

ATTACHMENT 1A
OFFICIAL TRANSCRIPT OF PROCEEDINGS
NUCLEAR REGULATORY COMMISSION

PUBLIC ENVIRONMENTAL SCOPING MEETING FOR LICENSE
RENEWAL AT MCGUIRE 1 AND 2

EVENING SESSION
HUNTERSVILLE, NORTH CAROLINA

TUESDAY, SEPTEMBER 25, 2001

Official Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

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McGuire Nuclear Station Units 1 and 2
Evening Session

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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PUBLIC SCOPING MEETING FOR LICENSE RENEWAL

McGUIRE NUCLEAR STATION UNITS 1 & 2

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TUESDAY,

SEPTEMBER 25, 2001

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HUNTERSVILLE, NORTH CAROLINA

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The Public Scoping Meeting took place at the Central
Piedmont Community College, North Campus, 11930 Verhoeff Dr.,
Huntersville, North Carolina, at 7:00 p.m., Chip Cameron, Facilitator, presiding.

PRESENT:

- CHIP CAMERON
- RANI FRANOVICH
- JIM WILSON
- ANTONIO FERNANDEZ
- TOMMY ALMOND
- BREW BARRON
- DAYNA HERRICK
- TIM GESTWICKI
- DON MONIAK

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- 1 PRESENT: (Cont.)
- 2 LOU ZELLER
- 3 DONNA LIZENBY
- 4 BILL RUSSELL
- 5 PAUL SMITH
- 6 MITCH EISNER
- 7 CATHERINE MITCHELL
- 8 JIM GILPIN
- 9 ROBERT MAHOOD
- 10 DAN FARIS
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(7:00 p.m.)

FACILITATOR CAMERON: Good evening, everybody.

Welcome to the NRC's public meeting on the Environmental Review for the preparation of an Environmental Impact Statement on Duke Energy Corporation's application to renew the operating licenses at Stations 1 and 2 at the McGuire Nuclear Station.

My name is Chip Cameron, I'm the Special Counsel for Public Liaison at the Nuclear Regulatory Commission, and it is my pleasure to serve as your facilitator for tonight.

Before we get into the substance of the meeting, I just wanted to talk about three aspects of the meeting itself. And one are the objectives of the meeting. Secondly I would like to talk about format and ground rules for the meeting. And, third, I would like to go over the agenda, so that you have an idea of what to expect tonight.

In terms of the objectives, we have a couple of objectives. One is to explain, to all of you, what the process is that the NRC goes through to evaluate these applications for the renewal of the licenses.

And specifically what we want to talk about tonight is the environmental review process that the NRC engages in to assist in making the decision on the renewal applications.

Now, for those of you who don't know what scoping is, scoping is a term that is used in reference to the preparation of an Environmental Impact Statement. And the Environmental Impact Statement,

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1 as you will be hearing more from the NRC staff, is a document that assists the
2 NRC in making its decision on whether to renew the licenses.

3 Scoping basically allows the NRC to gather information,
4 identify potential impacts and alternatives that the NRC should evaluate in
5 doing the environmental review.

6 And that brings me to the second objective of tonight's
7 meeting, which is to hear from the people in the community on potential
8 environmental impacts that the NRC should consider in doing its environmental
9 review.

10 The NRC is going to take written comments on these scoping
11 issues, and please feel free to submit written comments. We wanted to be
12 here tonight to meet with the people in the community, in person.

13 You may hear some information from the NRC tonight, or
14 from others that are speaking, that will stimulate you to write, to prepare a
15 written comment, or help you to prepare that written comment.

16 So please do so, and I would note that any comments made
17 here tonight have the same weight as a written comment.

18 In terms of format, there are two parts to the meeting. And
19 the first part is going to consist of some brief presentations by the NRC staff to
20 give you a background on license renewal, so that you will be able to
21 understand that.

22 We have two speakers. Rani Franovich, who is right here,
23 and Jim Wilson. And I will give you a little bit on their background in a minute.
24 But they are each going to give you some information about the process.

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1 After each one we will go out to you to see if there are any
2 questions that you might have about the process, clarifying questions. Then
3 we are going to go to the second segment of the meeting, and that is the most
4 important part, because that is where we want to hear from you, where we want
5 to listen to the information that you might have for us about potential
6 environmental impacts, or alternatives.

7 And I'm going to start that off with any local government
8 officials that are here. We are going to have some brief presentations by Duke
9 Energy to explain their intentions with proceeding with license renewal on the
10 McGuire stations, and then we are going to go to others who signed up to
11 speak.

12 In terms of guidelines I want to make sure that, or ground
13 rules, I want to make sure that everybody has an opportunity to talk tonight.
14 And so I would just ask you to be as concise as you can be. I know that you
15 want to give us a lot of important information.

16 At least for starters I'm going to ask that everybody follow a
17 five minute guideline in terms of their presentation. And I think that everybody
18 this afternoon, at this afternoon's meeting, did very well with that.

19 Please only one person speak at a time, so that we can get
20 a clean transcript. We are transcribing the meeting, and we do want to give our
21 full attention to whomever has the floor, at the time. And just give us your
22 name.

23 If you have a question during question and answers please
24 give us your name, and affiliation, and when you come up also tell us a little bit
25 about yourself, who you are, and your affiliation.

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1 In terms of the agenda we are going to start with Rani
2 Franovich, who is going to talk about the overall context for license renewal.
3 And what you are going to hear is that there is safety issues that are
4 considered in the NRC's decision on whether to renew the license, there is
5 environmental information, and there may be inspection findings that go into
6 the NRC's decision.

