

ORIGINAL

UNITED STATES
NUCLEAR REGULATORY COMMISSION

IN THE MATTER OF:

DOCKET NO: 50-456
50-457

COMMONWEALTH EDISON COMPANY

(Braidwood Nuclear Power Station,
Units 1 and 2)

LIMITED APPEARANCE SESSION

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

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: In the Matter of: :
: COMMONWEALTH EDISON COMPANY : Docket No. 50-456
: : 50-457
: (Braidwood Nuclear Power :
: Station) :
: :
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Joliet City Council Chambers
150 West Jefferson Street
Joliet, Illinois 60431

Tuesday, July 23, 1985

The limited appearance session in the above-entitled
matter convened at 7:00 p.m.

BEFORE:

JUDGE LAWRENCE BRENNER, Chairman
Atomic Safety and Licensing Board
Washington, D. C.

JUDGE RICHARD F. COLE, Member
Atomic Safety and Licensing Board
Washington, D. C.

JUDGE A. DIXON CALLIHAN, Member
Atomic Safety and Licensing Board
Washington, D. C.

-- continued --

1 APPEARANCES:

2 GISELA TOPOLSKI, Joliet, Illinois

3 EVERETT J. QUIGLEY, Kankakee, Illinois

4 RON HAFNER, Godley, Illinois

5 DIANE CHAVES, Rockford, Illinois

6 JOSEPH TALARICO, Joliet, Illinois

7 HARRY EUSES, Rockford, Illinois

8 LEROY BLACK, Joliet, Illinois

9 STANLEY CAMPBELL

10 ALYSON BOMAN CONN, Rockford, Illinois

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

2 JUDGE BRENNER: Good evening. I would like to
3 introduce ourselves to begin. We are the three-member
4 Atomic Safety and Licensing Board designated by the
5 Nuclear Regulatory Commission to preside in the operating
6 license hearing involving the Braidwood Nuclear Power
7 Station. On my left is Judge Richard F. Cole, who has a
8 doctorate in environmental engineering and water resources;
9 on my right is Judge Dixon Callihan, who is a nuclear
10 physicist, with a doctorate in physics. I am Lawrence
11 Brenner, and I am the lawyer chairman of this board.

12 The meeting tonight presents an opportunity for
13 members of the public to make oral statements before us.
14 In addition, we provide the opportunity for written
15 statements and for any of you who have written statements
16 tonight, we can receive them tonight.

17 In addition, we can receive written statements
18 in the future without any particular time limitation.
19 However, the sooner we receive any statements you might
20 wish to mail, the more assistance it will be to us as we
21 begin the formal proceedings in this case later on this
22 year, probably in October.

23 You can submit a written statement, even if you
24 want to make an oral statement tonight, and any written
25 statements that you wish to mail in the future should be

1 mailed to the secretary of the United States Nuclear
2 Regulatory Commission, Washington D.C., 20555. And if you
3 indicate somewhere in that filing, preferably at the top,
4 that it relates to the Braidwood proceeding, I will be
5 sure to get copies from the secretary.

6 We are presiding in a formal trial type
7 proceeding governed by the administrative procedure act.
8 In that proceeding we have formal participants, known as
9 parties, who have opinions both in favor of and opposed to
10 the proposed operation of the Braidwood station.

11 The Braidwood Nuclear Power Station, many years
12 ago, received a construction permit, also as a result of
13 proceedings before a licensing board -- a different
14 licensing board.

15 The stage we are at now is that of deciding
16 whether, in accordance with the requirements of the
17 various statutes, primarily the Atomic Energy Act and also
18 the regulations issued by the Nuclear Regulatory
19 Commission, whether or not the proposed nuclear plant in
20 fact meets those regulations and statutes.

21 Under the Atomic Energy Act passed by your
22 Congress -- by our Congress also, for that matter -- if
23 the plant meets those regulations, it is entitled to
24 receive a license. If it does not it is not entitled to
25 receive a license.

1 There are various issues which have been
2 identified in the formal proceeding, and it is on those
3 issues that we will receive evidence. Those issues --
4 some of those issues involve quality assurance of the
5 power plant's construction, emergency planning and the
6 possible effects on the nuclear plant of a nearby railroad
7 train explosion.

8 This session, however, is not part of the
9 formal trial type proceeding. Rather, it is an
10 opportunity for those present to make statements. You may
11 give your position on the issues to be decided. You may
12 propose questions you wish answered in the future by the
13 utility, Commonwealth Edison, or by the Nuclear Regulatory
14 Commission staff or, for that matter, by the evidence in
15 the upcoming formal trial.

16 As we indicated in our notice, and many of you
17 may not have read it so I will repeat the gist of it, the
18 statements you make here are not used as evidence in the
19 proceeding, unlike the testimony that we will be receiving
20 from witnesses in the formal, legal proceeding. However,
21 to the extent matters that are raised tonight are those
22 that we, or the Nuclear Regulatory Commission staff, or
23 the utility, or other interested parties were not
24 previously aware of, they can be followed up on,
25 particularly if they are within the scope of the issues we

1 have admitted in the formal trial proceeding.

2 Beyond that, you are not limited to the legal
3 scope of the proceeding tonight and you may say whatever
4 it is you wish to say.

5 I have the brief forms that have been filled
6 out by only four persons so far who wish to make oral
7 statements tonight, and I will call those names. We would
8 ask that you step up to the lectern over there, which has
9 a microphone, and the hard working court reporter who has
10 been working all day can get your statement down more
11 accurately that way.

12 Let me ask, are there any other persons who
13 wish to speak who have not yet filled out the form? If
14 so, please fill it out in the back -- Betty, you might
15 show them where you are.

16 If I do not pronounce your name correctly
17 please forgive me and correct the pronunciation.

18 Gisela Topolski? Is that right?

19 MS. TOPOLSKI: You said it right.

20 JUDGE BRENNER: I'm one out of one so far.
21 Could you please step up there, Mrs. Topolski?

22 MS. TOPOLSKI: I'm trying.

23 JUDGE BRENNER: You said you had a written
24 statement also.

25 MS. TOPOLSKI: Yes, I do.

1 JUDGE BRENNER: Did you need it to read from?

2 MS. TOPOLSKI: Because that's what I would like
3 to clarify before you set your five minute watch.

4 JUDGE BRENNER: We are not going to set the
5 five minutes.

6 MS. TOPOLSKI: Aren't you? I appreciate that.

7 JUDGE BRENNER: Since you asked, we sometimes
8 limit persons to five minutes when there are a lot of
9 people who wish to speak, when there are a lot of others
10 waiting, but that won't be necessary tonight.

11 MS. TOPOLSKI: To begin with, I have to say my
12 name, right? Gisela Topolski, 405 South May Street,
13 Joliet, Illinois, 60436.

14 I would like to start out only to remind you,
15 we did have a meeting on the same plant on August 23, 1979,
16 docket number 50-456, and 50-457. We were allowed five
17 minutes during that time and I thought it was a little
18 unfair, because there were so many questions we would like
19 to bring up during that time. And we never had our
20 questions answered during all those years. So it came as
21 a surprise that you would here, today again, and we still
22 -- we don't know if those things which we questioned
23 during that time have been corrected, or say, for instance,
24 it dealt with shaft mines in the close vicinity of the
25 plant, it dealt with the Kankakee River, which will be

1 used later on as drinking water; it dealt with safety when
2 it came to evacuations. And, particularly there was -- no
3 one mentioned that the hospital can handle this amount of
4 evacuating people and treat them properly. There were a
5 lot of questions which never came to us, to our homes, to
6 be answered by Commonwealth Edison or by your Nuclear
7 Regulatory Commission. Also, transportation of nuclear
8 waste was involved during that time, which we are
9 concerned about, and our drinking water, our prime
10 farmland, and -- I don't want to read you the whole thing.
11 I want to make it nice and short for you.

12 We are concerned and still waiting for an
13 answer. We would appreciate it, including myself, that
14 the company could answer to all those questions and mail
15 it to us so we can respond back to you, and see if we got
16 all the proper answers we were looking for.

17 The other thing is what is so frustrating is we
18 have -- and it deals with hazardous waste -- we have the
19 Senate bill which allows the public to attend meetings and
20 start asking the questions to the company's specialists.
21 When it comes to nuclear power plants we don't have that
22 right. That means we cannot -- we feel our right has been,
23 here, a little bit violated because we do like to know a
24 little bit more about nuclear power plants, where they are
25 located, if they are safely located, so we could ask those

1 questions to their specialists, and we cannot. It's not
2 there.

3 That's why, when you mentioned earlier
4 witnesses, I don't know how those witnesses got ahold of
5 you to become witnesses, because it never was announced
6 here, locally. There was a meeting -- where we could have
7 asked questions on the Braidwood plant and become a person
8 directly involved, instead of just reading something up to
9 you or making a notation or something like that.

10 But also, the other frustration is we wish the
11 NRC to -- I would like to put this in the record because
12 we are getting very frustrated with the language which has
13 been used. I don't point directly to Commonwealth Edison
14 on that, but you do cover more than one power plant, and
15 other utility companies, and I would like to read it to
16 you because I thought -- I found it very interesting.

17 "The extent to which nuclear power plants
18 endanger public health is a subject of considerable debate,
19 but there is no question that the nuclear industry is a
20 threat to the English language. Every industry has its
21 jargon designed. It often seems to separate insiders from
22 outsiders, and to help the former retain their control
23 over the situation. But, in no industry is the jargon so
24 designed to obscure the facts as it is in the nuclear
25 business.

1 Take accidents, for example. Other industries
2 may have them. The nuclear industry never does. A
3 malfunction in the plant is called a transient; a term
4 that can cover anything from a stuck valve to the ominous
5 failure of the plant's entire cooling system; unless, of
6 course, it is an event which may be anything from a
7 routine turbine trip or an unscheduled shutdown, a scram,
8 to a complete loss of reactor coolant; a plant system that
9 fails to function as it should does not malfunction, but
10 undergoes an abnormal evolution, which sounds like
11 something Darwin should have studied.

12 The malfunction itself is described as a normal
13 operation, which sounds like something out of Krafft-Ebing.
14 A threat of nuclear material is called unauthorized
15 diversion.

16 Other potentially dangerous happenings are
17 equally shrouded in euphemism, or undergo unplanned
18 hypercriticality. According to the engineers who
19 struggled with the 1979 accident at Three Mile Island,
20 reactors cannot explode. The worst thing they can do is
21 undergo spontaneous energetic disassembly, a process in
22 which their components can be distributed uniformly over
23 several counties.

24 Some public officials have tried to end the
25 practice of atomic obfuscation and have urged that those

1 in the nuclear business be required, as a matter of law as
2 well as public safety, to speak plain English. But those
3 who believe in calling an explosion an explosion, have
4 their work cut out for them.

5 Some nuclear industry promoters hope, if they
6 can get away with it, to achieve a simple solution to the
7 problem of nuclear waste, to alleviate growing public
8 anxiety about this highly toxic, sometimes bomb creating
9 substance. They propose a semantic metamorphosis. It
10 really isn't a waste at all, it's nuclear bonus material."

11 Thank you.

12 JUDGE BRENNER: You are entertaining as well as
13 concerned.

14 MS. TOPOLSKI: I just put the language which
15 the companies use themselves and just tell them altogether.

16 JUDGE BRENNER: Euphemisms, I have heard them
17 too, they are entertaining. You have heard them out, I
18 heard the term "excursion", which I always thought was a
19 nice vacation trip.

20 MS. TOPOLSKI: Right. I know. But this is
21 just the point I'm trying to make. We would like that
22 people are honest with us, to tell us the good and tell us
23 the bad. But don't make it rosy when it's not. And we
24 are all concerned about our safety because right now,
25 gentlemen, our state right now as it is, as it stands

1 right now, we not only are losing a lot of farmland which
2 is prime farmland, we are definitely depending on this
3 food, we depend on our drinking water, we depend on so
4 many things. We became, lately, the dumping ground for
5 everything, because our community lately is a little bit
6 down in the dumps, and we cannot lift it up to invite
7 decent business in here, and it's not going to make it any
8 easier on us when we just go ahead like angry and greedy
9 people.

10 This is what I'm trying to say. Thank you.

11 JUDGE BRENNER: Stay there for a moment. Let
12 me see if I can help you with some of your more serious
13 points.

14 In terms of how we got to the point of having a
15 formal -- formal witnesses in the hearing, we have not yet
16 started the hearing but we have formal parties identified.
17 They took the initiative, either by grouping together or
18 individually, to do a lot of work, which is necessary to
19 participate in a formal trial litigation and it's a
20 complex litigation, unlike the more simplified meeting
21 here tonight. By doing that work they have advanced
22 specific issues supported by specific bases, and we have
23 had many years, literally, of hearing preparation time --
24 although some of the prehearing work has been more recent,
25 as the parties know -- but in any event we have identified

1 the issues for the hearing.

2 It is not a simple, say, automobile accident-type
3 trial where people walk in and tell what they saw. There
4 is a lot of preparation by witnesses and preparing for the
5 hearing. So that is how we have the formal parties in the
6 hearing; and as judges, it's our job to judge the formal
7 presentation by those witnesses, and I mentioned at the
8 outset the issues that we have in the hearing.

9 We did have an issue relating to the hospital
10 adequacy in the broad sense, for emergency planning, and
11 we have found today that there really is no remaining
12 controversy with respect to that matter, subject to a
13 relatively minor point that we are going to get some
14 further information on. So we are satisfied on that score,
15 that is the number of hospitals that would be necessary --
16 hospital space would be available, in our view. And I
17 wanted you to know that.

18 That number may be different than what you have
19 in mind and I can't take the time tonight to go through
20 our reasons, but we have reached that.

21 Some of the other issues you raised really
22 relate to the process of the construction permit stage,
23 such as where would the plant be located, and possible
24 concern for displacement of farmland by locating it there,
25 and so on. On the other issues, of course I'm not sure

1 fully what you mean by them.

2 I did read the transcript of the hearings six
3 years ago -- August, 1979 -- of years ago.

4 MS. TOPOLSKI: '79.

5 JUDGE BRENNER: In this very room, I believe.

6 MS. TOPOLSKI: Yes, it was.

7 JUDGE BRENNER: And the issues you raised then
8 have been brought forward since then for hearing. I don't
9 know precisely what you mean by some of the subjects you
10 went through.

11 What I can tell you tonight, and that is my
12 role -- not because of my role as a judge but because I'm
13 aware of the documents -- there is something called an
14 environmental impact statement, actually it's called the
15 final environmental statement issued by the Nuclear
16 Regulatory Commission --

17 MS. TOPOLSKI: No.

18 JUDGE BRENNER: -- you can write the Commission
19 in Washington for that copy or, better yet, check with the
20 staff counsel before you leave tonight.

21 MS. TOPOLSKI: Okay.

22 JUDGE BRENNER: Ms. Chan is over there. She
23 can get your name and address -- either from the
24 transcript -- and mail you that. I don't know if anything
25 -- any of the matters you raised relate to something

1 called -- a little more complicated -- called a safety
2 evaluation report, but she can tell you what that involves
3 and you can decide whether you want a copy of that also.

4 MS. TOPOLSKI: Also there was mentioned shaft
5 mines and strip mines in '79.

6 JUDGE BRENNER: Yes. I'm not sure what you
7 mean by it. It's not one of the issues in the hearing
8 before us. Do you want to tell me a little more about
9 that?

10 MS. TOPOLSKI: I wasn't living here then. You
11 see I've only been herè 13 years, when they were still
12 coal miners -- there are still all the coal mines there
13 and strip mines and some of them have groundwater,
14 standing groundwater in it. I only wanted to know if this
15 is going to get blocked off, or if Commonwealth Edison is
16 going to do something about that.

