painful lesson learned.

For example, Holtec's refusal to negotiate in good faith with the Commonwealth and its refusal to even discuss, never mind negotiate, critical issues with the Town of Plymouth taught us a lesson that I hope every other community, every other state across the nation, will both understand and keep in mind when they go through this process.

The lesson was obvious from their first meeting with us, with the NDCAP. Holtec refused to reach any agreement with the State or even discuss the Town's request, because they knew they didn't need to.

They knew they didn't need to, because they also knew virtually to the exact date when they would receive the approvals from the NRC. Fixed, rigged, those are the only two words that come to mind. Armed with this knowledge and assurance, Holtec knew it could run out the clock and refuse to answer even the simplest and most basic questions.

For example, when asked to disclose how long the warranty period was on the dry cask storage containers they proposed to provide, a very simple question, Holtec refused to answer because they said

that was proprietary information between them and Entergy. Between them and Entergy. That the community, that the Citizens Advisory Board, that the State had no right to know how long they're warranting these things for.

When asked a basic question about the purchase of the assets owned by Entergy, Holtec refused to answer again, because they said the information was proprietary.

Time and time again, in virtually every instance, Holtec refused to answer basic questions about the commitments they would make to the Commonwealth or to the Town of Plymouth or to the region regarding the transaction, the sufficiency of funding, public safety, environmental, radiological standards, or payments in lieu of taxes.

They stonewalled everybody, except the NRC, because they knew it didn't matter. They knew when they would be receiving the NRC's approval, right down to the date.

The important lesson learned, that I sincerely hope every community and state keeps in mind going forward, is that as long as the industry knows the NRC will approve their applications and requests, regardless of the legitimate concerns that are raised

even by their own state's Attorney Generals and quality, long-term invested organizations like Pilgrim Watch, the regulatory process is a sham.

I believe it will remain that way until Congress takes action to correct it, and I hope they do. Thank you.

(Applause.)

MR. KLUKAN: Okay. At this time, I would like to recognize Kevin O'Reilly, who's the Vice Chair, and then, Senator Dan Wolf, who is also a member of the NDCAP, but was also a co-author of the NDCAP legislation. Based on my information, neither wants to speak at this time, but --

MR. WOLF: We were told to write no if we didn't have a prepared speech.

MR. KLUKAN: If you would like to speak, please come up.

MR. WOLF: So, a lot of people in here probably wrote no, because we were instructed to, that's all I'm saying.

MR. KLUKAN: Okay. All right. Well, I apologize for the confusion as to that. Again, the point here is not to limit any member of the NDCAP to provide comments. So, would either Mr. O'Reilly or Mr. Wolf like to give comments at this time?

Formatted: Font: (Default) Courier New

MR. O'REILLY: Yes.

MR. KLUKAN: Okay. Thank you. I didn't --
I'm sorry.

MR. O'REILLY: That's okay.

MR. KLUKAN: So, please.

MR. O'REILLY: Again, my name is Kevin O'Reilly, and I'm the Vice Chair of the NDCAP. And I want to thank you for coming this evening. I just want to start by saying that, as the Vice Chair of the NDCAP, I agree with everything that Mr. Mullin said.

So, I'm not going to plow over the same things that he talked about, because I think he was so eloquent in expressing our frustration. But I do have a few things that I want to relay to you folks, but I will be brief.

I understand the stated purpose of the meeting is to identify best practices and lessons learned in operation of Community Advisory Boards. But as others have stated, I think you are very late to the game as far as Plymouth is concerned.

And now, I understand why, because you're here by mandate of Congress. The fact that you're here after the license transfer was approved once again demonstrates that the NRC continues to abdicate your responsibilities when it comes to protecting the

local communities.

The Pilgrim NDCAP was created due to the efforts of our state and local officials, through state legislation. This should not be necessary, we should not have to go through this cumbersome process to have our concerns listened to by the NRC. The NRC should mandate that these committees become part of the decommissioning process and they should be supported and funded by the NRC.

Our NDCAP has been in existence for over two years and I have to say, we have not had any substantial participation from the NRC, let alone the benefit of your expertise or your funds.

At a minimum, there should be a representative from the NRC on each and every Community Advisory Board so they can hear for themselves what the concerns are of the communities. The NRC's lack of communication and commitment to host communities leads us to assume, as Sean and others have said, that you're putting the concerns of the industry ahead of local citizens.

One of your bullet points talked about providing insight, that the NDCAPs or the CABs, as you call them, can provide input. But what's the point of providing input if it's ignored? I'll give you one

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

quick example, and I'm sure many others in the room will have some of their own.

The NRC has given the licensee an exemption to use funds from the decommissioning trust fund for spent fuel management and site restoration activities, yet we are told there is no money to mitigate community impacts.

But this money comes from local rate payers and the rate payers have no say in how it is used. I suggest that you give local citizens the same rights and privileges as the industry you regulate and let our local officials and NDCAP groups provide input on how to mitigate local impacts.

I sincerely doubt this will happen, because we have seen, time and time again, that you hide behind the curtain of regulations. How about we let some common sense be part of the equation once in a while?

You've already turned your back on Massachusetts by ignoring the requests of our Attorney General Healey and Senator Markey to delay your decision so we can continue the conversation.

I hope you will not do the same to other host communities that are facing the prospect of becoming long-term nuclear waste dumps. You need to

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

get involved early in the NDCAP process and you need to do a better job of representing local citizens. Thank you.

(Applause.)

MR. KLUKAN: Thank you very much.

MR. WOLF: Thank you. Dan Wolf from Cape Cod, former Senator, I'm one of the sponsors. And I want to thank my former fellow colleagues for putting this legislation together and I want to thank the citizens who have done so much work.

I especially want to thank, for his passionate and right-on comments, the Chairman of NDCAP, Sean Mullin. And he allowed me to be short, because what he said, I would like to ditto and reinforce.

I just want to make a couple of statements. First of all, as someone who works in a highly regulated industry, where our regulator has federal preemption, I'm going to speak with that authority.

But I want to push back very quickly on a statement that was made at the beginning, which is, the Nuclear Regulatory Commission has extensive experience in overseeing the decommissioning. A handful of decommissionings is not extensive

experience. And the license was transferred to an entity that has zero experience.

(Applause.)

MR. WOLF: So, that's a little bit off message, because I'm going to get to a little bit about the public process, but I think it's really important that we understand part of that public process should be to have on the table the experience level both of those doing the work and those regulators overseeing the work.

Now on to the Panel. I think it's really important, based on the hard work that went into forming the NDCAP, the work that's gone onto it by the Panel members, and by the concerned public, who will put hours of exhaustive work and thought and energy and effort into having input into this process, that their voices be heard.

It is so ironic, you want to talk about a sham, it is so ironic that tonight, shortly after this thing was approved, the license transfer was approved, in spite of all of the unheard input, because of those who had filed to be heard, it is so ironic that you're here saying that you want to understand better how to hear tonight. I just -- it blows me away.

The entities, the vertical entities of

government, through which you should be hearing, the local, the regional, the state, and the federal, all have been knocking at the door to be part of this process, and at this point, have been disregarded and disrespected.

At a time when it is more important that employees of our government and elected officials try to embrace and involve and hear from our citizens, to be disregarded like this is simply another nail in the coffin of distrusting the process of government, of our democracy, and it cannot and will not stand.

And there are so many examples in our own history and around the world of what happens when governments become that unresponsive and disrespectful of their citizens.

It is time for the Congress to wake up, the Congress needs to insist that any legitimate questions coming from one of these Panels or Boards be answered in writing by the staff of the Nuclear Regulatory Commission prior to a decision being made.

In writing.

There needs to be a mandate in Congress that there be hearings, that if requests are made for hearings or intervener status, that the hearings be held prior to decisions being made.

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

And finally, one of the first things we identified at NDCAP is we didn't have the resources to do our job.

And there should be federal money that goes to these Citizens Advisory Panels, so that they can actually work with consultants and actually do the work that we are chartered to do, so that we can give the appropriate input. And the funding should come from the federal government and Congress needs to hear that loud and clear.