7 Rani is going to tell you about that. And Rani is the safety
8 project manager for the McGuire license renewal application. She has a
9 background in human factors engineering, and a bachelor's in psychology, and
10 a master's degree in industrial and systems engineering.

11 And she has been with the NRC for 10 years, but 6 of those
12 years she was the resident inspector at the Catawba facility. So she has a lot
13 of experience. She is with something called the License Renewal and
14 Standardization Branch at the NRC, and that is within our Office of Nuclear
15 Reactor Regulation.

16 After Rani we are going to focus in on the environmental
17 review, and we are going to go to Mr. Jim Wilson, who is right here. Jim is the
18 environmental project manager for license renewal at the NRC.

19 Again, he is within the Office of Nuclear Reactor Regulation.
20 His branch, the branch that does all the environmental work on license renewal,
21 and other aspects of Commission activities, it is called the Risk-Informed
22 Initiatives, Environmental, Decommissioning, and Rulemaking branch. That is
23 why we usually don't say these branch names very much, for obvious reasons,
24 I guess.

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1 But Jim has a bachelor's in biology, and a master's in
2 zoology, and he has been with the Commission for more than 25 years. And
3 they are going to tell you about staff support on this. I think we have a lot of
4 expertise on this particular issue.

5 But we will have those two presentations, and questions, and
6 then we will move to hear from all of you. And I would just thank you all for
7 being here.

8 The NRC has an important decision to make in terms of
9 whether to renew the licenses, and the information that you give us tonight will
10 be useful in that decision making process.

11 One final note. There is an evaluation form for the meeting
12 that is out on the desk. We want to make sure that we do everything we can
13 to offer an effective meeting to the public. And if you have any comments
14 please put them on the form, and we will consider them.

15 And with that, I'm going to ask Rani Franovich to speak at this
16 point. Rani, do you want to use this, or do you want to try that?

17 MS. FRANOVICH: Good evening. As Chip indicated, I'm
18 Rani Franovich. I'm the project manager for the safety review of the application
19 for renewal for the Catawba, as well as the McGuire nuclear station.

20 And for everyone's benefit, the operating licenses for McGuire
21 Units 1 and 2 will expire in 2021 for Unit 1, and 2023 for Unit 2.

22 They have applied for license renewal to the NRC, under
23 10 CFR Part 54, to request authorization to operate for up to an additional 20
24 years. And before I talk about the license renewal process, and the safety

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1 review process, in a little more detail, let me just talk with you about the NRC,
2 what we do, what our mission is.

3 The Atomic Energy Act of 1954 authorizes the NRC to
4 regulate civilian use of nuclear materials. The NRC's mission is three-fold.
5 First we ensure the adequate protection of public health and safety. Second,
6 we protect the environment, and third we provide for the common defense and
7 security.

8 The regulations enforced by the NRC are issued under Title
9 10 of the Code of Federal Regulations, which we commonly refer to as 10 CFR.

10 The Atomic Energy Act provides for a 40-year license term
11 for power reactors, but also allows for renewal. That 40-year term is really
12 based on economic and antitrust considerations, more than safety limitations.

13 Major components were initially expected to last for up to 40
14 years. However, operating experience has demonstrated that some major
15 components, such as steam generators, may not realistically operate for that
16 long.

17 For that reason, a number of utilities have replaced their
18 steam generators. Because components and structures can be replaced, or
19 reconditioned, plant life is really determined primarily by economic factors.

20 Applications for license renewal are submitted years in
21 advance for several reasons. If a utility decides to replace a nuclear power
22 plant, it could take up to ten years to plan and construct new generating
23 capacity to replace that nuclear power plant.

24 In addition plans to replace or recondition major components
25 are early considerations for license renewal.

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1 Now I'm going to talk about license renewal, which is basically
2 a process defined by a rule in the 10 CFR, and that rule is 10 CFR Part 54.
3 And that rule defines the process, the regulatory process for renewal, and it
4 incorporates 10 CFR Part 51 by reference.

5 10 CFR Part 51 provides for the preparation of an
6 Environmental Impact Statement, or EIS. And the license renewal process
7 defined in 10 CFR Part 54 is very similar to the original licensing process, in
8 that it involves a safety review, an environmental impact evaluation, plant
9 inspections, and review from the Advisory Committee on Reactor Safeguards,
10 the ACRS.

11 The ACRS is a body, like a consultant body, of independent
12 academics, and people with years and years of experience in the nuclear
13 industry. They are a consultant body to the Commission. They are involved in
14 the Commission's process for granting license renewal.

15 The next slide defines two parallel processes. The safety
16 review process is illustrated right here. The environmental review process is
17 illustrated here. These are parallel process to evaluate two separate things.

18 The safety review involves staff review of the license renewal
19 application to assess how the applicant proposes to manage aging of certain
20 components that are within the scope of license renewal.

21 The staff's review is documented in a safety evaluation report.
22 In addition to that process we also have inspection activities, which are
23 documented in inspection reports. The safety review goes to the ACRS for
24 review, and then an ACRS report factors into the Commission's decision on the
25 application.

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1 In addition, the inspection report also factors in on the
2 Agency's decision on the application for renewal. If there is a petition to
3 intervene, and there is sufficient standing and cause, then hearings may also
4 be involved in the process. And hearings will play an important role in the
5 Agency's decision on the application as well.

6 Here at the bottom is the other parallel process for the
7 environmental review, which involves scoping activities, the drafting of the
8 supplement to the generic Environmental Impact Statement, comments on the
9 draft from the public, so there is public participation there, and then the
10 issuance of a final supplement to the generic Environmental Impact Statement.