17 JUDGE BRENNER: Your concern was because the
18 mines present a safety hazard?

19 MS. TOPOLSKI: That's right. Because of the
20 holes. This was all holey -- openings. Just like a
21 tunnel, you know, something like that.

22 JUDGE BRENNER: You mean the openings are
23 dangerous because of their existence or because they could
24 --

25 MS. TOPOLSKI: They could collapse.

1 JUDGE BRENNER: And affect the nuclear plant?

2 MS. TOPOLSKI: It could. That's why I want to
3 know if there was something done about it. That was in
4 1979.

5 JUDGE BRENNER: I don't know. In general, the
6 adequacy of the foundation for the safety structure of the
7 plant is a very important thing that's looked at quite
8 heavily, and that may or may not be in the safety
9 evaluation report. I don't know.

10 It's not an issue that we are going to hear in
11 the formal case. Maybe Ms. Chan can help you by supplying
12 that document, in the first instance, and if it does not
13 cover it, you might need to take it further. But I don't
14 know the answer offhand.

15 I can tell you with some reasonable assurance,
16 though, that the foundation structure has been carefully
17 looked at as it always is by the staff.

18 MS. TOPOLSKI: We were told that we would get
19 copies but we never got copies, or were told the procedure
20 was --

21 JUDGE BRENNER: You would not get personal
22 copies. Copies are placed in libraries, usually one
23 particular library in the area known as the local public
24 document room. I don't know which one that is here. Do
25 you know, Ms. Chan?

1 MS. CHAN: No. I can get you the name and the
2 address.

3 JUDGE BRENNER: Ms. Laurty, do you know?

4 MS. LAURTY: There's a public document room in
5 Wilmington.

6 JUDGE BRENNER: But to the extent there are
7 extra copies around, you can get your own copy sent to you.

8 MS. TOPOLSKI: Okay. I appreciate that.

9 JUDGE BRENNER: Thank you very much for the
10 time. Did you want to leave the written statement?

11 MS. TOPOLSKI: Yes, I do.

12 (The document follows:)

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PUBLIC HEARING295
LAY-IN (1)ATOMIC SAFETY AND LICENSING BOARDSTATEMENTS AND FACTS

ON AUGUST 23, 1979 THERE WAS ALREADY A NRC SPECIAL PREHEARING CONFERENCE HERE IN JOLIET, ON COMMONWEALTH EDISON UNIT'S 1&2. DOCKET NOS. 50-456 AND 50-457. NOTHING HAD CHANGED THE SITUATIONS SINCE THAT HEARING, IT IS STILL TOO CLOSE TO POPULATIONS AND THEIR FARMS, CATTLES, PRIVATE WELLS, LOW LAYED POWERLINES, THE POSSIBILITY OF ACCIDENT'S, SHAFT MINES AND STRIP MINES ARE STILL THERE, THE PUBLIC'S HEALTH WILL BE AT STAKE, THE COOLING POND IS RIGHT NEXT TO A FARMER, WHICH HAS HIS DAIRY CATTLE GRAZING ON IT.

I AM APPALLED HOW COMMONWEALTH EVER GOT A HOLD OF THAT PIECE OF LAND, WITHOUT ANY HYDROGEOLOGY TESTINGS. NOT TOO FAR AWAY IS THE SANDWICH FAULT LOCATED. NO GROUNDWATER MONITORING SAMPLING HAVE BEEN REPRESENTED EVER, PERMEABILITY, AND SUITABILITY STUDIES HAS NEVER BEEN SHOWN. THE AREA WAS ZONED A-1, WHICH MEANS IT'S PRIME FARMLAND AND ONLY SHOULD BE USED AS SUCH, WE ARE LOOSING HERE IN ILLINOIS THOUSAND'S AND THOUSAND'S OF PRIME FARM LAND, AND WE ARE DEPENDING ON THAT FOOD.

IT WOULD NOT ONLY BE A HEALTH RISK, BUT ALSO A HARDSHIP ON THE PEOPLE, BY NOT ONLY LOOSING THE LAND, BUT ALSO PAYING MORE AND MORE FOR POWERPLANTS. WE AS CONSUMER FEEL, WHEN THE COMPANY WANT'S TO OPEN A BUSINESS, THAN THEY SHOULD FOOT THE BILL, BECAUSE WE ALREADY PAYING NOT ONLY FOR USING ELECTRICITY, BUT ALSO FOR NEW POWER-PLANTS, AND EVERY MISTAKE IS BEING MADE. THAT IS WHAT I CALL A HARDSHIP, THEY WANT IT ALL AND STILL CAN WRITE IT OFF.

THE STATE OF ILLINOIS IS NOT EVEN USING ALL IT'S ELECTRICITY, COMM. ED. IS SELLING IT TO OTHER STATES. NOT TO MENTION WHAT ARE WE GOING TO DO WITH ALL THESE WASTES? WE GOT SO MUCH OF IT, WHICH THEY BEEN SHIPPING IN HERE TO MORRIS, ILLINOIS, BUT IS ALMOST FILLED. SO LONG AS THIS COMPANY DOESN'T COME UP WITH AN ANSWER WHAT THEY ARE GOING TO DO WITH ALL IT'S WASTES, THIS WOULD BE ANOTHER REASON ADDED ON NOT TO PERMIT THIS LICENSE.

MEN DO MAKE MISTAKES, AND LET ME TELL YOU ENOUGH OF THEM, SO WHEN YOU LOOK AT COMM. EDISON'S VIOLATION RECORD, YOU WILL FIND ENOUGH OF THEM, INCLUDING FALLING ASLEEP ON THE JOB. WE ARE HERE NOT TALKING ABOUT AN AUTOMECHANIC, WE ARE TALKING VERY HOT STUFF OF RADIATION, IN CASE OF AN ACCIDENT. OR DOES THE NRC OR EARLIER YEARS CALLED AEC WANT TO TALK THE INCIDENT IN UTAH OR NEVADA OR THREE MILE ISLAND OUT OF OUR MINDS, BY USING THE EXCUSE NO ONE DIED YET? THAT IS WISHFUL THINKING, BECAUSE WHEN YOU WOULD HAVE SEEN AND LOOKED AT THE DEATH CERTIFICATE THAN, YOU WOULD HAVE KNOWN THAT THEY DIED QUIETLY SO NO RUMORS OF THE INCIDENT COULD HAVE BEEN SPREAD. OR DO WE HAVING AN ATTITUDE BY SAYING SOMEONE HAS TO DIE, SO THE OTHER CAN LIVE???? NO ONE CAN PLAY GOD WHO SHOULD LIVE AND WHO SHOULD DIE IN THE NEAR FUTURE. THERE IS A SAYING WHAT GOES UP, MOST COME DOWN, BUT IT NEVER COMES DOWN IN THE SAME WAY IT WENT UP.

LOOK AT ALL THE SAFETY MEASURES WHICH THE COMPANY HAS PUT IN, BUT DID ANY ONE IN HIS RIGHT MIND REALLY WENT BEYOND DURING THE TIME IT WAS BUILT AND NOW

COVERED BY BOLTS AND NUTS, WHICH YOU CAN'T SEE? REACTOR VESSELS AND PIPES FROM CONSTANTLY RADIOACTIVE BOMBARDMENT, INCREASING THE DANGER OF RUPTURES AND CATASTROPHIC ACCIDENTS DO CAN HAPPEN. MAY I REMIND YOU THAT IN EARLY 1976 A FEDERAL INSPECTOR OF NUCLEAR POWER PLANTS RESIGNED AND CALLED FOR THE SHUTTING DOWN OF ALL THE NATION'S PLANTS BEFORE A CATASTROPHIC ACCIDENTS OCCURRED.

..... THAT THE FOLLOWING WEEK, THREE NUCLEAR ENGINEERS FROM THE GENERAL ELECTRIC NUCLEAR EQUIPMENT MANUFACTURING PLANT AT SAN JOSE, CALIFORNIA, ALSO RESIGNED, STATING THEY COULD NO LONGER WORK AT DEVELOPMENT AND EXPANSION OF A TECHNOLOGY " SO DANGEROUS IT THREATENS THE VERY EXISTENCE OF LIFE ON THIS PLANET?"

PLANT RADIOACTIVITY: DID YOU KNOW THAT THE AVERAGE NUCLEAR REACTOR BUILT TODAY, AFTER ONE YEAR OF OPERATION, HAS RADIOACTIVITY MANY TIMES THAT RELEASED BY THE HIROSHIMA A- BOMB?

..... THAT RELEASE OF 10 PERCENT OF THAT RADIOACTIVITY COULD KILL THOUSANDS, EVEN MILLIONS, DEPENDING *upon* SUCH CONDITIONS AS WEATHER, PROXIMITY TO LARGE CITIES, ETC.?

..... THAT SUCH A CONCENTRATION OF RADIOACTIVE MATERIAL IS A TEMPTING TARGET FOR TERRORISTS, ACTS OF WAR, AND IS VULNERABLE TO EARTHQUAKES?

THE ACCIDENT THAT COULDN'T HAPPEN: DID YOU KNOW THAT THE ACCIDENT AT THE THREE MILE ISLAND PLANT NEAR HARRISBURG, PENNSYLVANIA IN MARCH, 1979, WHICH SEVERELY DAMAGED THE REACTOR CORE AND LEFT THE PLANT HIGHLY CONTAMINATED, WAS CAUSED BY A CLEAR VIOLATION OF NRC REGULATIONS, SHODDY MAINTENANCE, SEVERAL DESIGN FLAWS, AND HUMAN ERRORS WHICH BROUGHT THE PLANT TO WITHIN MINUTES OF A MELTDOWN?

..... THAT ONLY TIME WILL REVEAL (LIKE IT HAS BY THE OTHERS AND BEEN DENIED BY THOSE IN VIOLATIONS) THE EXTENT OF HEALTH PROBLEMS RESULTING FROM THE HIGHLY RADIOACTIVE GAS EMISSIONS: CANCER AND LEUKEMIA CASES 10-30 YEARS FROM NOW?

THIS COUNTY HAS NO EVACUATION PLANS, TO TAKE CARE OF THE MAJORITY OF THE PEOPLE, YOU WILL NEVER GET THERE, BECAUSE EVERYONE IS IN PANIC AND WANTS TO GET OUT IN A HURRY ALL IN ONE TIME. THERE IS NO SHELTER TO HANDLE ALL THESE.

ETERNAL STORAGE: IT TAKES MORE THAN 500,000 YEARS FOR PLUTONIUM-239 TO LOSE ITS POISONOUS RADIOACTIVITY.

..... THAT STRONTIUM - 90 AND CESIUM - 137 WILL REQUIRE ISOLATION FROM THE ENVIRONMENT FOR 1000 YEARS?

..... THAT AFTER 35 + YEARS OF THE NUCLEAR AGE, THERE IS STILL NO ANSWER TO THE PROBLEM OF RADIOACTIVE WASTE "DISPOSAL". DESPITE CLAIMS BY INDUSTRY, AND THAT "TEMPORARY" STORAGE SITES HAVE A HISTORY OF LEAKAGE?

..... THAT A STUDY OF NUCLEAR REPROCESSING PLANTS IN EUROPE AND JAPAN WHICH ATTEMPT TO RECOVER FOR RE-USE THE STILL USEFUL URANIUM AND PLUTONIUM FROM SPENT REACTOR RODS (CLAIMED TO BE A MAJOR ANSWER TO WASTE DISPOSAL BY THE INDUSTRY) CONCLUDED THAT PLANTS ARE SHUT DOWN SO FREQUENTLY, OPERATING AT LESS THAN 35 % CAPACITY FAR BELOW THE 80 PERCENT EXPECTED, DUE TO ACCIDENTS AND TECHNICAL PROBLEMS THAT THEY ARE NOT " COMMERCIALY VIABLE"?

..... THAT THE AVERAGE LIFE OF COMMERCIAL REPROCESSING PLANTS IS ONLY SIX YEARS?

BURNING DOWN A FOREST TO BOIL AN EGG: DID YOU KNOW THAT THE TASK OF A NUCLEAR²⁹⁷ POWER PLANT IS SIMPLY TO BOIL WATER?

.....THAT THE HEAT CREATED BY SPLITTING THE ATOM IS SO EXCESSIVE THAT A MILLION GALLONS OF COOLING WATER A MINUTE IS REQUIRED TO TAKE AWAY THE SURPLUS?

INSURANCE: IN CASE OF AN ACCIDENT AT THE COMMONWEALTH EDISON PLANT, THERE IS NO INSURANCE NOT EVEN PRIVATE INSURANCE FOR RADIATION DAMAGE FROM ANY NUCLEAR FACILITY OR TRANSPORTATION ACCIDENT?

..... THAT REACTOR ACCIDENT DAMAGES ARE ESTIMATED TO BE OVER \$ 300 BILLION IN A MAJOR ACCIDENT?

..... THAT BY LAW, THE PRICE- ANDERSON ACT, LIABILITY PER PLANT ACCIDENT IS LIMITED TO \$ 560 MILLION, WHICH IS MUCH LESS THAN THE COST TO BUILD THE PLANT ITSELF?

..... A NRC QUOTE: " 40 PERCENT OF THE NATIONAL RISK FROM NUCLEAR POWER PLANTS IS CONCENTRATED AT TWO PLANTS BECAUSE THEY ARE SO CLOSE TO BIG CITIES: COMMONWEALTH EDISON PLANT AT ZION, ILLINOIS, AND ONE NEAR NEW YORK CITY". IT SEEMS IT REPEAT ITSELF, BY ALLOWING AGAIN COMM.ED. TO BUILD TOO CLOSE TO POPULATION AND THEIR LIVESTOCK AND DRINKING WATER. IT SEEMS TO ME, NO MATTER WHAT THE RISK, WHAT COMM.ED. COMM.ED. *Want's they get.* HOW CAN ANYONE BE SO POWERFUL TO DICTATE TO THE GOVERNMENT WERE TO BUILD. TOTALLY ARE OVERLOOKED ALL THE SAFETY MEASURES.

?..... WE ARE PUTTING THE CART BEFORE THE HORSE HERE, WHEN THE NRC ONLY WOULD HAVE ENOUGH GUTS TO STAND UP AND DO WHAT THEY SUPPOSE TO DO, INVESTIGATE AND TEST THE AREAS, WHERE COMM.ED. PUTS THEIR PLANTS, THAN THEY HAVE TO REALIZE HOW RISKY IT IS, AND THAT IT SHOULD NEVER BE THERE TO BEGIN WITH.

NEITHER HAS COMM.ED. EXPLAINED WHERE THEY GOING TO PUT THE NUCLEAR WASTE, IT CAN'T GO TO SHEFFIELD, ILLINOIS, IT'S CLOSED AND THE SITE IS LEAKING RADIATION?

IT IS A BIG MISTAKE TO PUT THE PLANT INTO BRADWOOD, ILLINOIS, WE SUPPOSE TO KEEP FARMLAND AS FARMLAND (OF WHAT IS STILL LEFT), BUT IT SEEMS WANTED TO USE ILLINOIS IN PARTICULAR WILL COUNTY AND ETC... COUNTIES AS A DUMPING GROUND FOR EVERYONE ELSE. IT IS OUR CONSTITUTIONAL RIGHTS, TO LIVE IN A CLEAN AND HEALTHY ENVIRONMENT, NO ONE HAS THAT RIGHT TO SHORTEN OUR LIVES AND PURSUE OF HAPPINESS. AND MAY I REMIND THE BOARD THAT NUCLEAR WASTE IS NUCLEAR WASTE AND NOT BONUS MATERIAL, WHEN THAT WOULD BE THE CASE, SO WHY COMM.ED. DON'T KEEP IT. WE GOT TO START TO SPEAK PLAIN ENGLISH AND NOT MAKING IT SOUND THERE IS NOTHING WRONG BY USING DIFFERENT NAMES LIKE:

" LETS SPEAK PLAIN ENGLISH":

SEMANTIC MELTDOWN: THE EXTENT TO WHICH NUCLEAR POWER PLANTS ENDANGER PUBLIC HEALTH IS A SUBJECT OF CONSIDERABLE DEBATE. BUT THERE IS NO QUESTION THAT THE NUCLEAR INDUSTRY IS A THREAT TO THE ENGLISH LANGUAGE.