Without any of that, and I also agree with the Chairman, that the people on the Citizens Advisory Panel need to be citizens, they can't be special interest. This is an example yet again of where our government is letting our citizens down. You can't let the elephants guard the peanuts, because they'll eat them.

(Laughter.)

MR. WOLF: So, in closing, you will be getting a lot of input, which we really are grateful that you're here tonight, from lessons learned in the process here in Plymouth and beyond, in this area, about what isn't working.

And all I would say to the citizens and to the other members of NDCAP is, don't lose heart,

because this is exactly the type of process when it fails that disempowers, disengages, and disgruntles the citizens from being involved in their government, that they actually should and are a part of, by the people for the people. Thank you very much again for the opportunity.

(Applause.)

MR. KLUKAN: Thank you very much. Next, we have -- and again, I will -- any member of the, current member of the NDCAP can come up. But of the ones who have indicated that they would like to speak, next I'm calling Ms. Pine duBois up.

MS. DUBOIS: Thank you for coming. Thank you for at least putting the question out here. Thank you, Chairman Mullin, for your eloquence and being so right on, as well as Kevin O'Reilly and my Senator.

The problem that we all face is a problem like what just happened to the Bahamas, okay? Who expected it, who did anything about it, and who responded? This is an anniversary of twin hurricanes in the '50s coming to our shores here. And it was devastating. Never mind the 9/11 we all remember.

The problem is the NRC is not nimble, let alone responsive. You're not responding to the climate change thing. So, therefore, when we at NDCAP

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

-- I'm Chair of the so-called Site Restoration and Cleanup Committee, have a laugh on that one, really. I can't even get them to give me the site characterization report. You know why? They don't have to.

Entergy was willing, until there was a license transfer application and a, oh, gee, the Attorney General wanted answers, so we can't give you any, because we can't give them to the AG and we certainly can't give them to Pilgrim Watch, because God knows what they'll do with those answers.

Things like what's contaminating our shores is public information. They don't get to keep that to themselves. We need to deal with that. How are you going to evaluate whether Holtec's got enough money in the bank or not if you don't know what's in the ground? Do you? Do you know what's in the ground?

I mean, fortunately, Entergy decided to move the waste up higher, away from the shore. Fortunately. It took years to make that happen, it took a lot of effort.

The Town of Kingston is now spending, or taxpayers are now spending a couple of million dollars to take out a dam, because of flood resiliency and

Formatted: Font: (Default) Courier New

climate change. The Town of Plymouth is what?, what is it?, \$5 million? How many millions in Plymouth to take out dams for resiliency in our communities?

We're doing everything we can to make a future, to allow a future, to sustain a future. But the single biggest difficulty we have is Pilgrim and the enormous quantity of waste that is there. And now, we have a company that wants to be the giant of decommissioning.

I want to believe them, I don't want any more slowdown. I want the shovel in the ground tomorrow, but if we don't know what they're going to clean up, we don't know that it got cleaned up.

If we don't know what's there, how are we going to evaluate it and go, okay, anybody, anybody at all can go there, oh, yes, and it can go ten feet underwater too? It can't, you know why? Because Cape Cod Bay is the nursery for the fisheries in the Gulf of Maine. You contaminate this because you don't want to act and you've contaminated everything, everything.

You don't get to do that because you're the NRC and are afraid to act. It's too important, it's too vital, not just to those of us who are sitting here and could have an accident tomorrow, it's important to the future of our country.

And if you're going to pretend that the Citizens Advisory Panels can advise and do the citizens' work without any information, where do you get off with that?

You can't even make the EPA enforce their own damn permit that expired 24 years ago. You're not doing anything. You're filing paper, you're dealing with paper, I don't even know how you deal with all the paper you get.

What we need to deal with is can we clean up this site? Can we deal with this waste that wants to last a million years because we're not smart enough to deal with it? Oh, no, we have to ship it 3,000 miles somehow. That's stupid. Everybody in this room knows that's stupid.

So, NRC, what's the answer? I'm supposed to figure it out sitting on a Panel that doesn't have the authority to come to a consensus? Are you kidding me? Do I want to be on a Panel that's going to clean up the site and be out there watching the shovels dig it all up? Yes, I do. I will do that. But not without any knowledge.

So, until you can give us knowledge, go back to D.C. And when you go back to D.C., tell the whole bucket load of people in D.C. to hurry up. We

don't have any more time. The climate change is now.

Dorian is a message, take that message, take the Bahama message, take that home and tell yourself, we don't have time to screw around anymore.

(Applause.)

MR. KLUKAN: Thank you very much. Next, we have Ms. Rebecca Chin, the Co-Chair of the Duxbury Nuclear Advisory Commission.

MS. CHIN: I have to change glasses. Hi, Rebecca Chin, Co-Chair of the Duxbury Nuclear Advisory Committee, speaking on behalf of the Board of Selectmen for the Town of Duxbury.

We appreciate that Congress instructed the NRC staff to identify best practices and lessons learned for the establishment and the operation of local Community Advisory Boards, in order to improve communication between the licensee and the public about decommissioning.

But nowhere is it mentioned to improve real communication between the public and the NRC that goes beyond understanding the decommissioning process.

We suspect this is because it is evident that the NRC is not interested in listening to the public and its input.

We know this because the NRC approved the

license transfer to Holtec before providing a hearing, an opportunity for substantive input from the Commonwealth and Pilgrim Watch.

The Duxbury Board of Selectmen recently sent Chairman Svinicki a letter requesting that the NRC delay or reverse their decision on Pilgrim Nuclear Power Station's license transfer until after the Commission has ruled upon the petitions to intervene and motions for hearing requests currently on Docket 50-293 and 72-1004.

The petitions and motions were filed in the correct fashion and within the relevant deadlines.

We urge the Commission to grant the petitions for hearing in order to improve transparency and provide an opportunity for the interveners to get answers to their questions about the applicants.

For example, Holtec has demonstrated no interest in communicating with the town, either Duxbury Board of Selectmen or Plymouth. We've sent issues important to the town to discuss with Holtec and have no response. Who do you believe?

(Applause.)

MR. KLUKAN: Okay. Thank you very much for your comments. Are there any other NDCAP members or Community Advisory Panel members who would like to

Formatted: Font: (Default) Courier New

offer comments at this time? Please, sir?

MR. ROTHSTEIN: Good evening, Richard Rothstein. I'll be brief. As the former Chairman of the Nuclear Matters Committee for the Town of Plymouth Board of Selectmen and as a current NDCAP member and, most importantly, having worked over four decades in power, industrial waste management and transportation, licensing and permitting, environmental consultant, involved with building nuclear plants since the early '70s, when many of you were in grade school or maybe hadn't even been born yet.

I would like to see the NRC within the next seven days, seven days from now our NDCAP is going to have its monthly meeting, there's seven days, that I would like to see our Panel receive from the appropriate NRC department the justification for how the license transfer was approved, in terms of demonstrating the financial viability and the engineering capability of the Holtec team.

A decision was made, it was based on facts, I'd like to see those facts. I can't advise people in this room and others on the Panel until I have those facts. I can be the best supporter of the NRC, as I've tried to be over the years, or I could be the worst enemy. Don't make me be the worst enemy.

(Applause.)

MR. KLUKAN: Thank you. Are there any other NDCAP members who would like to offer comments at this time? Okay.

Just speaking personally, I would like to thank, as was noted by Bruce, all the NDCAPS that we're aware of are voluntary, meaning in terms of citizen participation in them, and so I would like to personally thank everyone who has stepped up to be a member of the NDCAP here or at some other reactor site.

It takes a lot to -- we've heard, I've been in multiple of these meetings before, I know how much work goes into it, or that's what we've heard from members. And so, I just want to personally say how much I appreciate your level of involvement in this process. And also, for those of you who came out to speak tonight, thank you again.

Okay. We're now going to turn to the public comment portion. So, it is roughly 7:24 and I think I have about 16 people signed up to speak. So, at that, I'm going to give everyone, I think, how about four minutes? So, more than three, four. And then, if there's some time at the end, we can do people come back up again. Does that sound reasonable

to everyone?

Okay. So, because of that, because I'm going to try to give everyone who signed up an opportunity to speak, we're just going to go in order, so I don't waste time trying to draw tickets out of the bucket, okay? So, we're just going to go first to number one, that is Peter Brown.