11 This document also factors into the Agency's decision on the
12 application. The scope of the license renewal evaluation, the safety part, which
13 is this part right here, is the effectiveness of existing or proposed inspection and
14 maintenance activities to manage aging effects applicable to a defined scope
15 of passive structures and components.

16 Part 54 requires that the review of the application also
17 evaluate time-limited aging analyses. And time-limited aging analyses are
18 those design analyses that specifically include assumptions about plant life,
19 which is usually 40 years.

20 Current regulations are adequate for addressing active
21 components such as pumps and valves, which are continuously challenged to
22 reveal failures and degradation, such that corrective actions can address that.

23 Current regulations also exist to address other aspects of the
24 original license, such as security, and emergency plans. These current
25 regulations will also apply during the extended period of operation.

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1 In August, the NRC issued a notice to announce its
2 acceptance of the Duke Energy application for renewal of the operating
3 licenses for Catawba and McGuire.

4 The notice also indicated that there was an opportunity for
5 public participation in the process. The NRC has received two petitions to
6 intervene, one from the Nuclear Information and Resource Service, and the
7 other from the Blue Ridge Environmental Defense League. If granted a petition
8 to intervene will involve hearings, as indicated here, in the process.

9 And this concludes my summary of the license renewal
10 process and the safety review process. If there are no other questions --

11 FACILITATOR CAMERON: Questions? Let's go to Don, and
12 just tell us your name and affiliation.

13 MR. MONIAK: I'm Don Moniak with the Blue Ridge
14 Environmental Defense League. You just stated that current regulations are
15 adequate to address things that you are not going to address in the EIS.

16 What if the regulations change, how can you predict what the
17 regulations are going to be in 20 years?

18 MS. FRANOVICH: I think what I said was current regulations
19 are adequate for not so much the Environmental Impact Statement, but for
20 things like assessing the effectiveness or performance of components and
21 structures.

22 What I mean by that is 10 CFR Part 50 requires that plants
23 have a quality assurance program, corrective action programs, such that when
24 they find problems, performance problems, failures, degraded equipment, they
25 are required to take corrective actions to prevent recurrence.

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1 MR. MONIAK: Okay. Well, within that concept, Duke
2 submitted a request for an exemption from the rules for renewals of licensing
3 in May of 1999, I believe, and it was granted in October 1999, and it is
4 referenced on the first page of their application.

5 Unfortunately there is no reference to where a person can
6 find both documents. How -- the question about this exemption is, why didn't
7 you begin this process when you knew that Duke intended to submit one early,
8 at least a scoping process?

9 It has been two years since they indicated their intention to
10 submit a license renewal early. Otherwise they wouldn't have gone through
11 that burdensome exemption process, I assume.

12 Why has it been two years since the NRC started this
13 process, especially considering there has been several related meetings over
14 the past year or so, relating to Duke's use of plutonium fuel in their reactors?

15 MS. FRANOVICH: Okay. Let me address your question. It
16 sounds like there may be two of them. One is about the exemption. And they
17 did come in for an exemption request. And the exemption itself was to request
18 that they come in early for McGuire Unit 2, and Catawba Units 1 and 2.

19 And what they did was they provided operating experience
20 from all four nuclear operating stations. McGuire Unit 1 has 20 years of
21 operating experience, to justify why the exemption was reasonable. And the
22 NRC granted that exemption, so they came in early.

23 The second part of your question seems to be why didn't we
24 start the process of reviewing their environmental impact until --

25 MR. MONIAK: The scoping process.

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1 MS. FRANOVICH: Okay, the scoping for the environmental
2 review... Jim, correct me if I'm wrong, but until we get an environmental review
3 report, or an environmental review from the applicant, that has the information
4 that we can review, we don't have anything on the table to review.

5 MR. MONIAK: You don't need the application, all you need
6 is the knowledge, under NEPA all you have to do, under the National
7 Environmental Policy Act, even the fact that something like this is being
8 considered, an agency can go forward from that point.

9 And, granted, the Environmental Impact Statement can't be
10 developed until you have an application. But you could combine the renewal
11 process and the scoping process with all this other ongoing NEPA work, in
12 order to be a little more efficient.

13 You can consider all the comments made in Charlotte, May
14 8th, as part of the scoping for this, because they are all related to Duke
15 reactors almost primarily, and use of plutonium fuel, as well as normal
16 operations.

17 MS. FRANOVICH: Okay. I'm not cognizant of the May 8th
18 meeting.

19 FACILITATOR CAMERON: Let me -- I'm going to see if
20 either Jim Wilson, or Antonio from the Office of General Counsel wants to say
21 anything on this.

22 One question, it was sort of a question, the location of the
23 exemption documents, is that -- can you tell us anything about how someone
24 would view the exemption request, and the decision?

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1 MS. FRANOVICH: Sure. Those documents are publicly
2 available. All you have to do is go into ADAMS, which is our information
3 repository for documents and correspondence between utilities and the NRC,
4 and do a search based on the topic, the date, that kind of thing, to see if you
5 can find it.

6 It is not there? Then we will take that back and make sure it
7 gets there. Thank you.

8 FACILITATOR CAMERON: Yes, and let's do that, and if we
9 are going to give, if we do have the ADAMS accession numbers, I know that
10 that is extremely helpful for people to try to get documents out of there.

11 But we will take that back as an action item. Antonio, do you
12 want to talk a little bit about the NRC regulations in terms of when we do
13 scoping for an Environmental Impact Statement?

14 You heard Don's questions. Do you have something to offer
15 on that?

16 MR. FERNANDEZ: This is Antonio Fernandez from the
17 Office of General Counsel. All, I think, that we need to say is that the National
18 Environmental Policy Act doesn't require a federal agency to begin its scoping
19 process until it has a proposal before it.