EVERY INDUSTRY HAS ITS JARGON, DESIGNED, IT OFTEN SEEMS, TO SEPARATE INSIDERS FROM OUTSIDERS, AND TO HELP THE FORMER RETAIN THEIR CONTROL OVER THE SITUATION. BUT IN NO INDUSTRY IS THE JARGON SO DESIGNED TO OBSCURE THE FACTS AS IT IS IN THE NUCLEAR BUSINESS.

TAKE ACCIDENTS FOR EXAMPLE? OTHER INDUSTRIES MAY HAVE THEM, THE NUCLEAR INDUSTRY NEVER DOES. A MALFUNCTION IN A PLANT IS CALLED A "TRANSIENT", A TERM THAT CAN COVER ANYTHING FROM A STUCK VALVE TO THE OMINOUS FAILURE OF THE PLANT'S ENTIRE COOLING SYSTEM.

UNLESS, OF COURSE, IT IS AN " EVENT" WHICH MAY BE ANYTHING FROM A ROUTINE TURBINE TRIP OR AN UNSCHEDULED SHUTDOWN) A "SCRAM") TO A COMPLETE LOSS OF REACTOR COOLANT. A PLANT SYSTEM THAT FAILS TO FUNCTION AS IT SHOULD DOES NOT MALFUNCTION BUT UNDERGOES AN " ABNORMAL EVOLUTION," WHICH SOUNDS LIKE SOMETHING DARWIN SHOULD HAVE STUDIED. THE MALFUNCTION ITSELF IS DESCRIBED AS A " NORMAL ABERRATION," WHICH SOUNDS LIKE SOMETHING OUT OF KRAFFT-EBING.

A THEFT OF NUCLEAR MATERIAL IS CALLED " UNAUTHORIZED DIVERSION." OTHER POTENTIALLY DANGEROUS HAPPENINGS ARE EQUALLY SHROUDED IN EUPHEMISM. FIRES NEVER OCCUR IN NUCLEAR PLANTS, ONLY RAPID OXIDATION,

OUT-OF - CONTROL REACTORS DO NOT RUN AWAY, BUT GO ON " POWER EXCURSIONS" OR UNDERGO " UNPLANNED HYPERCRITICALITY".

ACCORDING TO THE ENGINEERS WHO STRUGGLED WITH THE 1979 ACCIDENT AT THREE MILE ISLAND, REACTORS CANNOT EXPLODE. THE WORST THAT THEY CAN DO IS UNDERGO " SPONTANEOUS ENERGETIC DISASSEMBLY", A PROCESS IN WHICH THEIR COMPONENTS CAN BE DISTRIBUTED UNIFORMLY OVER SEVERAL COUNTIES.

SOME PUBLIC OFFICIALS HAVE TRIED TO END THE PRACTICE OF ATOMIC OBFUSCATION AND HAVE URGED THAT THOSE IN THE NUCLEAR BUSINESS BE REQUIRED AS A MATTER OF LAW AS WELL AS PUBLIC SAFETY, TO SPEAK PLAIN ENGLISH. BUT THOSE WHO BELIEVE IN CALLING AN EXPLOSION AN EXPLOSION HAVE THEIR WORK CUT OUT FOR THEM. SOME NUCLEAR INDUSTRY PROMOTERS HOPE, IF THEY CAN GET AWAY WITH IT, TO ACHIEVE A SIMPLE SOLUTION TO THE PROBLEM OF NUCLEAR WASTE. TO ALLEVIATE GROWING PUBLIC ANXIETY ABOUT THESE HIGHLY TOXIC, SOMETIMES BOMB- GRADE SUBSTANCES, THEY PROPOSE A SEMANTIC METAMORPHOSIS. IT REALLY ISN'T WASTE AT ALL, THEY INSIST; IT'S "NUCLEAR BONUS MATERIAL."

I GAVE YOUR BOARD ENOUGH REASONS AND CONCERN, ABOUT WHERE A NUCLEAR POWER PLANT SHOULD AND SHOULD NOT BE PUT AND WHEN. YOU MUST BE CONCERNED ABOUT THE SAFETY OF THE PUBLIC FIRST, AND I CAN'T FIND THIS IN BRAIDWOOD. NOT TO MENTION THE KANKAKEE RIVER WHICH WILL BE USED AS DRINKING WATER. WHAT WILL IT DO WHEN RADIOACTIVE WATER FROM THE COOLING POND GOES BACK INTO THE RIVER??????

IT MAY BE WISE TO DO LISTEN WHAT THE PUBLIC HAS TO SAY, BECAUSE FROM COMPANIES LIKE COMM.ED. YOU WON'T GET EVERYTHING YOU LOOK FOR.

SINCERELY
MRS. GISELA TOPOLSKI
405 S. MAY STREET
JOLIET, ILLINOIS, 60436

Gisela Topolski

1 JUDGE BRENNER: Next we'll hear from Everett J.
2 Quigley.

3 MR. QUIGLEY: My name is Everett J. Quigley,
4 Rural Box 11, Route 78, Kankakee, Illinois. I don't have
5 a whole lot to say at this moment. I would like to say
6 that I'm -- didn't expect to have to be here this evening,
7 at least about a year or so ago I was hoping that the
8 opportunity for an operating license for the Commonwealth
9 Edison Braidwood plant would never have to occur, but
10 since it has, it still raises some questions in my mind as
11 to its validity and need, and also to the potential
12 dangers and risks involved with such a plant operating.

13 In the past I have followed the nuclear power
14 development of Commonwealth Edison with LaSalle and Byron
15 and a few other areas in the nuclear power industry, and I
16 have always wondered, when these plants are built, how we
17 are able to consider evacuation of a large population of
18 people during the event of a loss of coolant accident or a
19 very major accident that could happen the plant.

20 One of my questions has to do with -- to
21 Commonwealth Edison is -- in detail and very
22 comprehensibly, how would Commonwealth Edison plan to
23 evacuate the population located within 100 miles of the
24 nuclear power plant, the Braidwood Nuclear Power Station,
25 and not necessarily excluding anything beyond 100 miles,

1 but we'll say 100 miles of the nuclear power plant, in the
2 event of a loss of coolant accident or a major accident
3 that would involve the possibility of an evacuation?

4 Again, evacuation, to me, is one of the things
5 on my mind. We have been fortunate not having to face
6 that so far in this part of the state. It has been a
7 problem in Pennsylvania, and -- in the past, and I don't
8 think that really -- although we may have learned some
9 things from it -- answers have not been made as far as how
10 to adequately evacuate an area in the case of a major
11 accident.

12 One of my other concerns, and I'm very happy to
13 hear that the honorable panel has allowed the contention
14 for the harassment, concerning the harassment of quality
15 control inspectors at the work site and construction site
16 of the Braidwood Nuclear Power Station. I hope that the
17 panel of judges will look carefully into this contention
18 and examine it carefully to make sure that all quality
19 control inspectors have certain freedom to assess the area
20 that they are responsible for, and to make a proper and
21 honorable report of that area.

22 I have no other questions. I basically reserve
23 the right to make additional written comments in the
24 future. Thank you very much.

25 JUDGE COLE: I would just like to respond to

1 one of your comments, Mr. Quigley, concerning the 100-mile
2 distance for evacuation. We have to abide by the rules of
3 the Commission and the current rules require evacuation
4 out to a 10-mile area. It seems that your problem, then,
5 is with the Commission and the rules of the Commission,
6 not necessarily with this particular board.

7 MR. QUIGLEY: Okay. I could amend that
8 question, I guess, to make it for 10 miles. You are
9 probably right -- you are very right as far as that goes.
10 I'll be glad to amend that question, if it would be
11 possible.

12 JUDGE COLE: The evacuation plan will provide
13 for and address the issue of the 10-mile evacuation.

14 MR. QUIGLEY: In detail and very comprehensibly?

15 JUDGE COLE: Hopefully, sir.

16 JUDGE BRENNER: You are in Kankakee, I don't
17 know how you are going to get access to the plans. It
18 hasn't been issued yet, the first proposal from the state.
19 It's scheduled for issuance soon, in August we are told.
20 And then some months after that, a federal agency, the
21 Federal Emergency Management Agency will be issuing a
22 plan. We have some emergency planning issues in the
23 hearing, but they are not precisely the questions you
24 asked, and you are going to have to find a way through
25 somebody in the local area to get access to those

1 documents. The emergency plan itself is rather thick and
2 I'm not going to require somebody to send it to you.

3 MR. QUIGLEY: Okay.

4 JUDGE BRENNER: To the extent you can stay
5 plugged in, hopefully you'll see what you want in that
6 report. It will be put in the public document room, but I
7 realize that won't help you in Kankakee.

8 MR. QUIGLEY: Well, that's not too far away.

9 JUDGE BRENNER: All right. We are going to be
10 at hearings in October, although not on issues presently
11 scheduled -- presently scheduled for October, although not
12 on the issues you raise, and then again in January on some
13 issues, including an emergency planning issue -- again,
14 not the one you raised. If by that time you haven't
15 learned where you can go look at those documents, come
16 back and let us know.

17 MR. QUIGLEY: Okay. Thank you, Mr. Brenner.

18 JUDGE BRENNER: Next I have Joseph J. Talarico.

19 MR. TALARICO: Could I hold until the next -- I
20 would like to go on last, if I may?

21 JUDGE BRENNER: Sure. I'll call two and then
22 come back to you.

23 Ron Hafner?

24 MR. HAFNER: Hi, my name is Ron Hafner. I'm a
25 trustee in the Village Board of Godley. I was elected to

1 that position in October -- not October, but April. I
2 have a couple of questions I would like to ask concerning
3 Commonwealth Edison. Are any of you familiar with where
4 Godley is?

5 JUDGE BRENNER: No. I was going to ask you but
6 I didn't want to interrupt. Could you tell me where it is?

7 MR. HAFNER: I have a map here.

8 JUDGE BRENNER: If you describe it with
9 reference to either Joliet or the --

10 MR. HAFNER: I could throw a rock and hit the
11 Braidwood station.

12 JUDGE BRENNER: That's a very good description.
13 Better than a map.

14 MR. HAFNER: There's Godley. There's the
15 reactor.

16 We have several problems we noticed in the
17 village. One is one that some of the people noticed now --
18 I don't know if it's directly related to the Braidwood
19 station, but a lot of the residents have been complaining
20 about the wells in the village are drying up.

21 I know they had a report when they dug the one
22 ditch on, I believe it would be the north side of the
23 cooling lake, the cooling lake by the village limits of
24 Godley. There was one gentlemen at the Chicago Beagle
25 Club, Mr. Dyer. I believe Commonwealth Edison came out

1 and drilled a new well for him, because immediately after
2 they put in that ditch his well went dry. We had six
3 residents that came in the last board meeting that came in
4 the second Monday of the month that came in and were
5 complaining about their wells going dry. I guess it has
6 been pretty dry for the past few years and Godley has not
7 been known never to have a water problem. We have always
8 had a water problem there.

9 JUDGE BRENNER: Could you tell me what the time
10 relationship is between the ditch you say Commonwealth
11 Edison dug and the problem you say with the wells?

12 MR. HAFNER: Between the time they connected
13 all the cooling lakes together and the wells?

14 JUDGE BRENNER: I thought were you talking
15 about a particular ditch?

16 MR. HAFNER: One particular ditch, I don't know
17 the particular answer. The village clerk was the one who
18 filled me in on this situation, but the way I understood
19 it it was very close, right after the time they done it.
20 But that could just be because -- kind of look at it, too,
21 it has been drier these past few years and we have been
22 putting in some more drainage ditches of our own in the
23 village, so it could be just because of our taking care of
24 our own water problem, that might be the cause, too. But
25 the main concern I have for right now as far as the

1 village is with the cooling lakes, our village being --
2 the border of the village is also the southeast corner of
3 the lakes.

4 I don't know if any of you have been past a
5 nuclear power plant's cooling lakes in the winter but the
6 fog that comes off of them lakes is pretty bad. I have a
7 small map of our village, and the cooling lakes come in
8 this -- they would come all along in here, is where the
9 cooling lakes are. We have residents that live, most of
10 our residential areas are right in here. With that fog
11 coming off the lakes it's liable to, at times, just
12 completely fog out the whole town. We have street lights
13 in our village right now but the street lights we have
14 would be totally useless against that type of fog. We
15 just have, right now, we have the regular mercury vapor
16 light. I don't know if the sodium vapor lighting would
17 throw off more light, I don't know if it would be a help
18 or no.

19 But I have friends at the Kankakee River about
20 down at Dresden and at times you go down that road 5 or 10
21 miles an hour you have problems keeping on one side of the
22 road or the other with the fog. And some of our residents
23 live within 400 feet of these lakes.

24 JUDGE BRENNER: I didn't want to interrupt your
25 statement so I'm waiting for you to finish your points.

1 Are you finished?

2 MR. HAFNER: That was basically what I had.

3 JUDGE BRENNER: Have you seen a fogging problem
4 in your village yet? I don't know if it was filled in
5 the winter or filled now for that matter?

6 MR. HAFNER: It's filled now. What I'm worried
7 about is when they get their license and it starts
8 operating, that's when the problem will occur, with the
9 warm water, when the water -- they run the water through
10 the system and return the warm water back to the lake.

11 JUDGE BRENNER: Was the lake built last winter
12 even though the station was not operating?

13 MR. HAFNER: It was filled last winter.

14 JUDGE BRENNER: Did you have a fogging problem
15 then?

16 MR. HAFNER: No.

17 JUDGE BRENNER: I don't think the lake gets
18 that much hotter. Have you or anyone on behalf of the
19 village discussed it directly with Commonwealth Edison?

20 MR. HAFNER: No, we haven't. And I wanted to
21 ask one more thing. What is the NRC's rules on
22 residential areas, in close -- right now what is the
23 rulings on how close residential areas be to a nuclear
24 power station?

25 JUDGE BRENNER: We don't have any

1 particular ruling with respect to residential areas other
2 than the fact that there's a certain area known as an
3 exclusion area and there can be no activities in that area
4 with the exception of transportation routes, including
5 railroads, whether it's a factory, or residential -- there
6 can't be anything in the exclusion area. Once you are
7 beyond the exclusion area there are no regulations, but to
8 the extent there are particular problems they could have
9 been raised as issues in the hearing.

10 To the extent -- I took your question to mean
11 as applied to Braidwood. If you are in the middle of a
12 population of millions of people you are going to have,
13 obviously, emergency planning problems. That's a
14 different issue.

15 MR. HAFNER: Right now we have 1107 residences,
16 houses, and we have 383 residents, total population of the
17 town.

18 JUDGE BRENNER: We do not have any particular
19 siting regulations that would apply to that as long as
20 they are outside the so-called exclusion area.

21 MR. HAFNER: You don't have to have that
22 exclusion area right now, though?

23 JUDGE BRENNER: I'm sure they used it only
24 because that was looked at at the construction permit
25 stage and anything within there would be permitted. I'm

1 sorry I didn't bring my own copies of the safety
2 evaluation right. It can be checked very easily; or the
3 final environment statement, although this would be in the
4 safety report.

5 Ms. Chan, could you provide Mr. Hafner with the
6 limited portion of the safety evaluation report that
7 discusses the exclusion area and the utility's control
8 over it?