MR. BROWN: My name is Peter Brown. I am a resident of Cape Cod. I've been living there for five years. I grew up in Duxbury.

So I have two community interests that I see in jeopardy. First of all, I want to ask, is anybody else here from Cape Cod?

Well, I think that's very important that we have, you know, that sort of engagement. But, what I noticed most of all, is the absence of young people here.

No. I think that young people need to be somehow, you know, brought into this discussion. Because they're going to own this. Not you. All right.

And there has to be some sort of motivating factor that makes young people wake up to this. It's their community. This is their problem.

I've been around in emergency

communication drills, emergency preparedness drills, of all kinds. Multi-agency, military, non-military. Worked with mobile communications and incident command posts on wheels.

And I want to just say that one of the big problems, you see new faces all the time. You know, the agencies don't consistently present people to you that you will get to know over for a long period.

Something needs to be done to address that. And we have community involvement that represents, you know, a decade long or more, often a decade long or more commitment.

But the agencies and the companies come and go. That is a problem because of the kinds of communication that has to go on here.

I am a satellite guy. In my past I've focused on satellite communications. I think that, you know, what sorts of mechanisms we can employ to better enhance communications at all levels, needs to be identified.

And what is the purpose of the exercise if it's communications based? That is another thing that I'm concerned about.

In incident command I've worked on hospital emergency communications guidelines. One of

the problems we had, we don't drill enough.

We really don't drill enough. You have to get down to where the rubber meets the road and demonstrate that if something goes wrong, things are going to happen.

This is a community by community effort that has to be undertaken. We don't know. We don't know what's going to happen.

So you've got to be ready to take that into account. All right? And everybody in this room knows what's happening in Japan right now, right?

An open discussion of ocean disposal of radioactive material. That water, that wastewater that's coming out of that operation, is going to wind up in the Pacific ocean.

In Plymouth, with its rich history of fishing, and with Cape Cod bay right at our doorstep, we can't afford to have that somehow years down the road become an option for Pilgrim.

So, we need to kind of broaden our awareness. We need to put in younger energy into this mix.

We somehow have to facilitate a more effective solution or search for solutions. And that's all I have to say.

Thank you very much.

(Applause.)

MR. KLUKAN: Next we will have Ms. Mary Lampert.

MS. LAMPERT: Yes. Mary Lampert, Pilgrim Watch Director. Also, Vice Chair of the Tax Free Nuclear Advisory Committee and a Petitioner.

I'll first speak to the exam question before getting into the importance of communication not just for the licensee, but the regulator. There are four points on the CABs that I'd like to address.

The first is money. And that's first and foremost in importance. It's important that it be funded by the NRC and not taken out of the insufficient decommissioning trust funds.

And the importance of it is demonstrated for the need. We don't have it. But there is a need for administrative assistance, and particular so that a robust website can be developed, which we don't have.

That can have important documents such as the PSDARs, the license transfer, independent analysis of the vulnerability of spent fuel casks, et cetera, et cetera.

It's also important to be able to hire

independent experts so that the group hears not just from the licensee or from NRC.

So money is critical. We don't have it, but it's necessary.

The second is membership. It's clear that the licensees should not be members of the Citizen Advisory Board. Sean Mullen discussed that clearly.

It's important that they be required to come to each meeting so they can answer questions and give updates. But certainly not sitting on the panel.

It's also important that each EPC community be represented. And be appointed by the Board's selectmen.

So many of the appointments for the boards we have here, come out of the legislatures at the state house. Either the House Chair, the Senate Chair, the Minority Leaders, et cetera.

Well, they don't frankly know who knows anything about the subject or care, you know, cares about it. And so that is clearly, I think a mistake.

It's also important that unique geographic areas also get appointments. Cape Cod would be an example, important to have at least a couple of citizens from the Cape being appointed by pertinent Cape Cod economic and environmental region wide

groups.

And it's important to have also representatives from pertinent state agencies that will be involved in the process. That they have designees that appear.

This gets to the next point, which is voting. Currently the NDCAP here requires voting to be done by the majority of its members.

And that was discussed by Sean Mullen as a bad trick played essentially by the house. That's a mistake, because many of the members, many don't make every meeting, number one.

And those appointed to represent state agencies do not have the authority to cast a vote, because they need prior approval by the secretaries of whatever agency they're from. So, voting should be purely the majority of those in attendance so something can be done.

Last, there should be the development of subcommittees, because the whole group meeting once a month, how much can they actually accomplish?

You need subcommittees to review, one committee to review documents. Another one to review spent fuel issues.

Another one to review site restoration.

Another one to review security. And what other interests the communities may have.

But those are my four keys having attended every meeting of the Board here. And they've done the best job with bad legislation.

As others have commented, and obviously I will too, it is sort of sick joke that you hear about public, getting public communication.

But, Congress is wise, having it limited to communication between the citizens and the licensees. However, I give thanks as always, to Senator Markey, who mentioned -- Jim Cantwell mentioned it in his comments that he will have hearings to discuss the key problem that there is not communication of any meaningful nature between the public and the NRC.

Public safety, public interest in general, protection of public health and safety is something that has disappeared in the NRC. And instead, it's a captured industry by the industry.

And it's clear. And what has made this clear obviously is approving a license transfer without providing the opportunity of hearings for the Attorney General representing the Commonwealth, and for Pilgrim Watch, all of whom filed their contentions

in a timely manner.

And following the rules of filing to achieve. That is an insult. How we're ever going to go from there, but the game is not over as far as we're concerned.

However, I think also I will have to emphasize that there has not been any communication either the town of Duxbury, the town of Plymouth, the NDCAP, with Holtec.

Holtec has come to these NDCAP meetings. Questions are asked. They provide no answers at all.

And so it is clear that we've got a bad landlord.

Which does not leave good feelings. And therefore, the NRC, it's important, has to step up to the plate, as far as federal court, let's be real, has to step up to the plate, because there are major concerns.

There's an insufficiency of funds number one. Holtec admitted a month ago that they hadn't reviewed, done any analysis of the site. You cannot rely on site assessments done in 2002 and 2007 and think they are adequate today.

And so without knowing what's onsite, with sea level rise, et cetera, et cetera, what's on -- what's in the soil, what's in the tanks, and the

buried pipes that are going to be left in the ground, where are they going to go?

All that contamination is going into Cape Code Bay or into the second largest aquifer in Massachusetts, which Pilgrim sits on top of.

And so, we will be left with holding the bag for the money. We'll be left with a dirty site. And we're also going to be left with a company both Holtec and SNC-Lavalin that have a long and sordid history of malfeasance. Okay?

Big serious character issues that the NRC has not evaluated.

MR. KLUKAN: Thank you for your comments.

Again, thank you. So, right now again, I haven't set the chime on because I find it disruptive, or I know you find it disruptive.

So but again, to make sure that everyone can have an opportunity to speak, try to keep your comments around four to five minutes. I don't want to interrupt anyone because that's -- I don't enjoy it.

You don't enjoy it. So let's all play together and keep your comments to roughly around four to five minutes. Okay?

So that way we can make sure everyone has an opportunity to speak. All right? Before we meet

today keep the room for the sake of the hotel.

Okay. So next up, I apologize for the interruption, we have Elaine Dickman. Again, I apologize if I'm mispronouncing. But Elaine Dickman, ticket number four.

MS. DICKINSON: It's Dickinson.

MR. KLUKAN: Dickinson.

(Off mic comments.)

MR. KLUKAN: Okay.

MS. TURCO: Hi, Diane Turco from Cape Cod Downwinders. And you know I have to start by saying it's just so unfortunate that this beautiful town of Plymouth is a nuclear waste dump. It has been for a long time. And it will be for a long time to come.

But we can all agree that responsible and safety commissioning is the priority in order to protect our communities.

Now that Congress has tasked the Nuclear Regulatory Commission to elicit public comments on best practices and lessons learned to citizen advisory boards, perhaps there will be real movement for effective public engagement.

The NRC has not done its job. And has been a failure at responding to vital public input. Petitions, letters, concerns, filings, and all efforts

meet with rejection.