20 As soon as the Agency had a proposal before it, in the form
21 of an environmental review, and a licensing request to renew the license, we
22 began the process as soon as possible, and that is what the Agency has done
23 in this case.

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1 As far as I understand it, application for the exemption, and
2 the granting of the exemption, can be found in 64 Federal Register 54924. So
3 that is the reference. I will read it off again, 64 FED REG, 54 924.

4 FACILITATOR CAMERON: Okay. And if there is a more --
5 not a more helpful reference, but something that is more accessible to people,
6 we can also try to get that to Don.

7 Any other questions? Yes, sir, a question for Rani Franovich?

8 MR. FARIS: My name is Dan Faris, and I'm a long time
9 citizen of Charlotte and Mecklenburg. And I'm not an expert on any of this. So
10 basically I'm going to probably just ask a question.

11 I mean, I grew up in Charlotte, and our families often went to
12 Lake Wiley, and later to Lake Norman. And my understanding was the license
13 originally was that Duke Energy had the right to dam the Catawba river at Lake
14 Wiley, and Lake Norman, to produce energy.

15 And since this was given by the federal government, the
16 citizens gave them that right to do that, they had certain responsibilities about
17 the water, and the land surrounding those lakes that they created, and where
18 they were creating power.

19 And I'm not sure, in today's nuclear age, how that original
20 license fits into what this process is talking about today, about these two units.
21 Because my concerns are about the environmental impact.

22 So this is talking about two units, I'm talking about the whole
23 picture for relicensing, which involves Duke Energy's responsibility to the
24 citizens that gave them the right to dam the rivers and produce energy.

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1 MS. FRANOVICH: Let me take a crack at this. And if I really
2 mess it up Jim Wilson is going to come push me out from behind this podium,
3 and start speaking.

4 Two things. There are current state and federal regulations
5 with regard to environmental controls. They are in place, and in effect right
6 now, to protect the environment around these two plants.

7 The other is the Environmental Impact Statement will be
8 generated based upon a staff review of the impact of renewing the operating
9 license for these two plants, such that it ensures that there is not a significant
10 degradation to the environment that you are concerned about.

11 That is part of the renewal process. It will be documented in
12 the draft, and the final supplement generic Environmental Impact Statement.
13 Does that answer your question?

14 MR. FARIS: I think it does. I think what you are saying is that
15 this original license, and the responsibilities of both the federal government and
16 Duke Energy have not gone away.

17 MS. FRANOVICH: That is correct.

18 MR. FARIS: And so there will be opportunity for citizens like
19 myself and others to ask questions if we have concerns about the
20 environmental impact according to that whole overall umbrella of licensing, and
21 the duties of both Duke Energy and the federal government, and the citizens.

22 MS. FRANOVICH: Sure. The questions that you are asking
23 right now are the questions we are asking for in the public participation process,
24 not really very well indicated on this slide, but the one that I spoke of, that was
25 noticed last month, the public opportunity to participate in this process.

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1 So you are doing that now. And, in addition, as I indicated,
2 part of the review is the environmental review, this along the bottom of this
3 slide. And there was one other thing that I wanted to get to. I can't recall what
4 it was, but --

5 MR. FARIS: So at some point this evening the public can ask
6 questions related to that part?

7 MS. FRANOVICH: Absolutely.

8 MR. FARIS: Do we need to do it now?

9 FACILITATOR CAMERON: Let's do two things for Mr. Faris.
10 One, after the meeting let's make sure that we understand the scope of his
11 comment, and let's treat it as a comment, too.

12 In other words, what should be considered within the scope
13 of the Environmental Impact Statement. In other words, let's evaluate that.

14 And in terms of being able to comment, or ask questions
15 about the previous license, I know you are signed up to speak, to make a
16 comment. We could maybe be able to answer that question better in the
17 context of your comment, if you don't mind waiting until then.

18 But let's make sure, we will get it back out on the table, okay?

19 MS. FRANOVICH: And the one thing that I meant to mention,
20 that I had forgotten, was that if they were committed to do certain things in the
21 original license, there is nothing about the license renewal process that
22 invalidates prior commitments.

23 FACILITATOR CAMERON: Okay. Let's go to Jim Wilson
24 now. Thanks, Rani. Let's go to hear about the environmental process, and

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1 then we will come back to you for questions, again, if you have questions about
2 the environmental process. Jim?

3 MR. WILSON: My name is Jim Wilson, I'm the environmental
4 project manager for the NRC's review of Duke's application for license renewal
5 at the McGuire Nuclear Station.

6 NEPA, the National Environmental Policy Act, which was
7 enacted in 1969, requires that all federal agencies use a systematic approach
8 to consider environmental impacts during certain decision making processes
9 regarding major federal actions.

10 NEPA requires that we examine the environmental impacts
11 of the proposed action, and consider mitigation measures to reduce impacts
12 where the impacts are severe.

13 NEPA requires that we consider alternatives to the proposed
14 action, and evaluate the impacts of those alternatives. And, finally, NEPA
15 requires that we reveal all of this information to the public, and invite them to
16 participate in evaluating it.

17 The NRC has determined that it will prepare an Environmental
18 Impact Statement associated with the renewal of operating licenses for
19 additional 20 years.

20 Therefore, following the process required by NEPA, we are
21 going to prepare an Environmental Impact Statement that describes the
22 environmental impacts associated with operation at the McGuire site for an
23 additional 20 years.

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1 As we noted in our Federal Register notice last month, we are
2 conducting a scoping process to collect comments from the public on what we
3 should include in that Environmental Impact Statement.