9 MS. CHAN: Yes. If he'll just leave me his
10 name and address, I'll be glad to send it to him.

11 MR. HAFNER: Thank you very much. That's all I
12 have.

13 JUDGE BRENNER: On the fogging issue, let me
14 suggest that you discuss it with Commonwealth in the first
15 instance. I don't see a reason to involve us -- at least
16 at this point. When you talk to Ms. Chan -- I'm putting
17 so many burdens on her, but hopefully just providing
18 documents that already exist is not that much of a burden
19 -- why don't you supply Mr. Hafner with just a portion or
20 the whole statement if it's easier, of the final
21 environmental statement, give him the references to where
22 a possible fogging or icing of the cooling lake is
23 discussed, if it is.

24 Why don't you take it from there? In other
25 words, take a look at that first, and if you disagree with

1 it or have questions, then you can discuss it with the
2 staff and Commonwealth Edison and involve the other
3 village officials also. If you still have a problem when
4 we are back in October or January, let us know.

5 MR. HAFNER: Okay. Like I say, out at Dresden,
6 friends of mine before they got operating they never had
7 no problem at all and then when they start operating -- I
8 mean it's -- they had to put covers over the bridges and
9 the whole shot because it got so bad out there.

10 JUDGE BRENNER: I'm not disagreeing with you
11 necessarily. I'm only a lawyer here, I'm not an expert.
12 But see what the experts say in the first instance and see
13 whether it makes sense to you.

14 MR. HAFNER: Okay. Thank you very much.

15 JUDGE BRENNER: Diane Chaves?

16 Chaves? I tried two pronunciations hoping to
17 hit one them --

18 MS. CHAVES: Actually neither one makes a
19 difference. I even don't know the correct pronunciation.

20 (Laughter.)

21 JUDGE COLE: How do you say it, Ms. Chaves?

22 MS. CHAVES: Chaves, Chaves, I use both
23 actually.

24 My name is Diane Chaves and I live at 528
25 Gregory Street in Rockford, Illinois. I am here as an

1 individual. I am also here as a representative of the
2 Citizens Alliance for the Environment. We, of course,
3 intervened at the Byron proceeding this past couple of
4 years.

5 I would like to address some comments in
6 general on the hearing process and then make some remarks
7 on a few issues that I know are under consideration in
8 this particular proceeding.

9 With respect to the hearing process I would
10 like to remark that so often at the construction and
11 operating stages, the hearings are the only opportunities
12 for the public to become aware of the fact that there is,
13 first of all a nuclear power plant in their vicinity, and
14 that it may have some effect upon their livelihoods. So
15 often, however, the NRC proceedings are scheduled and set
16 up in a manner in which the primary concern is whether or
17 not the hearing can be conducted and terminated prior to
18 the plant being ready for operation.

19 Really, these two time periods are in conflict
20 with one another, and too often the public doesn't really
21 have the opportunity to participate in an educated manner
22 and raise all the concerns that they wish to at the
23 hearing stage.

24 With respect to this particular proceeding, we
25 don't necessarily feel that there is a need to place

1 restraints upon the conduct of the hearing as far as the
2 issues that are admitted, or to try and move the hearing
3 in a manner that will proceed prior to -- conclude prior
4 to, say, fuel load or prior to the end of next year. We
5 think that there is plenty of time in this proceeding for
6 an adequate hearing on all the issues, particularly since
7 only a few issues have been raised so far.

8 We would wish to encourage the board to raise,
9 sua sponte, its own issues, and to consider issues that
10 are not even raised by individuals at this hearing.

11 For instance, the board may wish to put into
12 admittance on the record, a lot of the quality assurance,
13 quality control documents and the NRC correspondence that
14 was exchanged between the NRC and the utility, because so
15 often issues arise late in a hearing process, which no
16 other individuals other than the utility or the NRC are
17 aware of. And the board should have the opportunity to
18 look at these issues and raise them themselves, if need be,
19 if they feel something is particularly important.

20 With respect to some of the issues that are
21 under consideration in this proceeding, I would like to
22 say a few things with respect to the quality assurance
23 matter.

24 At this point, apparently there is information
25 that has been raised concerning harassment of quality

1 control inspectors down at the plant. I would urge the
2 board to pay the deepest attention to this particular
3 issue because it is really the one issue in which the most
4 crucial and factual information about the state of the
5 plant and the plant's construction can be raised.

6 I would urge the board direct its attention to
7 assuring that these individuals have a full opportunity to
8 come forward and express their opinion at the hearing;
9 that the evidence standards and the standards regarding
10 the admission of witnesses be relaxed to the point that a
11 witness who may not be -- feel particularly relaxed or
12 confident about giving testimony, but who still has
13 important information to divulge, can be allowed to come
14 forward and participate even if his information may not be
15 considered to be particularly in line with legal evidence.

16 And I would suggest that the board -- and urge
17 the board -- conduct its own independent investigation
18 into the issue of harassment at the plant and to urge that
19 an independent body look into the allegations that are
20 contended and that the hearings are conducted, and that
21 the board send a representative present to any NRC
22 investigation, that are conducted for those plant workers
23 there at the plant.

24 I would also urge that the board -- that the
25 board raise an issue with respect to the reinspection

1 program that has been conducted at the Braidwood plant.
2 That reinspection program, of course, grew out of the
3 Byron reinspection program, and that program as it exists
4 right now would be a means by which the board could take a
5 look as to the adequacy of the construction of the
6 Braidwood plant.

7 With respect to the emergency plan, I note that
8 the board has mentioned that the issue of medical
9 facilities has been raised at least once today and
10 considered by the board.

11 I would urge that the board reconsider that
12 issue. Although it has been indicated that medical
13 facilities are present within the Braidwood area and that
14 provisions have been made with medical facilities to care
15 for contaminated individuals in the event of an emergency,
16 I would urge that the board look into that particular area
17 because it is one in which the state and the utility have
18 proven to be exceptionally weak on in the past.

19 As it exists now, presently there are -- there
20 is at least one list of medical facilities in the states
21 which are designated to be medical facilities to treat and
22 decontaminate individuals. However, the majority of those
23 facilities on that list have received no contact and had
24 no participation in being designated as medical facilities.
25 What that means is, of course, that there is no assurance

1 that they actually have the facilities necessary to either
2 treat or transport individuals.

3 Particularly in light of the fact that this
4 area is very close to the LaSalle plant and to the Dresden
5 plant and that medical facilities for those two areas that
6 are being used to service those two areas will also be
7 depended upon for this particular plant, it should be
8 incumbent upon everyone present to make an investigation
9 to determine that facilities are available for use.

10 With respect to the Byron -- I mean the
11 Braidwood emergency plan.

12 JUDGE BRENNER: Judge Cole and and Callihan
13 make that mistake all the time.

14 MS. CHAVES: Okay. As I understand it the
15 state is in the midst of issuing the Braidwood emergency
16 plan. At this point in time I would urge that the utility
17 and the state be directed to provide public materials in
18 the earlier revisions of the plan.

19 Initially the plan was a public document. At
20 this time it is available through the Freedom of
21 Information Act, through requests to the state.

22 Although it may not be in final form, there are
23 earlier drafts of the plan available and I would urge that
24 the board direct the parties to be allowed to see those
25 materials because those materials are quite voluminous and

1 if they are to be released later on this year, the parties
2 should have the opportunity to review those materials at
3 length and to formulate and revise contentions on the
4 basis of what is contained in the plan.

5 The plan itself is really the only direction
6 that the state has, or anyone of the public has, as to
7 what provisions will be in place for evacuating any
8 particular segment of the population and I would urge that
9 the board request the state and the utility to provide, if
10 not the final copy at this time, then earlier drafts of
11 the plan.

12 In addition --

13 JUDGE BRENNER: Ms. Chaves, just stay with that
14 plan. I'm sorry for interrupting. The plan as proposed
15 for review by the federal authorities, that is, the
16 proposed plan of the state and the appropriate local
17 jurisdictions, is going to be given to the parties
18 involved and the emergency planning issues in the case as
19 soon as it's issued, and it's scheduled for sometime early
20 in August.

21 MS. CHAVES: I would urge that the parties have
22 great latitude in their opportunity to formulate new
23 contentions on the basis of those plans. Because as it
24 stands right now, all the provisions in the plans are -- or
25 the plan is the only basis upon which to base contentions

1 and to litigate emergency planning at the hearing because
2 otherwise you have no guidance whatsoever as to what
3 provisions are going to be in place. And, in addition, if
4 the issue has not been raised before, I would urge that
5 the matters also be provided with a copy of the standard
6 operating procedures for the emergency plan, which are the
7 more detailed set of provisions for the plan. And those
8 operating procedures will usually take longer to develop
9 but in this case I think they should probably be developed
10 and issued at about the same time.

11 In addition, with respect to emergency planning,
12 I would like to raise the issue, if it hasn't been raised
13 prior to now, of host communities. Currently, the state
14 of Illinois emergency plan is an overall state plan which
15 incorporates not only the Braidwood facility but every
16 other nuclear facility in the state.

17 There exists in these plans, provisions on
18 evacuating the 10-mile area around the plant. However,
19 nowhere in this plan are there any provisions for what
20 guidance host communities are going to be given in
21 planning for how to support evacuees to leave those 10-mile
22 areas and find refuge within their communities.

23 At this time, particularly in this area where
24 the LaSalle emergency 50-mile zone and 10-mile zone
25 touches and intertwines with the Braidwood emergency zone

1 and the Dresden emergency zone, the host communities
2 within this area are going to be severely impacted in the
3 event of emergency. They should be provided with a copy
4 of the plan and they should be provided within instruction
5 and training from the state and the utility on how to plan
6 for the emergency.

7 One further issue I were like to raise with
8 respect to the emergency plan and that is the adequacy of
9 the notification system throughout this area.

10 Siren systems which are being put in place
11 around the Braidwood facility and which will be
12 operational are particularly effective within densely
13 populated areas and city areas. They are particularly
14 ineffective in rural areas, such as the Braidwood area.
15 So we would urge that the board take attention and
16 consideration on light of adequacy of this notification
17 system around the area.

18 Around the Byron facility we have a great deal
19 of difficulty within the area on hearing the sirens,
20 despite the fact that there are about eight or nine sirens
21 scattered throughout the 10 miles around the plant.
22 Whereas FEMA is looking into the adequacy of sirens at the
23 Byron plant right now, at the Braidwood site the system is
24 being put into operation. Enough time still exists to
25 supplement the system if necessary.

1 I would like to take the opportunity to thank
2 you for coming down here and listening to the public's
3 comments and thank you for the opportunity to speak to you.

4 JUDGE BRENNER: Ms. Chaves, if you wait a
5 moment, I'm not going to attempt to cover everything you
6 raised. A lot of it relates to rulings we have made in
7 the proceeding or may be called upon to make in the
8 proceeding, and I don't think it's appropriate for me to
9 discuss that in this context. For that matter, even in
10 the proceeding I don't like to make abstract
11 pronouncements if I can avoid it. When we have particular
12 items before us we rule in those circumstances. But let
13 me address two things, because I have, I think, a fairly
14 concise comment as to each.

15 On your last issue, the siren notification
16 system, unlike the many complex issues we have to deal
17 with as judges, happily whether or not the sirens can be
18 heard in the area is something nobody needs us for. They
19 are tested and they are either heard or not heard based on
20 the required test and reports throughout the 10-mile area,
21 and there are, indeed, many sites around the country where
22 the system is supplemented by other means.

23 For example, in factories and things of that
24 nature. So you don't need judges. You need sound experts
25 and other experts out there during the test, and that's

1 what is done. And presumably that's going to be done in
2 this case. I see no reason to make it an issue before us
3 based on what you said.

4 MS. CHAVES: Well, the reason I raise it is
5 because so often the standard of adequacy is a very
6 difficult standard to measure. And so oftentimes, in the
7 conduct of FEMA reviews, the public lacks a forum to raise
8 and present evidence regarding the adequacy of the siren
9 system. And particularly at the time when the siren
10 systems are up for review and the hearings are being
11 conducted, I think that it's a good opportunity for the
12 public to raise the issue.

13 JUDGE BRENNER: Well, based on my understanding
14 of the issue, the siren system is not one of them. I
15 understand you to say it should be.

16 It has been my experience -- observation,
17 rather than direct involvement, that that type of issue is
18 ideally suited for other forums, that is, namely the
19 experts -- and I don't like to give work away, normally --
20 but that is the experts go out and make their report based
21 on the test. To the extent people disagree as to whether
22 they could hear it or not the local jurisdictions really
23 have a lot of clout on that kind of issue. People in the
24 past that I have observed at other plants have gone
25 through their local government, complaining to the state

1 which has to review the results of the test and, in turn,
2 the state has a lot of cloud with FEMA and with the
3 utility and usually that's the way that gets resolved.
4 It's actually quite a nice way of resolving it, I think.

5 Maybe I have a naive view of it but I thought
6 it worked out pretty well that way.

7 You did mention in passing that you think we
8 should conduct an independent investigation of possible
9 harassment and other quality assurance matters. I have to
10 give you my opinion, that as a board, as judges, we are
11 not equipped, institutionally, to do that. Putting aside
12 whether we are equipped -- if we can do it. But
13 institutionally we cannot be part of prosecuting,
14 investigating staff and then sit as judges.

15 What we can and do intend to do is to make sure
16 that any issues before us, and the harassment issue is one,
17 is fully taken care of by the evidence in the proceeding
18 before us and the utility -- in this case Commonwealth
19 Edison -- bears the burden on that evidence.

20 We understand the harassment contention raises
21 sensitive issues and I gave some of my opinions on that on
22 the record today and I'll continue to make the -- we'll
23 continue to make the rules we think are appropriate,
24 balancing interests all of which are geared to get us to a
25 full and fair hearing on the subject, fair to all parties

1 and full in the sense of getting the information to us.

2 That's the best I can tell you at this point.

3 You might disagree with the way we apply that.

4 MS. CHAVES: Well, thank you for your comment.

5 JUDGE BRENNER: Mr. Talarico, did you want to
6 speak now?

7 Betty, did you have some others?

8 MR. TALARICO: Joseph Talarico, 20 West
9 Washington Street, Joliet, coordinator of the Will County
10 emergency services and disaster agency.

11 I'm not here to blow the horn for nuclear --
12 the nuclear industry or blow the horn for the people who
13 are opposed to the nuclear industry, but I am here to blow
14 the horn for the job that we are required to do and that's
15 for the safety and protection of the people within the
16 10-mile EPZ zone and beyond. I would like to respond to
17 some of the questions that were asked by some of the
18 participants.

19 Mr. Quigley, worried about the evacuations.
20 A lot of people don't know how our evacuation plans are
21 developed, how they are made up. I would like to explain
22 that, if I may.

23 If you can envision a pie, a regular pie, this
24 pie has a center point. From that center point, slices
25 are drawn in that pie, just like you take a slice out of a

1 pie. Each one of these slices is numbered with a number,
2 RAB -- so on and so forth, around.

3 When we talk about evacuation, we talk about
4 wind direction. If the wind is coming from the southwest
5 and you see where the wind would pass over the plant
6 itself -- which is in the center -- you see if there was a
7 radioactive release of gas, and that's how it's -- it
8 travels, by the clouds, by the wind. And you see which
9 way the wind direction is going and it will go through
10 certain -- a certain one of those pie slices. And if it
11 goes through one pie slice, the people that are evacuated
12 are not only that slice but the slice on either side of it
13 for precautionary, safety's sake.

14 You do not evacuate everyone within a 10-mile
15 radius, you just evacuate those people that are in those
16 particular slices, the primary one and the two -- one on
17 each side of it.

18 So it's not a -- what we would call here a real
19 massive amount of population that we would be evacuating.
20 It depends on the number of people who happen to reside,
21 who happen to live within those sectors that we evacuate.