So hopefully Congress will fulfill our social contract and return power to local and state stakeholders who affect accounts. Not advisory, but with real authority so our concerns will be addressed and enacted.

Now the Yankee Rowe Commission was challenged back in the 1990s by a community action group, Citizens Awareness Network. CAN won a lawsuit against the NRC and Yankee Atomic over the illegal cleaning of the site.

The NRC was found to be arbitrary, capricious and utterly irrational in its handling of decommissioning. It sounds familiar.

The district court wrote in its decision that the NRC's actions reminded him of the Office of Circumlocution in Charles Dickens' Bleak House.

The potential for NRC using tactics at LD decommissioning sites was disturbing given the community's vital interest and ineffective cleanup. A short victory for the citizens' intervention.

However, as the NRC does, they responded -
- their response was to eviscerate public and state participation by changing their rules.

CAN also submitted a plan for CABs back in

1996 for citizen advisory boards to engage in decommissioning. In 1996 you had this.

CABs have been promoted by public -- the public for decades. Yet today, when so many reactors are scrambling to decommission, the NRC is commanded by Congress to look at the current state of affairs because they have failed to do so.

For example, our own NDCAP, and thank you Sean and the whole NDCAP group and our elected officials for their statements tonight. For example, our own NDCAPs have been working very hard to communicate with both Holtec and the NRC with limited results.

Holtec promised openness and transparency during the license transfer application process. Not only did Entergy and Holtec refuse to answer questions related to the license transfer application, but the NRC approved the transfer over the objection of our own Attorney General, Maura Healey, and Program Watch.

The license transfer was approved without a hearing to intervene. Now Holtec has no incentive to negotiate with the state.

Cape Downwinders and CAN sent a letter to the NRC signed by 96 organizations from across the U.S. and Canada, asking for the license transfer to be

suspended until all the contentions were heard and resolved.

Concerns for safe decommissioning go way beyond the border of Massachusetts. They all know this process is rigged.

The NRC is a rubber stamp for the nuclear industry. This sham of a license transfer clearly demonstrates this reality.

We now look to Congress to grab the reigns and lead. In the Energy Reorganization Act of 1974, the Atomic Energy Commission was abolished due to promotion of the nuclear industry and was replaced with the NRC.

We see that same pattern repeated at Pilgrim as the NRC approves exemptions for use of decommissioning trust funds without conditions, ignores environmental concerns, reduces emergency planning, and supports Holtec's financial plans even when the numbers don't add up.

And with all due respect to you folks from the NRC today, you should be ashamed for sitting behind those nameplates, NRC. Because you are failing the public and you are failing your mandate to protect the public and environment.

So, here's our lessons learned. Tell

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Congress, expecting passive participating by the public is an affront to our rights and responsibilities as citizens.

The public has no trust in the NRC. We demand a democratic process to directly influence policies and plans that vitally affect our communities.

Cape Downwinders calls for the abolishment for the Nuclear Regulatory Commission to be replaced with an independent, intergovernmental agency excluding industry representatives. And including CABs with state and local stakeholders that have real authority to influence policies and practices for the protection of our communities.

MR. KLUKAN: Thank you very much.

(Applause.)

MR. KLUKAN: Next we have Mr. Lampert, ticket number five.

MR. LAMPERT: Jim Lampert, Pilgrim Watch.

I work for the Director.

(Laughter.)

MR. LAMPERT: I have a number of concerns, but we're obviously restrained on time. My basic concern has already been to some extent addressed here.

But the only reason you're here tonight, or at the other dozen or so places you're going, is because Congress told you you had to come.

I've seen no evidence that you're here because the NRC institutionally intends to listen to or consider public concerns.

The slides that were posted for this meeting, which are frankly quite different than the ones that we've seen tonight, make this fairly clear.

There was a slide in the original group of CAB responsibilities, it says nothing about the NRC actually working with the Citizens Advisory Board.

The slide entitled NEIMA 108 Report refers to interactions between, it could be between a board and the Commission.

But the only interaction it talks about is between the advisory board and Holtec, the licensee. Not between the advisory board on a substantive level with the NRC. As you've heard tonight, dialog with Holtec is a bad joke.

The slides say that the NRC staff considers public comments and other feedback about PSDARs. So far as the public can say, that is simply not true.

Staff recently put out a long safety

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

evaluation. A lot of boiler plate. It talked about what Holtec had to say.

It said zero about the 80 pages of facts that were in the Pilgrim Watch petition. Another 40 pages of facts that were in the Commonwealth petition.

And about 40 pages of comments on the PSDAR that I personally wrote and sent to the staff last March.

You would have hoped that the staff would have at least read them. There's absolutely no evidence that they did.

My concern and same lane, vain about the staff letting Holtec take half of the decommissioning trust fund for spent fuel costs in a decision that if you want to read it, is equally devoid of any reference to the facts that the public brought to their attention and they should have talked about.

It's not that they discussed them and said, oh, we don't agree with you. They didn't even bother to say anything.

We said among other things that Holtec should be required to put the money it gets back from DOE back into the fund, to pay, again from DOE to pay for the same costs that they took it out for. No mention.

My concern was the staff's attempt to

justify its decision, and oh, there's plenty of money by saying the NRC staff has the ability to take action on funding deficiencies. A second year law student could tell you that that is simply not true.

If there's a funding deficiency, it's because Holtec Pilgrim has run out of money. You can't get money out of a bankruptcy stone.

And the NRC has no legal authority or ability to get money from anybody but a licensee. But if you don't have any, you can't get anything from Holtec International. It can't get anything from Entergy.

I have no faith that Holtec will clean up Pilgrim. Or that the NRC will really ensure that it does so.

Holtec doesn't know what contamination is there, as you've heard tonight. And Holtec's in SNC-Lavalin's past history, does not give me any reason to trust them.

In short, I've long been concerned, and I remain concerned that the NRC is far more interested in protecting the 800 million dollar profit that Holtec intends to get out of this project, then it is in listening to or working with the public.

MR. KLUKAN: Thank you very much.

(Applause.)

MR. KLUKAN: Next we have -- so Ms. Turco, you spoke already. Would you like to give your ticket to someone else? Please?

MS. TURCO: Yes. And I have a document here.

MR. KLUKAN: Okay.

MS. DICKINSON: My name is Elaine Dickinson. And I am from Cape Downwinders.

The letter which Diane mentioned, a few speakers ago, was sent out to the chair of the NRC. And it caught fire. Eight other organizations around the country have signed onto this. They are all watching and paying attention.

It was started by Cape Downwinders of Harwich, Citizens Awareness Network, Shelburne Falls, Massachusetts, and these people sign -- these organizations signed on: Albuquerque Monthly Meeting of the Religious Society of Friends, New Mexico; Algonquin Echo Watch, Ontario, Canada; Alliance for Environmental Strategies, Eunice, New Mexico; Alliance to Halt FERMI 3, Livonia, Michigan; American Friends

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Service Committee, Cambridge, Mass; Association to Preserve Cape Cod, Dennis, Mass; Beyond Nuclear, Takoma Park, Maryland; Boston Downwinder, Newton, Mass; Bruce Center for Energy Research Information, Invern Ontario, Canada; Bronx Climate Justice, North Bronx, New York; Campaign for Peace, Disarmament and Common Security, Cambridge, Mass; Canadian Coalition for Nuclear Responsibility, Montreal, Quebec; Canton Residents for a Sustainable Equitable Future, Canton, Mass; Citizens Against Radioactive Neighborhoods, Peterborough, Ontario; Citizens Against the Weymouth Compression Station, Weymouth, Mass; Citizens for Alternatives to Radioactive Dumping, Albuquerque, New Mexico; Citizens Power Incorporated, Pittsburgh, PA; Citizens Resistance at FERMI 2, Redford, Michigan; Clean Water Action, Brick, New Jersey; Coalition Against Nukes, Sag Harbor, New York; Coalition for a Nuclear Free Great Lakes, Monroe, Michigan; Committee for Future Generations, Beauval, Saskatchewan, Canada; Concerned Citizens for Nuclear Safety, Santa Fe, New Mexico; Concerned Citizens of Allegheny County Incorporated, Angelica, New York; Concerned Citizens of Lacey, LLC, Lacey, New Jersey; Don't Waste Michigan, Holland, Michigan; Duxbury Nuclear Advisory Committee, Duxbury, Mass; Elders Climate Action