4 This slide describes the objectives of our environmental
5 review. Simply put, we are trying to determine whether the renewal of the
6 McGuire licenses is acceptable from an environmental standpoint.

7 The actual decision on whether to operate the plant for an
8 additional 20 years is going to be based on decisions made by other parties,
9 principally Duke and other agencies, and will depend, in large measure, on the
10 outcome of the safety review.

11 This slide shows a little bit more detail the bottom of Rani's
12 previous slide, where we depicted the environmental review process. We
13 received an application for renewal in June. We issued a notice of intent in the
14 Federal Register in August, letting the public know that we are going to be
15 preparing an Environmental Impact Statement and conducting scoping.

16 It announced this meeting and told you some information
17 about how to get here, and that we will be collecting comments from the public
18 today that we will consider in preparing the Environmental Impact Statement.

19 During the scoping period we are holding these meetings...
20 We held another one earlier today. Earlier this week we went to the McGuire
21 site with a combined team of staff and consultants from the National
22 Laboratories, with a variety of backgrounds in the various technical and
23 scientific areas that are needed to prepare an Environmental Impact Statement.

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1 We familiarized ourselves with the site, and we talked with the
2 Duke staff about their application. We talked with other agencies, state
3 agencies, resource agencies, permitting agencies, to get their perspective.

4 In addition we've had team members out in the local area
5 meeting with local governments, and trying to get some information from them
6 that will be helpful in our Environmental Impact Statement.

7 The scoping period we are currently in will last until the 21st
8 of October. If you do not choose to submit comments tonight you have about
9 another month to either submit comments in writing, or by email, or to come to
10 Rockville and give us your comments in person.

11 We expect to issue a draft Environmental Impact Statement
12 for public comment. And that is going to be some time in the spring time frame.
13 And as Rani said before, this will be a supplement to the Generic
14 Environmental Impact Statement -- it is going to be a McGuire-specific
15 supplement.

16 The report will be a draft report - not because it is an
17 incomplete report, but because we are an intermediate step in the decision
18 making process.

19 After we collect comments from the public on the draft, some
20 of the comments will come in another set of public meetings early next summer,
21 I think it would be. Probably here in this same location.

22 We expect to present the results of our review and ask for
23 public comments on the review. After we gather the comments on the draft, we
24 will finalize the document, and we expect to issue a final Environmental Impact
25 Statement in January of 2003.

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1 During our preparation of a draft Environmental Impact
2 Statement for license renewal at McGuire we are going to be meeting with the
3 licensee, meeting with social services, with resource and permitting agencies.
4 We are going to be contacting other federal agencies. And we are going to be
5 getting comments from the public.

6 This slide gives you some of the technical and scientific areas
7 we are going to be considering in the scope of our Environmental Impact
8 Statement...

9 And, finally, a quick recap... We are in the middle of a
10 comment period that is going to last until the 21st of October, soliciting
11 comments, input from the public, on what should be included in the
12 Environmental Impact Statement.

13 We expect to issue a draft Environmental Impact Statement
14 next spring, about May. We expect to have a final document ready in early
15 2003, and that will be a result of considering comments on the draft that came
16 from other agencies and the public.

17 And, finally, this slide gives you some information on how to
18 gain access to the documents associated with the review. The Duke
19 application, and our environmental review documents, are going to be available
20 for inspection at the J. Murrey Atkins Library at the University of Charlotte.

21 The documents are available at the NRC's website. And if
22 you have comments after this meeting and you would like to submit them, we
23 have an address for where to send a letter. We also have an email address,
24 mcguireeis@nrc.gov, where you can send us an email with your comments.
25 And we will consider them in developing our draft.

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1 Any questions?

2 FACILITATOR CAMERON: Okay. Let's go to Don Moniak.
3 Don?

4 MR. MONIAK: The proposed action in the application is to
5 renew the licenses of Catawba and McGuire, right?

6 MR. WILSON: That is true.

7 MR. MONIAK: So why are you doing separate Environmental
8 Impact Statement for McGuire and Catawba, instead of doing one that
9 considers all four reactors?

10 MR. WILSON: The safety evaluation is going to be done as
11 a single review. It is impossible to do the environmental review as a single
12 review, because we have two different sites, two different environments.

13 We have to prepare a site-specific evaluation. We have
14 chosen to evaluate the McGuire application, the McGuire environmental report
15 first, and then we will do the Catawba one. We will prepare separate
16 Environmental Impact Statements for each.

17 MR. MONIAK: I've seen, it has been done many times
18 before, with two separate sites, the same EIS.

19 MR. WILSON: I'm not --

20 MR. MONIAK: Are you going to consider the cumulative
21 impacts --

22 MR. WILSON: We will consider the cumulative impacts.

23 MR. MONIAK: As if it was all four reactors running at once?

24 MR. WILSON: It is the same licensing action, but it has
25 different environmental impacts at each site.

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1 MR. MONIAK: That seems like it is a burden upon the public
2 to have to comment on two separate documents.

3 MR. WILSON: Well, we are giving you the opportunity to
4 provide comments on both.

5 MR. MONIAK: Are comments about the McGuire reactors
6 going to be considered within the Catawba?

7 MR. WILSON: I don't think so, to the extent that the impact
8 statements are going to be site-specific.

9 MR. MONIAK: So somebody who lives in the middle of --

10 MR. WILSON: We are going to be looking at Lake Wiley
11 when we do Catawba, we are going to look at Lake Norman when we do
12 McGuire.