22 Ms. Chaves says -- said that the state plan was
23 an overall plan for all the plants. Well, each plant has
24 its own individual plan. There is no one master plan for
25 all of the plants. There will be a plan for Braidwood,

1 like there is for Byron, LaSalle, Quad Cities, and so
2 forth.

3 As far as the sirens are concerned, we do have
4 sirens in Will County, and that's all I speak for is Will
5 County. They are tested monthly. How well they work --
6 sometimes it's -- your guess is as good as mine. But I
7 think they do work fairly well. People are beginning to
8 listen to them. And I would just like to pass on one
9 little -- well -- it's a little bit funny now but it
10 wasn't at the time.

11 A couple of weeks ago we had some pretty
12 violent weather here and I received a call from rural
13 Wilmington. Wilmington is four miles from Braidwood. And
14 I'll use his language, he says: A few minutes ago those
15 damn sirens went off, he says, what the hell is going on,
16 he says? I turned on the radio station -- which he should
17 be doing if there's something going on at the Dresden
18 nuclear power station, the EBS station -- he says, all
19 they were doing was playing music?

20 And I responded to him, I said: Well, I don't
21 know. There's nothing going on at Dresden, but have you
22 looked outside at the weather lately?

23 And that particular night we had -- we spotted
24 a couple of tornadoes here in the county.

25 So, I know at least that one gentlemen heard

1 those sirens, was paying attention, he had read the
2 pamphlet that we sent out for Dresden, and he responded
3 the way he was supposed to respond, if it was an incident
4 at the Dresden nuclear power plant.

5 We have exercised the Dresden plant several
6 times over the past years. We have evacuated children,
7 we have evacuated handicapped people, we have evacuated
8 adults. We have had three separate evacuations during
9 three separate drills.

10 We run these drills, and these exercises to --
11 not to see how good we are, but to see where our faults
12 are, where our weak points are, so that we can immediately
13 begin to correct those weak points rather than glow and
14 brag about how good and how well we performed in the
15 exercise.

16 So, but I welcome anyone to come into my office,
17 sit down and talk with me or talk with anyone in our
18 office about planning. If you have ideas we'd like to
19 hear about them because, believe me, when we talk to the
20 utility, they listen. They have been very cooperative.
21 And they have done things that we have requested them to
22 do. And that's -- that all comes about through our
23 exercises, the people who really are concerned about what
24 happens during an exercise and what would happen, what
25 might happen, in a nuclear incident.

1 And remember, that a nuclear power plant has no
2 relation whatsoever to a nuclear bomb. A bomb would
3 explode, you would have fire, you would burn up.

4 An incident at a nuclear power plant doesn't do
5 that. We have release of radioactive gas and it might
6 take, maybe days, to get from one classification to
7 another. So, it's not like you are going to do things
8 "right now." There may come a time when you might have to
9 do that, and we prepare for that, we try to prepare for
10 that, but I'm talking about the normal happenings, what
11 takes place at a nuclear power plant in a gaseous release.

12 It may take a period of days to get to a point
13 where you may have to evacuate people.

14 So, the only reason I got up here was just to
15 point out the few -- not errors, but lack of information,
16 I felt, that people had about certain things. And I again
17 -- I also want to thank you, Commission for holding this
18 public forum, because where else can people with enough
19 courage stand up before a Commission, whether it's NRC or
20 whatever, and speak what's on their mind in a sincere way.
21 And I thank you very much.

22 JUDGE BRENNER: Thank you. You recognize we
23 are not the Commission. I don't want you to confuse the
24 three of us with the five of them, from my point of view,
25 and I don't think from their point of view they want to

1 confuse the two us either, but we understand your comment.

2 I'm sure the people here appreciate your offer
3 for them to come in and speak with you. I hope you don't
4 regret it if your office becomes overcrowded.

5 MR. TALARICO: Never. Our job is help to
6 protect the lives and property of people and their
7 property. And we never regret it.

8 JUDGE BRENNER: Next is Harry Euses.

9 MR. EUSES: That's a good job on my name. Most
10 people can't do as well. My name is Harry Euses, I live
11 at 1713 Oklahoma Drive, Rockford, Illinois. I have got to
12 admit I'm a little bit nervous, I'm not used to speaking
13 in front of such a distinguished audience -- in fact, I'm
14 not used to speaking in front of an audience at all. But
15 I would like to take this opportunity to be able to voice
16 some concerns over the problems we are having in this
17 state with the nuclear power and the hazards and the costs
18 of this. I guess the first question I would like to have
19 an answer to is: Where are the wastes from the Braidwood
20 plant going to be stored? I do know that this waste has
21 an extremely long life span and that we, at this point, do
22 not have the technology to store this waste safely over
23 the period that it remains radioactive.

24 We would like to know where this is going to be
25 placed so that we can concern ourselves with this in the

1 future generations as well.

2 And, I have heard several stories of the
3 accidents happening at these plants, especially involving
4 the workers with some fault being with the management for
5 not informing the workers of the kind of hazards they are
6 walking into and the quality of the electrical or --
7 electrical work or the plumbing. Such things are
8 affecting a lot of these people.

9 I have friends who work for Commonwealth Edison
10 and some of them aren't even aware of some of the stories
11 that I have heard. These people should be allowed to know
12 about this. Their employers really aren't telling them
13 anything.

14 But, I think my major concern at this point is
15 the cost of these plants. I would have to say that my
16 major concern is with the older people here in this state,
17 the senior citizens on fixed incomes, or those receiving
18 welfare. And I'm sure it's widely known that our rates
19 have been increasing at a tremendous rate here in this
20 state, but our people on fixed incomes are certainly not
21 getting an increase in their income to pay for these bills.
22 A lot of people are having their electricity shut off
23 because they cannot afford to pay these rates. I can
24 speak from experience on this because my parents and I are
25 living on Social Security right now, receiving \$800 a

1 month to feed, house, and clothe three people and on top
2 of that pay our utility bills, which many times run us
3 well over \$100 a month. This situation is not improving
4 at all.

5 We do have, right now, three generations that
6 are being affected by these rate hikes: The senior
7 citizens; we have the people who are working or able to
8 work right now, receiving these increases in their rates
9 and they could be using this money on other things, maybe
10 to enjoy the small luxury of going out once in a while,
11 having the family over, things that they can't do because
12 their extra money is going to pay these utility bills; and
13 we also have the future ratepayers of the state, such as
14 myself. I certainly don't want to see the rates double
15 again within a few years, as the situation looks to right
16 now. And hopefully, when I get out of college I'll have a
17 decent job and I'll be able to afford to pay the rates.
18 There are a lot of people of my generation who don't have
19 that opportunity and there's going to be a lot more in the
20 future.

21 I used to be a canvasser for the Illinois
22 Public Action Council for a large part of this summer.
23 During that time I had the opportunity to speak to many
24 people over the northern Illinois area and I heard a lot
25 of concern and a lot of anger over the rate hikes that

1 have been given out. And when they heard that
2 Commonwealth Edison at the moment can generate 30 percent
3 more electricity than we can use, and that we have to foot
4 the bill for that capability, their anger grew. And it
5 grew even more when they found out that much of that
6 energy is being sold out of state.

7 So we are paying to produce it. We are also
8 giving Com Ed a nice profit by letting them sell it out of
9 state as well. But I think the final point came when we
10 found out that whether or not Byron and Braidwood plants
11 come in full operation we are going to be paying for 50
12 percent more electricity than we can possibly use in this
13 state. That includes all our industries used at their
14 peak capacity and all the air conditioners in this state
15 being turned on. This is really kind of ridiculous. What
16 are we doing with this extra power besides selling it out
17 of state? We are not receiving any benefits from this and
18 our electricity certainly isn't getting any cheaper here.

19 I have just been reading today some information
20 from the Business and Professional People for the Public
21 Interest. Some of the information I read stated that this
22 energy that the Braidwood plant will be able to add onto
23 what we already have is not going to be needed until the
24 next century and by that time the plant is going to
25 probably exceed its expectancy, its life span. So, my

1 question there is what good is it? What immediate benefit
2 are we going to see from allowing this plant to operate?

3 That study also said that, using an increased
4 amount of coal production right now would be far more
5 effectual in that coal plants are cheaper to build and
6 that Illinois coal can be used efficiently and without
7 extensive pollution right now.

8 The last thing I want to say is I'm not against
9 nuclear power by any means. I just don't see that we have
10 the technology right now to make this power efficient and
11 cost-effective and we don't have the technology to dispose
12 of the wastes. All sources of power do have their hazards
13 but it seems like nuclear power at this moment is by far
14 the most dangerous and the most expensive.

15 Thanks for your time.

16 JUDGE BRENNER: Well, thank you. Let me
17 comment briefly on some of your points. In terms of the
18 cost of the plants, that is something we do not deal with
19 except in a very limited context, which was not related to
20 your understanding concern at the rates. We just do not
21 get involved in that at all. Your state ratesetting
22 Commission, which in Illinois I believe is the Public
23 Service Commission, gets involved.

24 MR. CASSEL: The Illinois Commerce Commission.

25 MR. EUSES: Yes, the Illinois Commerce

1 Commission.

2 JUDGE BRENNER: And it's the Public Service
3 Commission in some states, and used to be the railroad
4 Commission in one state, oddly enough. But, in any event
5 it was that state body that gets involved in setting the
6 rates, and in fact, determining whether to permit a
7 utility to bring a plant on-line by their control over
8 what would go into the rate base and what the state body
9 considers to be a prudent expenditure and so on.

10 Similarly, at least at this operating license
11 stage, we do not get involved in whether or not the power
12 is needed from the plant. So at that point it can also be
13 related to the findings of the state Commission.

14 Judge Cole notes that at the construction
15 permit stage, the Nuclear Regulatory Commission licensing
16 boards have looked at that, but it's just a long-range
17 future prognostication at that point and not the
18 closer-in-time look that a state Commission could make.
19 It's a general time frame, rather than a particular year
20 that that's focused on.

21 In terms of where the waste would be stored.
22 That's a good question because I don't know the answer
23 either. Let me give you the context, though.

24 There has been a court proceeding in which the
25 court has decided that on a generic basis there is enough

1 assurance that the technology exists, even though a site
2 is not yet prepared -- but the court has found that the
3 technology exists sufficiently such that it is reasonable
4 to foresee that there will be sites for the more or less
5 permanent storage of wastes from nuclear power plants. On
6 that basis it has permitted nuclear power plant licensing
7 to continue.

8 That was a general finding as to the industry.

9 In the interim, most plants -- and I presume
10 without knowing that Braidwood falls in that category --
11 make plans to store the spent fuel, that is the fuel that
12 is removed at refueling times, in what is known as a spent
13 fuel pool and is literally an area, a pit filled with
14 water. Normally, they are wet storage. And that is a
15 temporary storage, though, not the permanent disposal that
16 you were talking about.

17 I think that covers the points you raised I
18 wanted to cover.

19 MR. EUSES: Thank you.

20 JUDGE BRENNER: Thank you again.

21 Next we have Leroy Black. That's the last name
22 I have -- all right, we have some more. Could you bring
23 them up?

24 MR. BLACK: My name is Leroy Black, I live at
25 1610 Avalon in Joliet and I have two comments and one

1 question.

2 My first comment is that fusion is a more
3 available source of energy than fission because there are
4 fewer radioactive byproducts and they are easier to handle.

5 My second comment is that until fusion is
6 viable, we should site the fission plants in an uninhabited
7 area such as a desert, under the ground, with a closed
8 coolant system. The risks are not worth the small rewards
9 that we are gaining in the costs of the electricity. And
10 my third question deals with what we just talked about a
11 few moments ago. There is a process for rendering the
12 radioactive wastes harmless and that's called "spallation"
13 it's a process of injecting protons into the nucleus. We
14 could, and I think someone should suggest, look into the
15 costs of spallation process right at the site where the
16 radioactive wave is being produced. Thank you.

17 JUDGE BRENNER: I don't have anything in
18 response. Thank you for your comments.

19 MR. BLACK: I thought Judge Callihan might have
20 something to say about the spallation process.

21 JUDGE CALLIHAN: I think there are more
22 problems with that at this moment than what we have to
23 contend with. It's a matter of development and
24 application to reduce it to a practical scale. I really
25 can't contribute much to your question.

1 JUDGE COLE: Is anybody working on spallation
2 right now?

3 MR. BLACK: I read this article in Fusion
4 Magazine five or six years ago and they made it sound like
5 a proton accelerator would be able to do the process. I
6 thought the process was already solved. I wasn't aware
7 that there were some technical problems.

8 JUDGE COLE: Are you familiar with the
9 transmutation programs?

10 MR. BLACK: Yes. Changing the radioactive
11 elements into stable isotopes?

12 JUDGE COLE: Yes. Is this part of that program,
13 do you know?

14 MR. BLACK: Yes. I think they would need to
15 site a proton accelerator right near the power plant or
16 right near the power plant. Of course once we have fusion
17 we won't need a fission reactor.

18 JUDGE COLE: Okay.

19 JUDGE CALLIHAN: Thank you. We have a couple
20 of more folks who have taken the trouble to come from
21 Rockford. The next one is Stanley Campbell.

22 MR. CAMPBELL: I would like to say hello again
23 to Judge Cole and Judge Callihan, and then welcome you,
24 Judge Brenner, to Illinois.

25 JUDGE BRENNER: Thank you. I have been here

1 before, but not on this proceeding. Thank you.

2 JUDGE COLE: Not as long as we were here.

3 MR. CAMPBELL: What other proceedings are you
4 associated with?

5 JUDGE BRENNER: I have been to Illinois before,
6 not Joliet.

7 MR. CAMPBELL: Are you presently working on
8 other nuclear power plant hearings as well?

9 JUDGE BRENNER: Not in Illinois.

10 MR. CAMPBELL: Throughout the country?

11 JUDGE BRENNER: Yes. Well, I have some lengthy
12 involvement that is about to come to an end in the Shoreham
13 nuclear power plant in New York and that's it at the
14 moment.

15 MR. CAMPBELL: We do wish the best for you in
16 your stay here in Illinois but we do expect some hard work
17 and a thorough record. I was involved in the Byron
18 hearings with Sinnissippi, S-i-n-n-i-s-s-i-p-p-i, Allies
19 for the Environment. That was March 1983, to October of
20 1984. I would like to speak to you of some of the
21 concerns that were raised during that hearing that relates
22 to Braidwood, and also about the treatment of the
23 Intervenors.

24 Intervening is not a sport to be taken lightly.
25 Some of the citizens that now speak out about their

1 concerns may be harassed by people who hold opposite
2 viewpoints. In fact there have been people in Rockford
3 that have been receiving rude phone calls because of their
4 involvement in the intervention. They do not do this
5 because it's -- they are unpatriotic or because they have
6 some conspiracy in mind, but because they have a basic
7 concern about the community in which they live.

8 Also, in the initial process of intervention --
9 of intervening, the citizen intervenors in DeKalb and in
10 Rockford were rudely treated by representatives of
11 Commonwealth Edison.

12 The attorneys for Commonwealth Edison, at the
13 first initial hearing, yelled at us, and as we have never
14 been to a hearing before, and were not legally represented,
15 we were taken aback by that and we did lose two people
16 from that initial meeting -- two people that had
17 volunteered to look over all the paperwork. And the
18 amount of paperwork, believe you me, is quite horrendous.
19 But again for those citizens who do put their time and
20 effort into it, they can raise significant issues.
21 Usually just the tip of the iceberg because our expertise
22 is not technical. But there are enough problems out there
23 that citizens who do put their time into it can at least
24 make the plant a little bit safer, and may even be able to
25 catch some major errors.

1 So, again, I hope that you give as much time
2 and allow for problems that may -- may arise because of
3 the inexperience from the Intervenor, allow them to be
4 worked out.