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

Massachusetts, Cambridge, Mass; Engage Falmouth, Falmouth, Mass; Environmental Massachusetts Research and Policy Center, Boston, Mass; Friends of the Earth, Washington, D.C.; GRAMMES, Grandmothers and More for Energy Safety, Brick, New Jersey; Greenpeace USA, Washington, D.C.; Gray Panthers of Metro Detroit, Michigan; The Greater Boston Physicians for Social Responsibility, Boston, Mass; Heart of America Northwest, Seattle, Washington; Hudson River Sloop Clearwater Incorporate, Beacon, New York; Indian Point Safe Energy Coalition, Cortlandt Manor, New York; League of Women Voters, Cape Code Area, Mass; League of Women Voters, Plymouth Area, Massachusetts; Mass Peace Action, Cambridge, Mass; Martha's Vineyard Island 350, Tisbury, Mass; Mass FUR, Boston, Mass; Janet -- New Mexico Interfaith Power and Light, Albuquerque, New Mexico; Michigan Safe Energy Future, Kalamazoo, Michigan; Michigan Stop the Nuclear Bomb Campaign, St. Clair Shores, Michigan; Mid Missouri Peace Works, Columbia, Missouri; Mountain States Mennonite Conference, Taos, New Mexico; Native Community Action Council, Las Vegas, Nevada; Natural Resources Defense Council, Washington, D.C.; Nevada Nuclear Waste Task Force, Las Vegas, Nevada; New Mexico Environmental Law Center, Santa Fe, New Mexico;

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

New York Safe Energy Campaign, New York, New York;
Newton Dialogs, Newton, Mass; No Fossil Fuel and Clean
Power, Kingston, Mass; No More Fukushimas, Amesbury,
Mass; North America Water Office, Lake Elmo,
Minnesota; North Watch, Northeastern Ontario; Nuclear
Age Peace Foundation, New York; Nuclear Energy
Information, Chicago, Illinois; Nuclear Information
and Resource Services, Takoma Park, Maryland; Nuclear
Issue Study Group, Albuquerque, New Mexico; Oak Ridge
Environmental Peace Alliance, Oak Ridge, Tennessee;
Occupy Bergen County, Bergen County, New Jersey;
Occupy Hingham, Hingham, Mass; On Behalf of Planet
Earth, Watertown, Mass; Palisades Shutdown Campaign
Coalition, Kalamazoo, Michigan; Peace Added
Foundation, Sherborn, Mass; Physicians for Social
Responsibility, Kansas City Metro Area, Missouri,
Kansas; Pilgrim Coalition, Plymouth, Mass; Pilgrims
for Safety Commissioning, Plymouth, Mass; Project
Andrews County, Andrews, Texas; Redwood Alliance,
Arcata, California; Safe and Green Campaign,
Brattleboro, Vermont; Safe Energy Rights Group,
Peekskill, New York; Samuel Lawrence Foundation, Del
Mar, California; Shut Down Indian Point Now, New York;
Sierra Club, Massachusetts; Sierra Club National
Nuclear Free Campaign, Oakland, California; Six Ponds

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

(202) 234-4433

Improvement Association, Plymouth, Mass; Stop Algonquin Pipeline Expansion, Rockland Putnam Westchester Counties, New York; Sugar Law Center for Economic Center and Social Justice, Detroit, Michigan; Sustainable Energy and Economic Development Coalition, Austin, Texas; Sustainable Middleborough, Middleborough, Mass; Sustainable South Shore, Norwell, Mass; Three Mile Island Alert, Harrisburg, Pennsylvania; Toledo Coalition for Safe Energy, Toledo, Ohio; Toxic Action Center, Boston, Mass; New You Mass Action, Marlborough, Mass; Vermont and Yankee Decommissioning Alliance, Montpelier, Vermont; Watertown Citizens for Peace, Justice, and the Environment, Watertown, Mass; Women's Energy Matters, Fairfax, California; and the Women's International League for Peace and Freedom, Cape Code Chapter, Harwich.

The country and Canada are watching your failure to follow the Nuclear Regulatory Commission's mandate to protect the public and the environment. Shame.

(Applause.)

MR. KLUKAN: Thank you for the comments. I'm going to just take one second to say, you're right. A number of people have mentioned before that

this meeting is required.

I'm not going to deny that. We are required to be here. The question is what you do with this meeting.

And this is an opportunity to present your views to Congress and to the NRC about what the CABs could be.

And well, I'm not -- I can't make you any promises that anything will come of that. But what I'm saying to you, clearly you have hope because you're here.

If you didn't have hope why would you be in this audience right now? That things can get better.

So the question is, the why we're proposing to you, and I'm only speaking on behalf of myself, is to avail yourself of this opportunity.

I can't promise anything will come of it. But make the most of it, because you have it. Like you have an opportunity right now to have a say in how this goes forward.

And tell Congress how the CAB should be. And I just ask you to take advantage of that tonight, because we're here. Even if we're required to be here, we're still here to hear from you.

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

So, with that, we are going to move to number seven. And again, I apologize if I mispronounce your name, John Kleiman. Oh --

(Off mic comments.)

MR. KLUKAN: So, please.

MR. KLEIMAN: Do you want to go ahead and speak? Because I'm going to skip to you anyway. All of my concerns have already been addressed and then some.

MS. CONSETINO: Okay.

MR. KLUKAN: Okay, thank you. So that was John Kleiman's --

MS. CONSENTINO: I've got my own ticket. I thought it was seven. And thank you. I'm Henrietta Consentino.

MR. KLUKAN: Okay.

MS. CONSENTINO: And I am here to speak for the Plymouth Area League of Women Voters and for men, women, and children in our state and across this land that we love. Because all of them will one way or another, face this situation.

The League has pushed for a national policy that incorporates maximum environmental safeguards and maximum protection of public health. We urge strong public participation in these matters.

But you, and I do not mean you personally, I mean you at the NRC, have made a mockery of citizen input. You've made a mockery of environmental safeguards.

You've awarded the license transfer to a company with zero decommissioning experience, dubious ethics, no transparency, and every incentive to do a quick and dirty job.

You ignore long-standing petitions from the Attorney General's office and Pilgrim Watch. Ignore the urgent concerns of our Senators and legislators. Ignore our select board. Ignore our citizens' advisory panel and NDCAP.

And I will not try to repeat all that Sean said, but I just want you to know that in order to answer the questions that you say you're here to ask, I absolutely endorse every single word he said. As I do on behalf of the League, endorse everything that Pilgrim Watch has said.

You have also ignored citizens and environmental groups. This is shameful. Who knows what clean up will entail or how much it will cost? You have not required a current environmental impact study as Pine duBois noted.

This is shameful. You've exempted the

NEAL R. GROSS
COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

licensee from emergency preparation and planning requirements. Shameful.

You exempted the licensee from safety upgrades that would prevent a Fukushima like disaster. Shameful.

Three thousand spent fuel rods, more or less, remain in the fuel pool. What could go wrong? An event beyond design leading to loss of coolant, hydrogen explosion, or zirconium fire. God forbid. Shameful.

Seventeen dry casks sit on the shore of Cape Cod Bay right now. Each holds more than half the cesium released at Chernobyl. The cask is warrantied for 20 years. The half-life of plutonium is 24 thousand years. Shameful.

It is the most toxic substance on the face of the earth in casks in which concrete platting could erode in salt air, hastening cracks and leakage. Radioactivity could corrode the inner structure of steel. Shameful.

Now imagine a category five storm making a direct hit on Pilgrim. Taking the lesson of the Bahamas. A lightning strike, a monster tidal surge, a micro blast, a tornado, and an earthquake.

Yes, there was a study in 2014 that shows

that indeed there is some earthquake damage here. And since it is 9/11, emergency call 911, a terrorist attack. Your job is to serve and protect us.

Instead, you serve and protect the interests of a private, for profit, sleazy corporate entity. Shameful.