13 MR. MONIAK: So somebody who lives right in the middle,
14 which a lot of people do, have to comment on both of them?

15 MR. WILSON: You could comment on either, both, or
16 neither, that is your choice.

17 MR. MONIAK: Okay, thank you.

18 FACILITATOR CAMERON: And let's do two things based on
19 Don's comments. If we haven't noted it so far, the whole issue of cumulative
20 impacts, whatever they might be, would be something that I think was
21 recommended to look at within scoping.

22 And also I suppose that it is possible, and very possible from
23 a comment point of view, that there might be one set of facts that might have
24 implications, environmental implications for both reactors.

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1 MR. WILSON: Yes. I might note that NEPA requires that we
2 consider cumulative impact for a proposed action. And the proposed action for
3 McGuire is the same for Catawba. And, yes, we plan to look at both.

4 FACILITATOR CAMERON: I think we got the drift of what
5 your questions were, and we will put that into the comment, mixed on. Is there
6 any other questions on the environmental review process?

7 (No response.)

8 FACILITATOR CAMERON: What we are going to do now is
9 we are going to go to the first of our speakers tonight, and that is Tommy
10 Almond. Tommy, Deputy Fire Marshal and Director of the Gaston County
11 Emergency Management office. Correct any of that, if that is wrong, Tom.

12 MR. ALMOND: I'm not the director, I'm just one of the
13 indians. Jim is the director.

14 FACILITATOR CAMERON: All right. Go ahead, Tommy.

15 MR. ALMOND: Okay. First I would just like to say good
16 evening. I am Tommy Almond, I do live at 111 Lilly Road, in Gaston County.

17 My home is located in the northeast portion of Gaston County.
18 And not only do I live there, but my parents, and my sister-in-law. And we live
19 within three and a half to four miles of McGuire plant.

20 The emergency protection zone, or the EPZ, as we refer to
21 it, is designated as zone R. Just to give you a little bit of touch here, it was first
22 announced in 1969 that McGuire would be built on the shores of Lake Norman,
23 with groundbreaking occurring, I believe, in 1971.

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1 Unit 1 came on line in December of 1981, and unit 2 came on
2 line in March of 1984. I give you that little data just to tell you that I have lived
3 in the same area that I have lived in now, since 1959.

4 I do have a little bit of age on me. I was there before the plant
5 came out of the ground, as has been mentioned before.

6 I know that Duke built the McGuire site using Duke
7 employees. I knew a lot of them that came into this region and worked at the
8 site. There were a lot of my friends and my neighbors.

9 And a lot of these people still work at the site today. And
10 when I say I trust McGuire to operate safely for another 20 years, I'm saying
11 basically I trust my neighbors, and I really do.

12 My first exposure to radiological preparedness was back in
13 the early '80s, right before unit 1 went on line. I belong to the local fire
14 department down in Lucia, which is the community from where I'm from.

15 Back then we learned about radiological releases, and the
16 written plan, and everything that we had in effect, in place at that time, in the
17 event an incident would ever occur at the McGuire nuclear site.

18 I learned about preparedness and what we would do to alert,
19 to notify the public, and to provide protection not only to the public, but also to
20 their property.

21 I learned about monitoring procedures, decon measures, or
22 decontamination measures, and other protective measures, not only for us as
23 responders, but also for the general public.

24 As mentioned I'm not only a resident, but I also live there, and
25 I also work for Gaston County emergency management. I have been with

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1 Gaston County for five years now in this position. And part of my functions
2 there, and tasks, has been a member of the McGuire nuclear taskforce.

3 I also take part in these meetings, and I participate in the
4 every two years, for McGuire NRC FEMA rated exercises that we have to do,
5 which August 14th, this past, we had one conducted.

6 During the last five years, since I've been involved with this,
7 first-hand, I have become better educated on the entire process, and the plan
8 that we have in effect.

9 Working closely with McGuire I have been exposed to a lot
10 of important information. I find McGuire to be very open to any answers or
11 provide any answers or information that we may need. Rarely do we have to
12 ask for it, because usually they give it to us upfront.

13 McGuire has been very supportive not only of Gaston County,
14 but also the surrounding counties, and to the state of North Carolina. There is
15 a big partnership that we have, in a sense.

16 I have been invited to tour the plant and meet the staff and
17 personnel. I have been invited to go down to Charlotte and visit the joint
18 information center, and the emergency operation facilities.

19 And I have witnessed, first-hand, Duke's training sessions,
20 and their exercises. And I have been very impressed with not only their
21 professionalism, but in the manner of detail and the seriousness that they put
22 forth just in a drill.

23 I have seen, first-hand, how Duke operates internally, and
24 also how McGuire, and also the Catawba plant that was mentioned, how those
25 staff support one another.

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1 That in a way we are fortunate, and in one way not, us is
2 Gaston County and Mecklenburg County are the only two counties, I think, in
3 Region 4 of FEMA, that we deal with two nuclear plants.

4 Both counties are sort of affected, if you want to say, by
5 McGuire and Catawba, and Rock Hill. And therefore we drill full scale every
6 year, at either one of the two sites.

7 And I have been over there to Duke, and I have seen how
8 they support staff of one another. If an incident would ever occur at McGuire,
9 Catawba is going to send personnel up to the emergency operation facility, and
10 vice versa; if Catawba is going to have an incident, McGuire is going to send
11 their staff.

12 And what that is doing is we have a tremendous, or they
13 have, at that drill, a tremendous backup system to key personnel, and very
14 knowledgeable people. And no other nuclear plant that I know of has that
15 availability of knowledgeable resources that is that close to one another.

16 I have seen Duke strive for perfection, and they do not settle
17 on just doing things right. They are the type of people that we need running a
18 nuclear power plant.