5 Discovery --

6 JUDGE BRENNER: No party is going to run at
7 another party in a proceeding in which we are present.

8 MR. CAMPBELL: This was not a proceeding. This
9 was the initial meeting between Commonwealth Edison and
10 the Intervenor.

11 JUDGE BRENNER: I misunderstood. My statement
12 stands, though.

13 MR. CAMPBELL: We wish we would have had
14 representatives there from the NRC as well. In that way
15 we felt maybe they would have been held on a leash.

16 Discovery is a word that we discovered about
17 two weeks before the end of our discovery period, and we
18 tried to use it as much as we could, in the little time
19 that we had left.

20 One of the questions we submitted had to deal
21 with INE reports, NRC reports of violations at a nuclear
22 power plant. We asked to see them. And after the
23 discovery period was over they invited us into Chicago,
24 into a room about half this size, with stacks of paper all
25 over it. And said: Here they are.

1 We figured that the thicker piles of paper were
2 the more interesting reports of problems, okay? So we
3 requested those to be copied and the utility very nicely
4 copied them off for us and didn't charge us anything.

5 Before the end of the hearing and, in fact
6 after the initial hearing and after the initial decision,
7 and just before the end of the second hearing, we received
8 from a worker at the plant who was responding to
9 Commonwealth Edison's claims that the plant is ready to go
10 on line and these judges are holding up our license --
11 this is a computer printout of the INE reports that the
12 NRC was -- had levied against Commonwealth Edison that
13 Commonwealth Edison was still working on.

14 They issued these reports weekly. You can look
15 through here, find out the type and level of the violation,
16 the NRC inspector that caught the violation, the subject
17 and status, they give a priority rating -- whether it's
18 going to be, you know -- it has to be done before they can
19 get the license, or before they can load fuel, or before
20 they can turn it on, or maybe before the first year is up.
21 And then the department that it's assigned to, the name of
22 the comment person and the notes and comments.

23 We had to receive this from employees at a
24 nuclear power plant who are in fear of their lives, or at
25 least their jobs, to get that type of information that we

1 had requested a year ago. So, discovery -- I would
2 suggest keeping discovery open and allowing as much time
3 for these citizens to go in there and dig around in their
4 files until they find out interesting computer printouts
5 like this.

6 JUDGE BRENNER: I think we have counsel
7 representing the party in this case on the QA issue who,
8 happily, have discovered discovery long before this case.
9 They are well aware of the discovery rights.

10 I understand your point as to your situation
11 but I just --

12 MR. CAMPBELL: I kind of pity these Intervenor
13 because they do have an attorney representing them. Not
14 because of the attorneys, because they are hard working,
15 low paid, over-worked, some of the best loved people in
16 this state. But there's only a few of them.

17 JUDGE BRENNER: Attorneys?

18 MR. CAMPBELL: Our attorneys. The Intervenor --

19 JUDGE BRENNER: Now, on the other hand the
20 utilities' attorneys, I can see where you might raise some
21 questions.

22 (Laughter.)

23 But, again, I must point out that these
24 attorneys are very hard working and they do not have all
25 the time that the utility attorneys have to counter them.

1 Allow employees that work or have worked at the
2 plant to testify, even if it's just to let them talk. If
3 it's in the middle of the hearing, or near the end of the
4 hearing. I know that the NRC, the Nuclear Regulatory
5 Commission is giving very -- getting very peeved at all
6 these last minute, last ditch efforts by citizens to try
7 and stop nuclear power plants because workers come forward
8 with interesting tidbits of information. But a number of
9 employees at the plant do have valid concerns down there,
10 and allowing them to testify and having those concerns put
11 into the record is the least you can do for these people
12 who are going to end up, very likely, not being allowed to
13 work at any other nuclear power plant in the country.

14 Whenever you hear --

15 JUDGE BRENNER: You know, if I can interrupt
16 and I'll let you continue. In fairness to the Commission,
17 whose members of course are not present tonight -- I don't
18 believe you have actually characterized their concern.
19 They are not concerned with the fact that workers might
20 raise significant matters. They are concerned that
21 matters which could be raised years before are not raised
22 until the last moment, apparently by purposeful delay.
23 And to the extent there's any validity to that concern, I
24 think it is a valid concern by responsible regulators, and
25 I don't think their concern is that the information will

1 be significant, it's that the timing is such that they
2 should be raised earlier.

3 MR. CAMPBELL: But Judge Brenner, I again point
4 out that most of these workers did not come to Intervenor
5 until the last minute. This information was not that well
6 known.

7 Again, within certain circulation of the NRC
8 and the utility, this information is probably talked over
9 coffee in the morning, but between the citizens and the
10 attorneys that represent these citizens, they don't know
11 about it until those workers come and talk to them in full.
12 There are a number of times that we receive telephone
13 calls and chit chat. But there's no way of verifying
14 whether it's some person just harassing us or whether it
15 is a valid concern.

16 JUDGE BRENNER: I wasn't blaming you. I meant
17 to speak generally, because I took your comment to be a
18 general one as to the Commission's interest.

19 Go ahead.

20 MR. CAMPBELL: I would suggest that whenever
21 you hear of an outside firm coming into the nuclear power
22 plant -- into a specific plant and inspecting areas, even
23 if these areas are not within the area of your -- of the
24 contentions raised, I would suggest that you ask to see
25 that report. Oftentimes it can show problems that may

1 have missed the intervenor's discovery -- or search.

2 Someone else suggested to me an innovative way
3 of determining Commonwealth Edison's latest problems.
4 I'll just share that with you and then pass on.

5 Commonwealth Edison's advertising program. It
6 seems that Commonwealth Edison ran a series of ads on how
7 well trained their control room operators were. At the
8 same time the NRC flunked 60 percent of the Byron nuclear
9 power plant reactors on their first series of tests.

10 There was another series of ads on how well the
11 welds were being checked, and at the same time the NRC was
12 reporting concerns about welding at the Braidwood plant.

13 I would suggest that you should realize that
14 the utility has practically unlimited resources, and I can
15 understand why they hire such expensive, well-looking, and
16 expert attorneys. Because every time it appears that a
17 utility executive gets on the witness stand they seem to
18 end up swallowing their feet.

19 During the Byron hearing we had an executive on,
20 I believe he was in charge of the quality assurance
21 program for Commonwealth Edison, who was asked a question:
22 Isn't it true that Commonwealth Edison is more concerned
23 with productivity than with quality?

24 And he stated: Yes.

25 And the attorney looked down at the questions

1 that she had, you know, for the follow-up, expecting a
2 "no," shrugged her shoulders and went on.

3 Even during cross-examination by the utility
4 attorneys, it was difficult to get this person away from
5 "No. We want productivity. Quality is secondary. We
6 want to put these plants on line as fast as possible."

7 There was another time that a Commonwealth
8 Edison employee -- I believe he was quality
9 assurance/quality control chief down at the Byron nuclear
10 power plant, was asked: Why didn't you follow this up?
11 There was a problem here, why didn't you follow it up?

12 And he said: Well, because of this and this,
13 and besides, the plant is so well designed anyway that we
14 didn't think it would be much of a problem.

15 That was another typical arrogant answer by
16 Commonwealth Edison. These plants are so well designed
17 that they could build them almost upside-down and it would
18 still work.

19 The trouble is there has been no adequate
20 search through the designing process. We began to -- we
21 tried to do it up there at Byron, but I don't blame the
22 judges that they didn't want to take a look at it. I
23 don't blame you at all. Because it's a monstrous amount
24 of work. There wasn't that much time to it. But, again,
25 the arrogance of the utility is based upon the design of

1 the plant, and an adequate review during a hearing has
2 never, to my knowledge, ever been done.

3 Commonwealth Edison has had problems with the
4 NRC before. In fact, I believe in 1983 they racked up a
5 total of eight fines against them, which was a record.
6 And the NRC talked to Commonwealth Edison and suggested
7 they clean up their act and they promised that they would.

8 Right now, though, Commonwealth Edison is
9 fighting a \$25,000 NRC fine relating to security at Byron.
10 I would like to present the -- both the article from
11 Nucleonics Week, which is published by McGraw-Hill, and
12 the article in the newspaper, the most recent one, July 7,
13 1985, from the Rockford Register Star, about Edison
14 fighting the \$25,000 NRC fine.

15 The fine could have been \$50,000, the fine
16 states, but the NRC cut it down to \$25,000 for some reason.

17 JUDGE BRENNER: We can have those two documents
18 bound into the transcript at this point, and that way, by
19 reference, we'll see in further detail what you are
20 referring to. If you can give it to the reporter when you
21 are done that will be fine.

22 MR. CAMPBELL: Thank you very much.

23 (The document follows:)

24

25

July 10, 1985
Rockford

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NRC physicists examine Byron after mishaps

By Ira Teinowitz

The Register Star

BYRON — Two health physicists from the Nuclear Regulatory Commission examined procedures at Commonwealth Edison Co.'s Byron Nuclear Power Plant on Tuesday after the fourth incident in two months in which workers were contaminated.

On July 1, two maintenance workers were contaminated on their hands while working on a pipe at the plant.

Russ Marabito, an NRC spokesman, said the incident itself was considered "insignificant" and the amount of radioactive contamination released would not normally be enough to trigger any NRC action.

However, because there were several such incidents in a little more than two months, the NRC sent a team to investigate, he said.

"It is not unusual to have contamination from time to time at all nuclear operating plants. But they (Commonwealth Edison) have had a number of these smaller ones recently and the team is going over to look at the radiation protection system," he said. "They will look at this one and others in the past."

On May 1, two maintenance workers at the plant who were expected to receive some radiation exposure, received more than originally planned.

On May 28, about a dozen workers at the plant were contaminated when a valve in an auxiliary building ruptured as radioactive gas was transferred from one tank to another.

On June 4, several people were contaminated due to a loose fitting on another gas line in the same building.

Tom McIntire, Commonwealth Edison's division superintendent, said it was his understanding that the NRC was concerned mainly about the May 1 and July 1 incidents because they involved "personnel error" as opposed to the other two, which were caused by mechanical problems.

"When there are two instances which look like personnel error, we are concerned and the NRC is concerned."

He said the company still is conducting an investigation of the two incidents.

Marabito said the NRC was notified of the incidents by its inspector at the plant, not by Commonwealth Edison.

...dents.

They also pointed to state laws that required the district to notify teachers whether they would be laid off or retained before it could determine how much money it would be getting from the state.

In April the school district was anticipating a \$3 million deficit in its 1985-86 budget. The school aid package approved by the Illinois Legislature last week gives the Rockford School District at least \$3 million a year in additional state aid.

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The weeds are waist high in this lot on Rockford

Kidnap, murder suspect

By Phil Dahnev

Duran 28 of Aurora pleaded innocent Rock...

July 10, 1985
Rockford

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copies of info collected from armed students.

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Worker Exposure to Radiation

Exposure of nuclear plant workers to radiation in 1982 continued at record highs, according to unpublished NRC data obtained by Public Citizen's Critical Mass. For the third year in a row, the total dose to the workforce exceeded 50,000 person-rem. The 1982 total dose figure of 52,190 person-rem was somewhat (3.5%) less than 1981's high of 54,142, but follows significant increases of 35% in 1980 and 20% in 1979.

Historically, the annual total dose to workers has increased more than forty-fold since 1969, when exposure totalled 1,247 person-rem, while the number of plants has increased only eleven-fold, from 7 to 74.

More plant workers were exposed to measurable doses of radiation in 1982 than ever before. A total of 84,322 workers were exposed, 2,139 more people than in 1981. These statistics indicate a trend within the nuclear industry to spread the risk of cancer and genetic damage to more workers every year. Because there is a legal limit on the amount of radiation exposure any one worker can receive, but no limit on how many people can be exposed to get a job done, the industry hires more and more workers every year to do its dirty work. Because of this, the number of exposed workers has increased dramatically — more than a hundred-fold since the NRC began collecting data in 1969.

The increasing number of temporary workers at nuclear plants is a serious problem. These employees are known as "jumpers" or "sponges" because they work in radioactive hot spots and soak up radiation as they make repairs. Utilities hire as many temporary workers as necessary to finish a job, then lay them off when they have absorbed the allowable radiation doses. There is an inherent economic and health inequity to these workers since full time employees generally receive less radiation but are entitled to full time salaries and benefits. The utilities do

Worker Radiation Exposure/Electric Power Produced: Sites with Ratios 15 or More Times Higher than the Lowest In 1982

Nuclear Site	1982 Ratio of Worker Exposure/ Electric Power ¹	Times Higher than Lowest 1982 Ratio ²
San Onofre	13.5	67.5
La Crosse	11.9	59.5
Nine Mile Point	9.5	47.5
Big Rock Point	7.5	37.5
Indian Point 3	7.1	35.5
Brunswick 1/2	6.5	32.5
Robinson 2	5.1	25.5
Yankee Rowe	4.4	22.0
Pilgrim 1	3.9	19.5
Genoa	3.9	19.5
Quad Cities 1/2	3.7	18.5
Oyster Creek	3.6	18.0
Monticello	3.4	17.0
Indian Point 1/2	3.1	15.5

1. Total person-rem of radiation exposure divided by megawatt-years of electricity produced at each site is a measure of the amount of worker radiation exposure per unit of power generated.

2. In 1982, Haddam Neck, Kewaunee, and Prairie Island 1/2 had the lowest worker radiation/power produced ratio: .20 person-rem/MW year. The 1981 low was .10, at Davis-Besse.

not keep adequate records on temporary workers, and it takes the NRC two years to gather, analyze and publish the information specific to them. As of September, 1983, the most recent available data were for 1980. In that year, transient workers comprised 45 percent of the total workforce, a 35-fold increase since 1972.

What effect does exposure to radiation have on nuclear workers? Medical findings have conclusively linked radiation exposure with cancer and genetic damage, and there is no known safe threshold for radiation exposure. But because its damage is not manifest for as many as 30 years, radiation gets lost in the statistical crowd of other cancer-causing substances. Expert opinion varies on the number of deaths among nuclear workers that will result from their cumulative exposure in 1982 to more than 50,000 rems. Based on the figures of the National Academy of Science (NAS) Advisory Committee on the Biological Effects of Ionizing Radiation (BEIR), there will be between three and ten additional cancer deaths. Other sources such as the Mancuso study of atomic workers, indicate the BEIR estimates may be too low by a factor of 30 or more.

Exposure to radiation has a cumulative health effect. Each additional year of radiation exposure increases the risk of leukemia and of cancer of the bone marrow, thyroid, breast, lung, etc. In addition to cancer, radiation exposure at low levels can cause genetic damage, birth defects, and miscarriages. A 1979 British study of nuclear dockyard workers showed three- and four-fold increases in chromosomal damage after exposures of 2-3 rems per year for 10 years.

Existing law allows radiation exposure of U.S. nuclear plant workers up to 5 rems annually, and as high as 12 rems in some cases. This is 30 to 70 times higher than the 0.17 rems recommended as the upper limit for the general public by the National Academy of Sciences' BEIR Committee. A dose of 5 rems is comparable to the amount of radiation in 250 chest X-rays. Dr. Edward Radford, former Chairman of the BEIR Committee, has called for a minimum reduction of the limit by ten-fold, down to 0.50 rems. In 1982, 29,395 U.S. nuclear plant workers (34.8 percent of those with measurable doses) were exposed to 0.50 rems or greater.

One index used by the NRC to compare the public benefits to the risks of nuclear power plants is the ratio of person-rem of radiation exposure to megawatt-years (MW-Yr) of power produced. This measures the total amount of worker radiation exposure divided by the amount of power generated at a particular site for a given year.

According to this yardstick, the best sites in 1982 were at Haddam Neck, Kewaunee, and Prairie Island 1/2. At San Onofre, the ratio was 13.5, or 67.5 times higher than at the best sites. This plant has had the worst occupational exposure record for each of the past three years. In addition to San Onofre, 13 other sites (listed in the table below) had exposure/power ratios more than 15 times higher than the best sites.