Stay that decision. This is not all right.

(Applause.)

MR. KLUKAN: Thank you. Thank you for your comments. Next, we have Ms. Susan Carpenter of Cape Downwinders.

MS. CARPENTER: I am finding that this meeting has some very bizarre aspects. I looked at the questionnaire, and most of the questions seemed to be things you already know about when the board started, and how many people.

And it doesn't really solve anything. I remember one time when I really believed that I lived in a democracy. I don't believe that anymore.

I remember one of the first meetings, I don't remember if it was the first or the second of NDCAP, a motion was made. And the voting took place.

And that was when I realized that the industry could block anything that the panel wanted to

do. And that just totally destroyed my faith in what we're doing here.

I think it's time that we let people have a place in the hierarchy of what's needed. And we need to let go of the corporate interests that basically rule everything the NRC does.

(Applause.)

MR. KLUKAN: Thank you very much. Next, we have Ms. Joanne Corrigan of Cape Downwinders.

MS. CORRIGAN: Hi. Joanne Corrigan, Plymouth, Mass. First of all I'd like to say thank you to all the members of the NDCAP.

I went to a couple of their meetings. They were long. They were informative. And then I realized, this is like shoveling sand against the tide.

They have no teeth. No authority. They're going to be busting their butts compiling information, and advising, and we know where you put the advising rules, things people send you.

But I did want to thank them for their service and all the time and energy they put into it.

Also Pixie, Diane, a lot of people have researched a lot of problems with Pilgrim from the get go. All of them just, you know, ignored by the NRC.

My question, one of the questions is, how does Holtec take beautiful Plymouth, beautiful ocean, historical community, and that's their OJT for decommissioning a power plant?

This is their on the job training? Pilgrim? I mean, it's outrageous. But I also have to remember that the NRC's primary objective has always been to protect the nuclear industry and not humans and not people's health, safety, and well--being.

So, doing the decommissioning, I doubt the NRC will -- well, they will just continue not -- they will continue not to put people first.

The NRC has always been in bed with the nuclear power industry. They formed some kind of unholy alliance.

And you -- nothing we say or do, is going to change anything. Unfortunately, Massachusetts was sold down the river when they gave Boston Edison carte blanche to build here.

Vermont on the other hand, their decommission -- their licensing had to go through their state legislature. And their plant was operating beautifully.

Not in column four like this thing was in perpetuity. And they just didn't want it in the state

anymore. And they made it close.

We don't have those options unfortunately.

But, I believe the NRC will never put people first. And they have no credibility.

The NRC has continued to thumb their nose at the host community, our governor, all our congressional delegates, the AG. I mean, everybody. Holtec could care less, because you people are going to back them.

So, as far as I'm concerned, the NRC has no credibility. And let's not forget, the -- if you want to talk about the extensive experience the NRC has, it's true. They have it in being -- in snow jobs and being in bed with the nuclear power industry.

And let's not forget, this is the same group that gave Pilgrim a cyber security pass in this day when everybody's taking everybody's grids down.

They put the cask -- gave permission to put the casks practically, you know, next to the ocean. Well, they are next to the ocean.

And they just figure out now, oh gee, when we have noreaster, high tides and full moons, that water comes in about 30 feet. They just figured that out. Well, it's too late, because those things are much closer than 30 feet.

And let's not forget the side, the NRC also gave you that great evacuation plan for everybody at the Cape where they will shoot you if you try to get off the bridge, any of the bridges, the state police will shoot you until they empty out Plymouth, Kingston and Duxbury with a leak of nuclear radiation.

And I told them at that meeting, you're not from here, are you? And they said, oh no, we're from King of Prussia, Pennsylvania.

I said, you can't get out of Plymouth on a Sunday night in July and August, and that plan doesn't work. And that's still not going to work.

Thank you.

MR. KLUKAN: Thank you.

(Applause.)

MR. KLUKAN: Next we have Ms. Claire Miller of the Toxics Action Center.

MS. MILLER: Claire Miller. I'm the lead community organizer for Toxics Action Center. We're a public health and environmental nonprofit here in the region.

And my entire job is to drive out and meet with communities that are trying to clean up and prevent pollution. My job involves entering communities that are not mine, and working with

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

impassioned, talented, amazing folks who are standing up for their community.

And I can tell you that the number one quality that is needed to do that work is trust. That you need to be able to develop relationships and have respect and trust in order to work with a community.

And when I look at this questionnaire, I feel like all of the most important questions are not here. There aren't any questions about trust and respect.

The questions would add are, has the community advisory board felt listened to by the NRC?

Be really curious to hear from around the country the answers to that question.

I'd like to know, add to the questionnaire, does the community advisory board trust the NRC? I'd like Congress to read that report.

Does the NRC seem like a captured agency to the community advisory boards? Tell Congress that the community advisory boards should have the authority, the power, the resources to actually do the work that the NRC won't.

Tell Congress the community advisory boards are amazing, dedicated, incredible people doing the most needed work. And that the NRC needs a

complete and utter overhaul.

(Applause.)

MR. KLUKAN: Thank you for your comments.

Next we have Ms. Margaret Stevens of Cape Downwinders.

MS. STEVENS: I'm Margaret Stevens from Cape Cod Downwinders. You know, you've mentioned that this was an opportunity. What is it an opportunity for?

It's a done deal. I don't know what we can do about it. We don't feel that Holtec is a company that should have gotten this transfer or was able -- should have been able to buy this plant.

And what can we do? But I would like to find out how this decision was made. And I think the NRC should give the public a report on how this decision was made, because it does sound as though they jumped the shot actually.

And they just made it. And it's going to be a done deal. So, we should have a full report.

(Applause.)

(Off mic comments.)

MR. KLUKAN: So, this happened last night as well. This is like the -- so, two nights in a row, I'm not going to continue to hold it like this.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

Where a microphone just dies on me. I don't know what the fates are trying to tell me. Any who. We're not going to answer that question.

Next we're going to move onto Ms. -- thank you for your comments. Next we'll move to Ms. Rosemary Shields.

MS. SHIELDS: Hi. I'm Rosemary Shields. And I have not much else to say. Everybody else has said pretty much what needed to be said.

I just want you to know that I represent the League of Women Voters of the Cape Cod area. And for over 50 years the League of Women Voters has tried to get local citizens and communities to have input into the cleanup of nuclear waste. We actually had in our impact on issues.

So this has been a long-standing view of the League of Women Voters. And I'm sure we'll be contacting the NRC as a group.

And I'm just glad that Plymouth is also here. There are a lot of members of the League of Women Voters. And this is a very important issue.

And everything that everybody has said, I'm just saying ditto.

(Applause.)

MR. KLUKAN: Thank you very much. Next we

will -- next we'll have Mr. John Galey. And again, I apologize for mispronoun --

PARTICIPANT: Gulley.

MR. KLUKAN: Gulley, number 14. Is he with us still?

PARTICIPANT: He had to leave.

MR. KLUKAN: He had to leave. Okay. So we move onto Mr. Frank Mand, M-A-N-D. Is Frank still here?

PARTICIPANT: No. He left.

MR. KLUKAN: All right. Okay. So we're going to move onto Gerry Londergan? Londergan? Please?

I again apologize for mispronunciations.

MR. LONDERGAN: So, I'll be very brief tonight. Gerry Londergan, former chairman of an electric utility in Massachusetts.

I've been watching Pilgrim for years. And I'm convinced that the problem of high--level nuclear waste is going to continue to be a problem.

And I'm not so sure that there is a solution. So, but one of the things that I would suggest is that things have to change in this country.

And we have an election next year. And I would suggest that to everyone here tonight that you

get involved in the electoral process for us to have a new President.

(Applause.)

MR. LONDERGAN: And hopefully or maybe she'll be from Massachusetts.

(Laughter and applause.)

MR. KLUKAN: I feel like if I say thank you, I'm violating the Hatch Act.

(Laughter.)

MR. KLUKAN: So, I'm just going to say thank you for coming this evening.

(Laughter.)

MR. KLUKAN: So, anyway, so next -- sorry. Next we have Mr. Stephen Buckley. Stephen Buckley of Open Metrics -- Open Gov Metrics dot com. Okay, good.