19 Could a situation ever occur at McGuire nuclear plant? It is
20 possible. No one will ever stand here and tell you that it couldn't happen. In
21 the event a situation would occur at McGuire, is Duke Power prepared? I have
22 seen them train, and I can fully say, yes, they are.

23 In the event a situation would ever occur at McGuire, or the
24 surrounding counties, is the State of North Carolina prepared? I can truthfully
25 say yes, because I am part of it.

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1 Duke Power and all outside organizations work closely
2 together. Duke Power is here today asking for a license renewal. And I stand
3 before you not only as an emergency responder and preparer, but also as a
4 resident, and I support their request.

5 I do not mind having McGuire Nuclear Power Plant in my
6 backyard. I welcome them as my neighbor. Thank you.

7 FACILITATOR CAMERON: What we are going to do now is
8 to hear from the Duke representatives, and we are going to go to Brew Barron,
9 who is the site vice president at McGuire, and then Brew is going to turn it over
10 to Dayna Herrick, who is the engineering supervisor. Brew?

11 MR. BARRON: Thank you, Chip. Good evening. As Chip
12 said, my name is Brew Barron, I have been an engineer with Duke Energy for
13 over 29 years now. I have spent 15 of those years at McGuire. And presently
14 my job assignment with Duke is to be site vice president at McGuire Nuclear
15 Station.

16 At McGuire we consider ourselves a part of the Lake Norman
17 community, a part of the community, and a neighbor, as Mr. Almond said. As
18 a neighbor I wanted to come today to give you some information to share with
19 you some information about McGuire, as well as about our license renewal
20 process.

21 For those of you who attended this morning session, please
22 bear with me, with some of the redundancy here. As Chip said, Dayna Herrick
23 is also going to speak. Dayna is an engineering supervisor at McGuire. She
24 has been with Duke Energy for 11 years, spent seven of those years actually

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1 managing environmental programs at McGuire, and has a degree in civil
2 engineering.

3 Our brief presentation, we will try to keep it brief, we are going
4 to really address three topics. We are going to talk, give a little bit of
5 information, brief information, about McGuire and its background, talk about the
6 license renewal application, and a little bit of overview of it, and then Dayna is
7 going to talk about the environmental report, and the data that is contained
8 within that environmental report.

9 McGuire was designed, built and is operated by Duke Energy.
10 It sits at the south end of Lake Norman, just outside of Huntersville. It produces
11 over 2,200 megawatts of electricity. That is enough generation to power four
12 cities, each bigger than the city of Charlotte.

13 We have been operating in the Lake Norman area, in the
14 Lake Norman community, for over 20 years now. As I said, as a site we are a
15 part of the community, but our employees are a part of this community as well.

16 We live in this community as well as work here. We've got
17 family in this community, we've got friends, we've got neighbors, we enjoy living
18 in this area, and partaking in the good things that this environment provides for
19 us.

20 The mission of every McGuire employee is to operate
21 McGuire Nuclear Station safely, and take care of the public and our friends
22 around us, take care of our communities.

23 We do a lot of things in the community. Our employees give
24 a lot of their time to the betterment of their communities and their neighbors.
25 We have had an 11-year partnership with the Catawba Springs Elementary

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1 School over in Lincoln County, where we provide them support in terms of
2 helping their students with math, and reading, and computer skills, join them as
3 lunch buddies, or as email pals.

4 We have had a five-year pen pal partnership with the Long
5 Creek Elementary School in Mecklenburg County. As a part of that program
6 100 McGuire employees routinely exchange letters with fifth grade students, to
7 help those students develop their written communication skills.

8 We hold clean cast fishing events for local children. Boy
9 Scout and Girl Scout events to help the Scouts earn credit for merit badges, in
10 energy, or computers, or the environment.

11 And we hold annual United Way and Arts and Science
12 Council drives. Last year the McGuire employees contributed 160,000 dollars
13 to their communities through United Way agencies, and the United Way
14 campaign. Our campaign for this year is just under way, as we speak.

15 But the decision to develop a license renewal application for
16 McGuire was not an easy decision, it was not a trivial decision, and not one that
17 we took lightly.

18 In May of 2000 Oconee Nuclear Station received a renewed
19 license. We know from that project, and the effort and energy that it took in
20 order to prepare that document, that it was a large task putting together a
21 license renewal application.

22 We need to review a tremendous amount of data, review that
23 data, and confirm for ourselves that the plant could safely operate for an
24 additional 20 years of operation.

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1 So we made the decision to proceed, and to assemble that
2 application. But we built that application on the knowledge and experience of
3 the engineers and the scientists that put together that same application for
4 Oconee Nuclear Station.

5 Our goal was to use the best that we had, and the best
6 people and skills that we had, to put together an application that answered all
7 the questions, that went forward, that overturned every rock, and made sure
8 there were no questions left unanswered about the ability of McGuire to operate
9 safely for an additional 20 years, and answer those questions for ourselves,
10 before we submitted that application to the NRC.

11 And on June 13th of this year we submitted that application.
12 Our license renewal application contains 1,300 pages of data with
13 environmental, general, and technical information in it.

14 It is supported by 500 engineering drawings. We believe we
15 have put together a quality application that addresses all of the issues, turned
16 over those rocks, looked underneath every one of them, and convinced
17 ourselves, and documented in that report, that the -- that McGuire can operate
18 safely for the remaining of its current license, and an additional 20 years
19 beyond that.

20 We decided that -- we concluded that renewing McGuire's
21 license was the right decision. It was the right decision for our community, and
22 it was the right decision for our customers, and the environment.

23 We evaluated alternatives, we evaluated replacing McGuire's
24 economical baseload electric generation with other sources of power. We

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1 looked at wind, we looked at solar, we looked at other forms of conventional
2 fossil generation.