In order to protect the workforce, lower total levels of radiation exposure are needed, rather than just distributing the exposure to more people. The failure to

WORKER EXPOSURE TO RADIATION IN 1982

Nuclear Site	Reactor Type	Collective 1982 Dose in Rems	Workers Exposed	Percentage of Exposed Workers Receiving 0.5 Rems or More
Arkansas 1/2	PWR	803	1608	29.73
Beaver Valley	PWR	599	1755	23.48
Big Rock Point	BWR	328	521	34.74
Browns Ferry 1/2/3	BWR	2220	3277	42.17
Brunswick 1/2	BWR	3792	4957	38.33
Calvert Cliffs 1/2	PWR	1057	1805	36.40
Cook 1/2	PWR	699	1527	32.22
Cooper Station	BWR	542	743	46.30
Crystal River 3	PWR	177	780	12.44
Davis-Besse	PWR	164	1350	4.89
Dresden 1/2/3	BWR	2923	2572	55.68
Duane Arnold	BWR	229	524	24.43
Farley 1/2*	PWR	484	1453	22.78
Fitzpatrick	BWR	1190	2322	36.30
Fort Calhoun	PWR	217	604	18.54
Genoa	PWR	1140	1117	54.43
Haddam Neck	PWR	126	559	10.73
Hatch 1/2	BWR	1460	3418	25.57
Humboldt Bay	BWR	19	71	15.49
Indian Point 1/2	PWR	1635	2144	46.08
Indian Point 3	PWR	1226	1477	47.05
Kewaunee	PWR	101	353	18.70
La Crosse	BWR	205	148	58.11
Maine Yankee	PWR	619	1295	32.82
McGuire 1*	PWR	169	1560	3.97
Millstone 1	BWR	929	1370	45.84
Millstone 2	PWR	1413	2083	45.61
Monticello	BWR	993	1307	40.09
Nine Mile Point	BWR	1264	1352	48.45
North Anna 1/2	PWR	1915	2872	30.78
Oconee 1/2/3	PWR	1792	2445	44.73
Oyster Creek	BWR	865	1270	41.73
Palisades	PWR	330	1554	11.07
Peach Bottom 2/3	BWR	1977	2734	45.14
Pilgrim 1	BWR	1539	2854	29.99
Point Beach 1/2	PWR	609	767	48.50
Prairie Island 1/2	PWR	229	645	22.48
Quad Cities 1/2	BWR	3757	2314	73.42
Rancho Seco	PWR	337	766	24.93
Robinson 2	PWR	1426	2011	36.20
St. Lucie	PWR	272	1045	15.31
Salem 1/2*	PWR	1203	3228	21.78
San Onofre 1/2	PWR	832	3055	17.98
Sequoyah 1*	PWR	570	1965	19.49
Surry 1/2	PWR	1490	1878	32.37
TMI 1/2	PWR	1004	2123	28.50
Trojan	PWR	419	977	25.08
Turkey Point 3/4	PWR	2119	2956	44.28
Vermont Yankee	BWR	205	481	31.19
Yankee Rowe	PWR	474	814	35.87
Zion 1/2	PWR	2103	1575	65.33
Totals and Industry Average:		52190	84322	34.58

Source: Unpublished NRC documents obtained from the Management Information Branch, Office of Resource Management, NRC.

* Counted for the first time in 1982

set a ceiling on the total dose to the work force or the size of that work force, when combined with the high levels of allowable exposure to individuals, shows a callous disregard for the national health. The industry has created a genetic time bomb, the effects of which cannot be known for several generations.

A bibliography on low-level radiation is available for \$1.00 from Critical Mass.



McIntire

Inspections beefed up at Byron in wake of shutdowns

By John Collinge
The Register Star

7/12/85

BYRON — Eight unplanned reactor shutdowns at the Byron nuclear power plant since February have led Nuclear Regulatory Commission officials to step up inspection efforts during the plant's final testing phase.

Agency spokesman Jan Strasma said the shutdowns are more than would have been expected from an experienced utility such as Commonwealth Edison Co. and said the NRC is blaming the problems on equipment mal-

functions and errors by Edison employees.

"At this point, I think our posture would be watching it (final testing) very carefully, in terms of a heightened inspection effort and additional attention from our management," Strasma said Monday.

"The number of reactor trips, or shutdowns, is greater than we'd expect to see at this point in the program. They have not had any significant safety problems there, but we want their operation and performance to be such

that they won't have any significant safety problems."

Most of the shutdowns have been attributed to errors and malfunctions in the plant's steam and electrical production facilities, though a faulty reactor control rod has idled testing since last Friday.

Edison has been testing Byron's Unit 1 reactor at 100 percent power since June 27. Company division superintendent Tom McIntire said Edison officials still hope the plant will be fully operational yet this month.

Strasma said that none of the shutdowns, as isolated incidents, would draw NRC concern from a safety or regulatory standpoint.

"But the numbers suggest to us that things are not as they should be. Though conditions are not to the point of the NRC stepping in and shutting the plant down, we've told Com Ed they have to improve," he said. "And they've told us they will improve."

Strasma said there is no acceptable number of reactor shutdowns during testing. "What I'm giving is a subjective

view," he said, based on discussions with Bill Forney, the NRC's chief of inspections for Byron.

There is no way to tell how long the control-rod malfunction may delay testing progress, McIntire said. The boron rod is one of 53 rods that, when inserted into the reactor core, inhibit the nuclear chain reaction.

When the rods are fully withdrawn, the reactor is free to operate at full

See ✓ Byron/Page 7A

✓ Byron

Continued from Page 1A

power. The one faulty rod cannot be fully withdrawn for unexplained reasons, McIntire said.

"This is a very frustrating problem we're dealing with," McIntire said. "It could keep us down a while, but we could locate it and be back up in a day or so. It looks like we're going to be down a couple more days, anyway."

Plant workers were expected to finish repair work late Monday on instrumentation damaged by lightning that struck the plant Friday.

age "not a big deal in itself."

Since the Unit 1 reactor first sustained a nuclear chain reaction Feb. 2, it has been shut down 20 times — 12 of them planned for routine testing.

Despite the unplanned shutdowns, McIntire said the NRC is generally satisfied with Edison's testing progress.

"We'd like to have seen less (shutdowns) but we're not overly concerned with the number," he said. "The NRC has been looking over our shoulder all the way and they're satisfied with our testing progress."

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on or about
July 7, 1985

...they may have to meet
with on the financial needs of
Cormick Place exposition cen-
over how to parcel out "Build

sparked such an acrimonious fight, said
"This is the largest state building program
since 1971. And for there to be a high level of
disagreement on such a proposal is not sur-
prising."

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Edison to fight \$25,000 NRC fine

By Ira Teinowitz
The Register Star

Commonwealth Edison is preparing to contest a \$25,000 fine from the Nuclear Regulatory Commission for a security violation at the Byron Nuclear Plant.

The company has asked the NRC for time to respond to the allegations that produced the fine.

"I think we may have grounds for contesting the fine," said Tom McIntire, the company's division superintendent.

On June 7, the NRC levied the fine after learning a door in the plant that was supposed to be locked to maintain security was unlocked for a period of time during February. A plant security computer which keeps the door locked was out of service at the time.

The violation normally carries a \$50,000 penalty. McIntire said the company was fined half the normal amount because it immediately took corrective action and reported the problem to the NRC.

McIntire said the first of two Byron nuclear plants, although still in testing, is nearing the day when it will be placed in full operation.

The 1,120-megawatt Unit 1 is out of service this week to permit repairs on a pump used to recirculate cooling water.

McIntire said he expected the plant to be back in operation for testing by the end of the week or early next week. He said the plant may be fully operational by the end of July.

A second Byron unit is still being built, and McIntire said he hoped it could be operational by late 1986.



Find Hitchcock 6/The Register Star

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ate 27 peppers.

Cardenas, vice chairman of the
id the pepper-eating contest is one
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body has pie-eating contests. Well
eno pepper is popular in the Span-
nunity, so we thought, why not
ntest?" she said.

was the closing day of the fiesta.

the contest the crowd at the
v Mariachi bands, a ballet troop
participants from Chicago and
and finally a performance from
the group that recorded the "We
ford" song.

Commonwealth Edison, the largest U.S. nuclear utility, has received nearly as many NRC fines in 1983 as it has in its entire history, prompting top NRC enforcement officials to worry about possible "degradation" in corporate management. ~~Utility executives say the fines are causing confusion for them and needless worry for the public.~~

The Illinois utility has seven nuclear units operating at four sites and five more units under construction. The utility received a total of 10 fines from 1974 through 1982. In 1983 to date, eight fines have been proposed. They total \$540,000 and have ranged from \$20,000 to \$150,000. The Quad Cities complex has been involved in three of the citations and the Dresden and Zion facilities in two fines each. An NRC Region III spokesman said no other facility in the region has been cited in a fine more than once in 1983.

Jane Axelrad, director of enforcement for NRC's Office of Inspection & Enforcement (IE), recently told the Advisory Committee on Reactor Safeguards that NRC is concerned there is a "pattern" emerging at Commonwealth Edison. The fines have been over breakdowns in individual plant management, she said, "but there have been so many we are beginning to worry about a breakdown in corporate management." IE Director Richard DeYoung and Region III administrator James Keppler recently held an enforcement conference with Commonwealth Edison management to discuss that worry. "The feeling in the region is that management has taken aggressive action and the initial results are encouraging," she said, "but it is going to take some time before you see if the trend has been reversed."

ACRS member William Kerr said the citation for the largest of the fines, \$150,000 for failures to follow procedures at Quad Cities-I that led to control rods being inserted as though the plant was starting up instead of shutting down, led him to believe Commonwealth Edison "management is in poor shape." Axelrad said the citation writers might have been "loose with our language. We think it is significant enough to draw management attention, but not significant enough to consider any shutdowns."

A utility source said the sudden upsurge of fines is confusing both utility management and the public. NRC's reaction to any incident seems "less predictable" than in the past, he said, adding, "It's not clear what we should be doing to avoid getting hammered with these fines." The general public, he said, "sees a \$150,000 fine and says, 'What are they doing in these places? People kill people and get out on bail for less.'"

None of the fines has involved any accusations of recklessness or recurrences of the same incidents, the utility source said, although a Region III spokesman said the two incidents at Zion were considered similar because both involved security violations. For each incident Commonwealth Edison has proposed and taken steps to prevent recurrences. But each of the incidents has involved mistakes or failures to follow procedures at the plant level, the source said, and utility officials do not believe that such mistakes can be viewed as harbingers of a management breakdown. "I question whether anyone who says that understands what management is all about," the source said. "Management systems do not preclude personnel errors, they catch them and correct them, and our system is doing that." Every incident involved in fines, he said, was reported to NRC by the utility.

Commonwealth Edison has an entire section of management, headed by a vice president, devoted to managing its operating nuclear facilities and another section is in charge of building them. Fines to gain management attention are not needed, the source said: "Their (NRC's) object was obtained way back. Now, they are just making things more difficult in our dealings with the public." — Margaret Ryan, Washington

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Nuclear Publications' staff and primary responsibilities:

TELEPHONES

Subscription information:

Call (212) 997-6410 or
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News offices:

Paris (33-1) 720-2070
New York (212) 997-3194
Washington (202) 463-1651

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1 MR. CAMBELL: Then, also I have an article of
2 July 12, 1985, and the headline is, "Inspections beefed up
3 at Byron in wake of shutdowns."

4 Agency spokesman, Jan Strasma is quoted as
5 saying, "The number of reactor trips, or shutdowns, is
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8 Strasma goes on to state that, "The numbers
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11 and shutting the plant down, we've told Com Ed they have
12 to improve."

13 The article goes on to quote Mr. Tom McIntire,
14 Commonwealth Edison spokesman, saying, "We would like to
15 have seen less shutdowns but we are not overly concerned
16 with the number. The NRC has been looking over our
17 shoulder all the way and they are satisfied with our
18 testing programs. If not, they would have shut us down."

19 I would like to present that for the record as
20 well.

21 JUDGE BRENNER: All right. We'll bind that in
22 too, so you'll give the reporter those three documents,
23 then.

24 MR. CAMPBELL: I'm a part-time director of a
25 religious program called Rockford Urban Ministry, which

1 deals with hungry homeless people in Rockford. It takes
2 up most of my time. It's really a full-time job. But I
3 have been, lately, getting telephone calls from employees
4 at the nuclear power plant. And I certainly hope that
5 this will not in any way reflect upon the employment of
6 such workers, but -- and I should mention also it's not
7 usually the workers. It's sometimes wives, friends,
8 friends of friends, that call up.

9 One of them stated that an employee had been
10 contaminated on the elbow of his shirt, and there were two
11 people already in the decontamination room, so they let
12 this one employee go. I called up the NRC. We did have
13 the name of the employee that the person thought had been
14 exposed and we reported that to the NRC.

15 On Wednesday, June 5th, I began making notes
16 and dating some of these. We got a call about a lot of
17 little leaks at the plant, puddles showing up that are
18 radioactive. And then a few times before we had
19 discussions with employees who were tracing, or trying to
20 trace where these leaks came from. And one other employee
21 who was trying to guess where it will go.

22 So, it was interesting, again we reported that
23 to the NRC. I'm not sure how that came up.

24 One time -- and then finally this last Friday I
25 received a call from someone who related a story that a

1 worker had come home with surgical gloves on their hands.
2 The worker had been told to clean up some water and he
3 asked: Is it radioactive? Is it hot? And they said:
4 No, it's not hot.

5 So he and a buddy were cleaning it up, and
6 halfway through they got this little light that went on in
7 their head and said, well, we'll go get some monitors and
8 double-check. It was, sure enough, hot, and their hands
9 were very hot. After three scrubbings, the worker was
10 told to go home, not take the glove off, and come back to
11 work the next day.

12 This, I guess, led to an article July 10, 1985 --

13 JUDGE BRENNER: Mr. Campbell, although we
14 didn't set a time frame, you are running substantially
15 longer than the others. Could I ask you to come to a
16 reasonable conclusion?

17 MR. CAMPBELL: In about five minutes? Could I
18 ask for five more minutes?

19 JUDGE BRENNER: A little less than that, please.

20 MR. CAMPBELL: Four minutes, please? One of
21 our concerns that we do have down there is that the
22 employees are being -- that the program for protecting
23 workers -- I'll allow you time to set your watch --

24 JUDGE BRENNER: That's for my own benefit. A
25 trap door won't open when it goes off.

1 MR. CAMPBELL: This really is a unique
2 opportunity, because it's very rarely that at least this
3 can be set in some sort of record. But the radiation
4 protection program, at least at Byron, appears to be
5 extremely poor.

6 The NRC physicists are right now examining it
7 and there should be a report coming out. I would suggest
8 that this may be indicative of Commonwealth Edison. They
9 have the lousiest worker exposure record in the country.
10 Out of the top four of the plants for exposing the
11 greatest number of employees, is the three Commonwealth
12 Edison's reactors, Quad Cities, Zion, and Dresden.

13 LaSalle was too early. It hasn't yet built up
14 a decent record. But I would like to pass these -- this
15 article on, and then also an article on worker exposure to
16 radiation. I'm sure you are probably familiar with the
17 information in there, but again this is just for public
18 knowledge, too. I hope some people will at least take a
19 look at it because we tried, and we felt that we really
20 did tighten up some of the problems with worker exposure
21 at the plant through intervention. And then to get
22 stories like these is very discouraging. Why should we
23 intervene if we are going to have to watch our friends and
24 our loved ones come home with little surgical gloves on?