MR. BUCKLEY: Right. I'm Steve Buckley. I'm from Chatham on the Cape.

And but in a previous life I spent 25 years in Washington, most of that time as an environmental engineer for several federal agencies. And a lot of that work, environmental cleanup, public projects, had to do with public engagement.

And so, it occurred to me over the course of time that the science and engineering part of it was the easy part.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

And the hard part was explaining, was the scientists and engineers having to explain it to the non-scientists and engineers, meaning 99 percent of the other, or 99.9 percent of the other people. And including the people who have had to live with whatever you built or cleaned up.

So, the 25 years ago the Department of Energy, where I was working for at headquarters, started a number of public meetings because they were just beginning their cleanup of nuclear weapons' facilities all around the country, like at Oak Ridge, Tennessee, Hanford, Washington, Rocky Flats, Colorado, and so forth.

And I would sit in the back of these meetings and listen to what people who had been waiting, who had been much more downwinders, you are talking about a much higher degree of contamination. You know, dust clouds and so forth, who had been waiting 40 years to have a say.

And unfortunately, the meetings were more of the open-ended part where, I will say, this meeting is very similar. Where it's kind of like, hey, we need to do something about this. Tonight it's about best practices.

And so it's throwing it out to the non-

experts, hey, what should we do about that thing? And they were asking at that time the people, so, we're going to start cleaning stuff up. What do you think?

And so they were like, take it away. Like, I don't know, you tell me. We were supposed to be the experts.

So by taking the first step, that's the first thing, that's constructive criticism. To throw it out to the public and say, it's premature.

People want to have something they can look at and chew on and review. And it can't be a take it or leave it approach.

So, because then people feel that's rigged also and a decision has been made and so forth and so on. So, what I would like to do is point out that even though I no longer work for the federal government, first with the knowledge of having seen it work in some places.

And the Obama Administration actually on their first say in office, President Obama signed what amounts to an improved listening program. They called it Open Government.

Where all federal agencies were directed by the President to do a better job at including citizens in the decision making process. And eight

years later they basically just didn't do anything.

I went to a number of meetings. I represented, at that time, the International Association for Public Participation. We'd go to quarterly meetings.

And not surprisingly, because like I said, I spent 25 years down there, they issued reports. And revised those implementation reports and so forth and so on.

The NRC, if you actually go to -- I'm telling people here. If you go to the NRC.gov, across the top, under the -- on the various tabs there, there's public information and -- public information and meetings, which you will find -- see information there at the very top part, it says, NRC's approach to open government.

And you'll find all the stuff that's been going on for the past ten years almost. A lot of implementation plans.

The thing they leave out, unfortunately, and that's why I say, I knew as an engineer that you needed to measure, if you're going to get better at something, you've got to know where you are now. And then afterwards.

Kind of like going on a diet. You won't

know if the diet works if you didn't weight yourself at the beginning. But you've got to know what the scale is and what you're measuring.

And really, when it comes right down to it, you're measuring the people's satisfaction. If they feel like they're being heard at this meeting, at the board of selectmen's meeting, at the town meeting, whatever meeting.

People walk out of a meeting, and they feel like they've been ignored or patronized, or just plain out not heard at all, not understood, that's one data point. That person is one data point.

So the whole idea is that I would like to suggest that the NRC come up with some standards for evaluating, and there is a section there on evaluating, but it's about how many people visit the website, how many people follow them on Facebook.

This is not -- this is not meaningful engagement. Public affairs' people like to say, oh, we're so engaged. Like yeah, we're not engaged.

We're not even going steady.

(Laughter.)

MR. BUCKLEY: Not even close. So, that's the thing. And there's a spectrum of participation that if you Google spectrum of participation, you'll

see.

It's not a -- so what I'm trying to point out is the bottom line is that, there is a standard's development group at NRC. And they do stuff like, you know, radioactivity and so forth.

There's also ways of measuring public, the meaningfulness of public evalu -- the quality of public knowledge. People here tonight, as you've heard, have said, I don't feel like I'm being listened to, so forth and so on.

It would have been nice if there was an exit interview at all these 11 meetings that you've had, to be able to compare. And go oh, look, over here at this one they got 3.9. And this is 3.1. In Plymouth, what did they do over there?

And compare it and so forth. So that's my suggestion. If anybody wants to talk to me later on, I'll be happy to give them my card. Thanks.

MR. KLUKAN: Thank you very much.

(Applause.)

MR. KLUKAN: Okay. So, because we had a couple of cancellations and some people didn't use their full time, we actually have -- it's only 8:20.

So, start with this. Is there anyone who has not yet spoken tonight who would like to speak?

Just raise your hand. Anyone?

All right. Going once, twice, all right.

Is there anyone in the audience who has already spoken, who would like to speak again?

(Off mic comments.)

MR. KLUKAN: Okay.

MR. BUCKLEY: Question?

MR. KLUKAN: Sure.

MR. BUCKLEY: A clarification. Just -- I'm sorry, the -- the -- Steve Buckley again. It says in the meeting announcement that I printed off their website says, Category Three meeting.

MR. KLUKAN: Yes.

MR. BUCKLEY: How many -- and I was saying, there's different grades of participation. What is a Category Three? And how many categories are there?

We've been in a category meeting, but we don't know what grade -- grade we're in.

MR. KLUKAN: Yeah, I'll just bring it.

MR. WATSON: The NRC has a number of meetings, public meetings and non-public meetings. I think a Category One is a specific meeting to discuss a specific technical topic with a licensee. We allow, I think, at that one the public to make comments after

it but not during it.

A Category Two is in industry meeting, I think. I may have got them confused, because I don't do most of those.

MR. KLUKAN: I think you've got it right.

MR. WATSON: Okay, I've got it right? Okay. It is an industry meeting where we're listening and talking with industry about technical issues. And I think the public is allowed to comment at the end of that meeting too.

A Category Three means we're here to listen. And so there maybe something specifically that we're here to listen about or get comments on, such as the license termination plan or -- and then in the decommissioning role, post-shutdown decommissioning activities report that's been submitted by the licensee for the public to review. And we want to hear their comments on it.

So all we're here, it's a Category Three meeting. We're here to hear comments. And we listen and with the sole purpose of this meeting is to formulate the comments so we can provide a report to the Congress on best practices.

MR. BUCKLEY: Okay. Well, actually your literature, that's not consistent. So actually I'm

reading verbatim.

It says public particip -- this is a Category Three meeting. Public participation is actually sought for this meeting to fully engage the public in a discussion of regulatory issues.

And that's what I was saying, is there's public information meetings, and there's public hearings, which is just a parade of -- this is a public hearing essentially.

It's not a public discussion. If we were engaged in a discussion, it would resemble a discussion. So, and I'm not -- I'm just pointing out that there are degrees of this.

So, if this is the top of the line, fully engaged in a conversation type of thing, and I appreciate you getting up and clarifying that.

But, that's the first thing -- this is probably the first time that I guess members of the board or the panel have said anything.

So, watch out, there might be a discussion breaking out here right now.

(Laughter.)

MR. BUCKLEY: I'm just -- I'm not -- just a little levity there. But I'm pointing out that that's what, there are degrees of public discussion of

a -- a discussion.

And I think like I say, a lot of times the public affair's people get carried away with their buzz words, so. Thanks.

MR. KLUKAN: Thank you.

MS. AZAROVITZ: Hi. Janet Azarovitz from Falmouth on the Cape. I would like to know how much, you're going to be taking away comments about the CABs and all this, you know, discussion about CABs.

How much of what the rest of the audiences' questions are being noted and taken back to Washington?

(Off mic comments.)

MR. KLUKAN: Well, so --

MS. AZAROVITZ: Promise?

MR. KLUKAN: So, eve --

(Off mic comments.)

MR. KLUKAN: Well, everything is being trans -- I'll answer it this way. Is that everything is being transcribed.

They're all taking notes and everything is being written. Everything you gave us. So, the letter that, for example, Cape Winders, Downwinders gave us, will be posted on the meeting website.

So all that. Anything you hand to us,

assuming that I can digitize it, will be put, or we might just take a picture of it if it's a three-dimensional object. And we'll put it up on the website.