25 Lastly, Illinois allows the utility to charge

1 all of the operating costs onto the consumer, but the
2 profits come from the operating plants. There is no
3 incentive here in Illinois for conservation. There's no
4 incentive for alternative energy, or no incentive for
5 innovative programs.

6 I believe that even if Commonwealth Edison
7 wanted to stop, they couldn't because of their financial
8 interests and investments in the plant.

9 I would like to present the business and
10 professional people for the public interest briefing book
11 on cancelling Commonwealth's Braidwood Nuclear Power
12 Station, a cost/benefit analysis, into this.

13 It states that we could, or it suggests that we
14 could stop the plant right now, pay back Commonwealth
15 Edison plus 12 percent interest, and still come out \$200
16 million ahead.

17 Do we need the energy? Your Honor, we don't
18 need this energy. The risk -- as minute as you think it
19 is, the risk is not worth it for that plant. And it's a
20 lot more riskier than you think. There's a lot more
21 problems down there than you know, than the NRC knows.

22 Commonwealth, again, reports, states that the
23 NRC knows possibly 20 percent of the problems down at the
24 plant. I suggest we might end up, one of these days, with
25 another, at least, Three Mile Island accident, and no

1 doubt it will probably be one run by Commonwealth Edison.

2 I would like to just leave you with two
3 pictures that were submitted, or that were given to me by
4 friends. One was a cartoon that appeared directly after
5 the decision in January of 1984, on Byron, and it shows --
6 this appeared in the Rockville Journal in January of 1984.
7 It shows Commonwealth Edison employees dressed as Larry,
8 Moe, and Curly.

9 And then also when Judge Callihan and Judge
10 Cole visited the plant in March of 1983, we visited the
11 control room, and I have a picture of what we saw in the
12 control room. It's a railing with a little life buoy in
13 there. And on the life buoy it says, "Titanic." Again,
14 indicative of what the workers thought of the plant at the
15 time.

16 And I thank you very much for the time.

17 JUDGE BRENNER: If you'll permit me, unlike the
18 other documents that I said we'd bind in, I'd ask you to
19 hold the report on the costs because, as I have already
20 discussed with another speaker, that's not before us. And
21 I'd ask you to -- I'll look at the cartoons if you have
22 copies for me, but I don't want to put them in a
23 transcript because we don't like people to be too
24 entertained reading our transcripts, but we will bind in
25 the other documents that I said we would.

1 Thank you very much.

2 I have one more speaker on my list, Alyson
3 Boman Conn.

4 MS. BOMAN CONN: I'm Alyson Boman Conn, I live
5 in Rockford at 33 Fisher Street. I hadn't expected to say
6 anything today, but I felt there were a few points that
7 needed a little elaboration, both in previous testimony
8 and in response to previous testimony from the three --
9 from the judges.

10 I am a member of Sinnissippi Alliance for the
11 Environment but I am not representing that group right now.
12 Some of the points that I'm going to make are based on my
13 participation in a survey and investigation that SAF did
14 last summer as part of its laborious, many year research
15 effort on the Byron nuclear power plant, both as the plant
16 prepared to open and finally now that it is open.

17 Last year, SAF, with it's very few members,
18 among other things, checked each of the Commonwealth
19 Edison's -- each of Commonwealth Edison's followings of
20 the required safety steps for evacuation if evacuation
21 should be necessary. One of the research efforts that I
22 was involved in was traveling around the local countryside
23 within the EPZ, interviewing people to determine whether
24 they were able to hear the sirens. We were trying to
25 figure out whether the siren system was adequate. I

1 discovered very many people were not able to hear the
2 sirens, either because they were farmers running their
3 machinery or because of the climatic situations, wind
4 would carry the sound of the siren away from them or
5 because of hills that were between them and the sirens.

6 Judge Brenner has indicated that through
7 pleasant cooperation between anyone who notices a flaw in
8 the warning system and local governments and Commonwealth
9 Edison, a problem like this can be corrected.

10 SAF did contact local governments that were
11 involved in helping to create the evacuation system, and
12 to this day the siren system has not been expanded in any
13 way.

14 I hope that you're thinking that such a method
15 is not a naive thought, but that has been our experience.
16 And I suspect that our experience will be similar to the
17 experiences of people in other areas that might or might
18 not have a new nuclear power plant opening up there.

19 Another thing that I discovered when we were
20 doing this bit of research was that farmers whose land
21 borders the Rock River, which is where the Byron plant
22 gets its cooling water from, were experiencing a lot of
23 fog that they feel interferes with their farming
24 operations.

25 A previous witness had mentioned his concern

1 about fog and how it would interfere with safe driving and
2 illumination of the streets in his town. Once again,
3 based on our experience and our observation, that's a very
4 likely thing to occur -- just meteorologically it will
5 probably occur quite frequently.

6 The man from the local ASDA agency or whatever
7 it is called, had mentioned that the warning system and
8 all the efforts that he was putting together in his -- and
9 his agency were putting together seemed to be working
10 pretty fairly as of this point.

11 They have to work perfectly. You can't have a
12 system that works pretty fair. You are going to lose a
13 lot of people. Safety will be jeopardized. It's got to
14 be perfect and it's a very, very difficult enterprise to
15 come up with a perfect system. So far those of us who
16 live around Byron aren't assured that we have a perfect
17 system there, and I doubt that people will have one here
18 either.

19 Part of putting together this elaborate plan
20 for evacuation involves a large expenditure of money from
21 local government agencies. Joliet and Rockford are
22 probably very similar areas that have lost a lot of
23 industry, that are financially strapped, and money has to
24 come from the tax base, a tax base that's dwindling. It's
25 not going to come from Commonwealth Edison. There's a lot

1 of red tape in creating these evacuation plans, making
2 sure things are enforced, beefing up the sheriff's office
3 to make sure that laws are observed, and coordinating
4 everything, and then monitoring everything every so often,
5 and then checking them, and it's the last thing that a
6 newly impoverished municipality can afford to create and
7 monitor.

8 Let's see, I also think that Diane Chaves'
9 suggestion to you that you conduct an independent
10 investigation, if you discover any issues on your own that
11 have not been brought up by witnesses, is a valid one. I
12 think that you are empowered to do that. I hope that any
13 understanding wouldn't prevent you from doing it, but I
14 think that it is within your purview to do that. And
15 those are the issues that sprang into my head as I sat
16 here and observed the proceedings.

17 JUDGE BRENNER: Ms. Chaves raised two different
18 things. I think she recognized they are two different
19 things by the way she raised them.

20 In any event they are two different things.
21 One is an independent investigation, and it wasn't a
22 matter of staffing. I didn't even get to that point.
23 It's a matter of the institutional separation of the
24 judicial function from the investigative, prosecutorial
25 function. We are independent from the agency and we sit,

1 other than administrative support, and we sit as judges.
2 The agency is charged with the investigatory
3 responsibilities and those people work for them, and they
4 have management authority over them, unlike over us.

5 The other thing is we have the authority to
6 raise issues in the proceeding on our own, sua sponte.
7 That's the Latin -- that's different. And we are aware of
8 that power and authority.

9 MS. BOMAN CONN: Can you conduct another branch
10 of the agency to investigate a topic if there's something
11 that hasn't been brought up?

12 JUDGE BRENNER: Yes.

13 MS. BOMAN CONN: Then please do so, and please
14 involve yourself fully and do the kind of careful research
15 that SAF has done itself in the course of the past four or
16 five years.

17 JUDGE BRENNER: Thank you very much. Give us
18 one moment, please, before we adjourn.

19 (Discussion off the record.)

20 JUDGE BRENNER: We'd like to have filed -- we'd
21 like to have filed with the board at the time it's
22 prepared, the report of analyses of the plan and test of
23 the alert notification system, within the pollutant
24 exposure emergency planning zone, the approximately 10-mile
25 emergency zone, and that is primarily, but not exclusively

1 the siren system -- to be filed with the board and
2 furnished to the parties in the case and we'll all look at
3 it at that time. I'm not setting a schedule, whatever the
4 normal schedule is for its issuance, which will presumably
5 be after the siren is tested. That sometimes is done far
6 in advance of the larger test and it isn't necessary that
7 it await that larger test, although that may be the case
8 here.

9 In any event we want to see it, and want the
10 other parties to receive a copy also.

11 MS. CHAN: Yes, we'll provide it.

12 JUDGE BRENNER: That would include any reviews
13 of it, either at the same time or whenever they are ready,
14 such as the federal emergency management agency review.
15 And presumably that report will indicate what the
16 mechanism was for gathering information as to whether
17 people actually were notified during the test; whether it
18 be by siren or by other means or some combination.

19 MS. CHAN: Yes, your Honor, we'll provide it.

20 JUDGE BRENNER: Thank you.

21 Mr. Quigley, did you have something you wanted
22 to raise on the record?

23 MR. QUIGLEY: I would just like to know if I
24 have a right to make a further comment since a personal
25 reference was made of me.

1 JUDGE BRENNER: Whether or not you have a right
2 we'll let you do it if you keep it brief, but I don't want
3 to start a round robin precedent at this point. The court
4 reporter, who has moved his cigarettes closer to him, will --

5 MR. QUIGLEY: Good. Hang in there. It
6 actually deals with Mr. Talarico's statement. Whether I
7 was in error or not, I played -- I basically asked a
8 question. There may have been an error in the mileage as
9 far as evacuation goes, but to me I don't consider it an
10 error. Maybe it's an error on the NRC's part not to
11 consider 100 miles rather than limiting it to 10 miles.

12 But more, my consideration is that if you
13 should look at an emergency response only with the idea of
14 a pie and cutting it into slices and watching the windfall,
15 I'm hoping that the people who happen to live without --
16 are outside that one slice by a few inches, where do they
17 come into consideration on the emergency response program?

18 JUDGE BRENNER: He's invited you into his
19 office. Presumably you can call him.

20 MR. QUIGLEY: Living in Kankakee, this is one
21 of my concerns -- we are approximately 22 miles away, as
22 the bird flies. Beyond a 10-mile stretch, depending upon
23 the wind velocity, depending upon the conditions of the
24 atmosphere, you know, where do the Kankakeeans come in in
25 regards to proper notification for emergency response

1 should a major, or at least the worst-type accident should
2 occur? And then when you begin to look further north
3 where the population density becomes much greater, where
4 do we begin to look at that? So I hope that the NRC, and
5 I hope that you as the judges will look into, again, the
6 detailedness of the evacuation plans, and I hope that they
7 aren't as simple as they were spoken about. Thanks.

8 JUDGE BRENNER: Let me tell you that you are
9 not within the area to look to for possible evacuation or
10 sheltering in the event of possible emergency. You are
11 within the larger 50-mile area in the case of a major
12 accident, for which measures are taken, primarily with
13 respect to the food chain and drinking waters and very
14 careful screening of milk and things of that nature. So
15 you are covered by emergency actions but they are not the
16 emergency actions that you addressed in your previous
17 statement.

18 MR. QUIGLEY: All right. Thank you very much
19 for the extra opportunity.

20 MS. TOPOLSKI: I do have a question, a short
21 one.

22 JUDGE BRENNER: I should have told you
23 Ms. Topolski, to reinforce your point about euphemisms,
24 when Mr. Talarico referred to reactor trips he didn't mean
25 excursions either. But go ahead.

1 MS. TOPOLSKI: But who does set mileage, 10
2 miles, 20, 50, 100? Who sets the limits?

3 JUDGE BRENNER: Judge Cole stated that earlier
4 and I'll repeat it. It is set by regulation of the
5 Commission. It is not a precise 10 miles. It is an
6 approximation of 10 miles for which relatively minor
7 adjustments are made in each case for reasons of
8 conforming to jurisdictional boundaries and any particular
9 matters.

10 MS. TOPOLSKI: I have to say that then, because
11 it was a while back, maybe they have improved by then, too,
12 but the point was here when we can, by an accident,
13 destroy 34 villages, that's more than beyond 10 miles.
14 I think the way, depending on the wind, we are involving
15 more than 10 miles and beyond the 50 miles -- and that's
16 why I was concerned about evacuation shelters. How are we
17 going to get everybody fast enough into those shelters? I
18 haven't seen a plan on that one.

19 JUDGE BRENNER: I'm sorry, I didn't follow you.
20 You were talking about 34 miles or 34 villages?

21 MS. TOPOLSKI: 34 villages.

22 JUDGE BRENNER: Within 10 miles?

23 MS. TOPOLSKI: No, no, that was 112 miles, to
24 be exact.

25 JUDGE BRENNER: I don't know where you got that

1 distance from? Where is your starting point?

2 MS. TOPOLSKI: I'll give you the name of it, it
3 was the Ural Mountains, that has been finally verified,
4 and the 34 villages are not there. I'm trying to learn
5 from somewhere, where mistakes were made before so we
6 don't repeat the same mistakes again. What I want to say
7 is 10 miles is not sufficient. That's what I'm saying.

8 JUDGE BRENNER: All right. I understand your
9 reference now. I don't believe that there is an
10 allegation that that was a nuclear power plant, that is a
11 nuclear power plant generating station --

12 MS. TOPOLSKI: It dealt with the same radiation --

13 JUDGE BRENNER: Oh, yes. It dealt with
14 radiation. I think the plant there was a different plant.
15 Different type.

16 MS. TOPOLSKI: The district was a little
17 different but it dealt still with plutonium and the same
18 material. This is what I'm referring to. But I do refer
19 to, in case of an accident you know how the public reacts,
20 there's panic, everybody runs, try to run on the same
21 street, you won't get fast enough out of the city. Where
22 are they going to and how are we going to approach -- this
23 is what I'm concerned about.

24 JUDGE BRENNER: That is looked at, although not
25 necessarily an issue before us, but I don't want you to be

1 misled. What is looked at for possible evacuation is an
2 approximately 10 mile distance and it is set by regulation.

3 MS. TOPOLSKI: I have to stick by 10 miles is
4 not sufficient.

5 JUDGE BRENNER: I understand, but that's
6 regulation we have to apply.

7 JUDGE COLE: And we have to abide by the
8 regulation, so your quarrel is maybe with the Commission's
9 regulations are not adequate, but that's not addressed in
10 this particular forum.

11 MS. TOPOLSKI: With the Nuclear Regulatory
12 Commission. I understand that. But can you not recommend
13 it though, there's something wrong?

14 JUDGE BRENNER: Not unless we see something
15 peculiar at a particular plant. But let me tell you in
16 fairness to the Commission, that wasn't a number they
17 pulled out of the air. In their view they went through
18 quite extensive background studies and models of nuclear
19 fission releases from a commercial nuclear power plant of
20 the type in operation in this country to arrive at that
21 figure.

22 MS. TOPOLSKI: Okay. Thank you so much for
23 coming. Thank you.

24 JUDGE BRENNER: Thank you very much for coming.
25 I'll say that to all of you and have a good evening.

1 Thank you again.

2 Thanks for ordering up the weather you ordered
3 up for us today.

4 (Whereupon, at 9:05 p.m., the hearing was
5 concluded.)

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CERTIFICATE OF OFFICIAL REPORTER

This is to certify that the attached proceedings before the UNITED STATES NUCLEAR REGULATORY COMMISSION in the matter of:

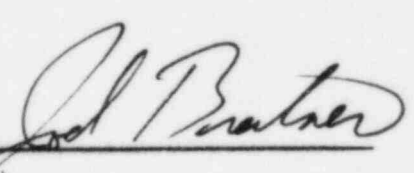
NAME OF PROCEEDING: COMMONWEALTH EDISON COMPANY
(Braidwood Nuclear Power Station,
Units 1 and 2)

DOCKET NO.: 50-456; 50-457

PLACE: JOLIET, ILLINOIS

DATE: TUESDAY, JULY 23, 1985

were held as herein appears, and that this is the original transcript thereof for the file of the United States Nuclear Regulatory Commission.

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JOEL BREITNER
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