Granted, I've not been given any three-dimensional objects, but you get my point.

MR. WATSON: Can you restate your name for the record?

MR. AZAROVITZ: Janet Azarovitz, A-Z-A-R-O-V-I-T-Z. Out of habit.

MR. KLUKAN: Thank you.

MR. LAMPERT: Jim Lampert from Pilgrim Watch again. And this is a -- slightly off tonight's topic.

But it's a question I had raised with a couple of the NRC people here tonight. And I think it's one that it's worth perhaps a number of us thinking about.

And as many, obviously not all here know, the decommissioning trust fund is now owned by a Holtec subsidiary, several steps down, known as Holtec Pilgrim.

Holtec Pilgrim in its PSDAR has said that it is going to enter a contract with a company called CDI, to actually do the decommissioning work.

CDI is a jointly owned joint venture between Holtec and SNC-Lavalin. It is not a licensee. And that's important.

Because my understanding is that the NRC's authority pretty much ends with the licensee. Although it's not the licensee, it is the one that is actually going to receive about a billion dollars for the decommissioning work.

My question is, does anyone at the NRC, is there a way for the NRC to frankly audit what is going on at CDI?

Because how much CDI pays people, and how much it basically reserves as profit that will be split between Holtec and SNC-Lavalin, and frankly the agreements that exist with CDI, and I don't think anybody -- I know I haven't seen them.

I've tried to find them. And I don't know if you've seen them or not, may well say that the quote, profit, close quote, and that profit is money that is not being spent to actually do the work.

What is that profit? To whom is it being paid? What work is really being done?

The Holtec rep told me that Holtec built profit into its expenses. It showed up in the PSDAR.

My question is, who is keeping track of how that

profit is realized?

(Off mic comments.)

MR. WATSON: Yeah, we discussed this earlier. This is Bruce Watson. Briefly. You know, as you know, we're under litigation with -- on this particular issue.

And quite frankly, I'd need my financial people here to answer that question. I did mention that we do, the NRC does require an annual report from the decommissioning company on the status of the funds.

MR. LAMPERT: That's only the licensee as I understand it.

MR. WATSON: Right. But, it is the status of the funds. And that also has to be coming from the trustee.

The funds are supposed to be used for decommissioning activities. We conduct inspections as a matter of every -- very frequently during active decommissioning to ensure that it looks like the work is getting done as they -- as they've stated in their reports.

So, unless we have a reasonable point of interest in -- that the funds are not being spent properly, we do not go and do an audit.

And generally that has been the responsibility of the states to do. Of your public utility commissions.

MR. LAMPERT: Am I correct that you have no authority to audit anyone like CDI?

MR. WATSON: I think we have the -- if we have an allegation of wrongdoing, I think we do. Okay?

MR. LAMPERT: But, basically what's happening on the audit you get, is that tells you how much money Holtec Pilgrim has paid to CDI based on invoices it received from CDI that will describe the work done to some extent.

What it doesn't really tell you anything about, is what were the real out of pocket costs to CDI? And how much of it is simply going to Holtec/SNC-Lavalin profit?

And I'm not at all clear that you have the authority to get into it since they're not a licensee.

And I'm not asking to be told the answer to this.

But it strikes me as something that the NRC needs very seriously to look at.

MR. KLUKAN: Thank you for that. I just want to reach out again. Is there anyone who would like to -- anyone at this point?

Whether you've spoken or not, whatever,
who would like to speak in the time we have remaining?
Anyone?

All right. I'm going to, since we have
time, I don't normally do this, I'm going to -- I'm
just going to say something.

You've all heard why I come up here.
You've heard me say it before. Usually when I'm
getting frustrated at you, and I tell you I'm a
volunteer.

But tonight I want to -- these meetings
are particularly important to me for one meaning. And
I'm speaking only on behalf of myself.

And this is me, and my best attempt to
advocate for you. I'll keep it short, like two
minutes.

Is that I come from a rust-belt town. I
am old enough to remember the strike that ended it
all. I remember watching my father stand at a picket
line around a burn barrel while I drove by on my
school bus.

It's funny the things that get lodged in
your head when you're a kid. Like that memory. I
remember I was wearing a gray tousle cap at the time.

And they had a little sign, like honk if

you support the Union. And I remember it was written on a white board in red ink.

But then the factory closed. And what was there, the song of work, of the echo of boots through the pedestrian tunnel under the railroad bridge to get to the factory.

The sound of the shift whistle. The sound of the machines themselves, were gone. And what we were left with was the song, if you will, of unwanted, untended idleness.

Of just sparrows and wrens flitting in a field of -- over the weeds. And that's behind a chainlink fence. And that's what's there now.

And I don't know what opportunity they had, the public had to comment or to -- the town had to have any say on what happened next. I was just a kid at the time. And I don't know what kind of records there are.

But, my point is this. Is that many of you say how frustrated you are with the NRC in not being heard. And how you don't think anything will come of this process.

And how we're only here because we're required to be here. I'm not going to fight with you about any of those points.

But my point is, is that your being given an opportunity to have a say in what happens next. Maybe nothing comes of it.

Maybe -- maybe the Congress doesn't do anything at all.

(Off mic comments.)

MR. KLUKAN: Okay. But my point is, is that you have a say. I don't want to argue with you. I don't want to argue with you.

MR. TURCO: You listen to us. You did not give us the right to say something. We live in a democracy. And we are governed by the consent of the constitution.

MR. KLUKAN: I --

MS. TURCO: It's too late to even say you're giving us permission to talk up here.

MR. KLUKAN: I can't -- I can only --

MS. TURCO: This is our community you're talking about.

MR. KLUKAN: I, look, I don't -- I apologize. I don't want to get in an argument with you. I don't.

My intent was not to aggravate you.

MS. TURCO: Then don't say anything.

MR. KLUKAN: My point was -- look, you

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

don't have to listen to me. You don't have to listen to me at all.

I'm just telling you, you have an opportunity that many other towns don't have.

(Off mic comments.)

MR. KLUKAN: That's it. I'm not going to pretend that I can promise you that anything will come of this. I can't promise you that.

I am just saying that you have this chance. And that I would recommend that you submit written comments.

(Off mic comments.)

MR. KLUKAN: Again, I apologize -- I'm not -- I am not in any way --

(Off mic comments.)

MR. KLUKAN: Yeah.

MS. TURCO: I don't mean to be rude, but you're comparing a closed factory in the rust belt, which is a very big deal, to a nuclear waste site.

MR. KLUKAN: I meant to say that. And I apologize -- I -- mea culpa. I apologize.

MR. TURCO: No.

MR. KLUKAN: I meant to say my remarks, they -- while my situation is not a nuclear power plant shutting down. I am in no way saying the glass

factory shutting down is the same way as a nuclear power plant.

This has gone on way longer then I intended to. And I apologize. All right. I just want to ask that, you know, you have an opportunity, since we have some time remaining.

And with that, I'll turn it over to Bruce to close the meeting.

(Off mic comments.)

MR. KLUKAN: Again, I didn't mean to compare the two or suggest that they were the same. I apologize.

(Off mic comments.)

MR. WATSON: Again, thank you for coming out tonight. I have a few summary comments.

One is just in general for the NRC. It's -- I heard clear that the NRC should improve the policies and regulations.

Specifically, the NRC needs to communicate better with the state and local communities. And that -- and the public.

The NRC needs to listen more and provide more time to allow for input from the states and the community advisory boards.

Specific to CABs, CABs or NDCAPs should be

more independent. And should be provided funding by the NRC or another government federal agency.

CABs should have more local representation that are voting members of the CAB. CABs should be required to -- should be required by the NRC. And the NRC should attend each meeting to provide input.

CABs and local communities should be provided with the -- I've got to read my -- provided with more educational and -- site information.

CABs should be formally -- be formed early, well before the plant is going to shut down and decommissioning is determined to enable the CAB to have input on the planning.

And with that, I wanted to say a special thanks to Sean Mullin for his help in getting this meeting together. And having it here in his CAB for their input.

And so with that, I thank you all. And good night.

(Whereupon, the above-entitled matter went off the record at 8:35 p.m.)