3 We did not select those alternatives. We did not select them
4 based on their cost, based on their limited electrical output, and relative basis,
5 on their land use requirements, and on other environmental impacts.

6 We concluded that license renewal for McGuire Nuclear
7 Station, based on existing data, and a careful review of input by subject matter
8 experts, would have no significant environmental impact on the Lake Norman
9 community, on our community, on the community in which we live, in which we
10 play, as well as in which we work.

11 I know there are a number of members of the community
12 here. I want to thank you for your support, over the years, of our operation. I
13 also want to invite everyone here to come to McGuire, visit us, go through our
14 Energy Explorium, our visitor's center, and get to know us.

15 And if any of you have any questions about McGuire, about
16 the safety of the plant, or about what we are trying to do with license renewal,
17 please feel free to come by.

18 Thank you very much.

19 FACILITATOR CAMERON: Thank you, Brew. We are going
20 to go to Dayna Herrick who is the engineering supervisor at McGuire.

21 MS. HERRICK: Hello, my name is Dayna Herrick, and I'm an
22 engineering supervisor at McGuire. Most of you may not know, unless you
23 heard me say it earlier this afternoon, that it was more than 75 years ago that
24 Duke Energy established its environmental program. And it was one of the first
25 electric utilities to do that.

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1 Today our environmental staff numbers more than 150
2 environmental scientists, technicians, and engineers, whose job is to monitor
3 and safeguard the environment, and we have some of the best.

4 The initial environmental review for McGuire was conducted
5 in the early 1970s, and it laid the groundwork for the environmental monitoring
6 that we do every day at McGuire.

7 It is this 20 years' worth of monitoring data that we looked at,
8 as well as consulting with environmental resource, and regulatory agencies, to
9 make sure that we fully considered all the issues that were relevant to
10 McGuire's continued operations.

11 As part of this environmental report, we looked at 13 major
12 environmental areas, which I've generally grouped into four categories; water,
13 plants and animals, air quality, and people.

14 And I want to briefly mention each of these, starting with
15 water. Duke Energy has conducted water quality and aquatic ecology testing
16 on Lake Norman since the early 1970s.

17 The areas that we routinely study include water quality, water
18 flow at the intake and discharge structures, and aquatic ecology. Our
19 evaluation of this data has shown that we have made no changes to Lake
20 Norman's aquatic resources, and our continued operations will continue that.
21 We will not adversely impact the lake or the river.

22 The second category is plants and animals. As part of our
23 study we worked with Dr. L. L. "Chick" Gaddy, a well-known environmental
24 scientist, to do a survey of threatened and endangered species around
25 McGuire.

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1 The results of that study is that there are no federally or state
2 listed threatened or endangered species on the McGuire site. However, we do
3 have a thriving population of wild turkey, osprey, deer, and numerous other
4 species.

5 We have many ongoing environmental initiatives that we
6 manage in cooperation with the North Carolina Wildlife Resources Commission,
7 the Wildlife Federation, Mecklenburg County Parks and Rec, and Wild Turkey
8 Federation.

9 We are wildlife and industry together certified by the North
10 Carolina Wildlife Federation. We have a certified backyard habitat, bluebird
11 trails, wildlife food plots, a herbivore pond, a fish friendly pier, and I can go on,
12 the wildlife areas that we maintain on the McGuire site.

13 Based on our review of our operating history, and a look at
14 continued operation, again, we conclude that we will not adversely impact
15 plants and animals at McGuire.

16 The third category we looked at was air quality. You may not
17 know, but nuclear power provides almost 50 percent of Duke Energy's total
18 electric generation in the Piedmont Carolinas.

19 And because of that overall emissions from that generation
20 system are well below the national average. For the past 20 years McGuire has
21 not adversely impacted the air quality in this region, and there is nothing about
22 continued operations, or license renewal that will change that.

23 And the last important area I want to discuss is people who
24 live in the communities around McGuire. McGuire has a national reputation as
25 a well run station.

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1 We are committed every day to protecting the safety and
2 health of the public. And that commitment will not change as long as we are
3 part of this community.

4 In addition to being safely operated we provide many benefits
5 to the community. Over the last five years we've paid nine million, annually, in
6 property taxes to Mecklenburg county.

7 We have 1,100 employees who help to maintain a strong
8 economy in this area. And our annual payroll of over 77 million helps to support
9 local business and industry.

10 As Brew mentioned earlier, our employees spend thousands
11 of hours every year volunteering for church, community, school, civic groups,
12 and programs. We are proud to be part of this community.

13 Four generations of my family were raised in Mecklenburg
14 county. And my husband and I are raising our two small children just two miles
15 from McGuire. We drink the groundwater, we swim in the lake.

16 As an employee of McGuire I have a professional interest.
17 But as a mother, and as a neighbor, I have an extremely personal interest in
18 protecting the environment around McGuire. This community belongs to all of
19 us. Thank you.

20 FACILITATOR CAMERON: Thank you, Dayna. I would like
21 to tell you who the next four speakers are going to be, so that they can be
22 prepared for that.

23 We are going to start with Tim Gestwicki of the North Carolina
24 Wildlife Federation, then we will go to Don Moniak, Blue Ridge Environmental

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1 Defense League, and Lou Zeller, Blue Ridge Environmental Defense League,
2 and then to Donna Lizenby, the Catawba river keeper.

3 So, Tim Gestwicki.

4 MR. GESTWICKI: Thank you. I would just like to make a few
5 comments about the North Carolina Wildlife Federation, and some of our
6 conservation programs in conjunction with McGuire.

7 My name is Tim Gestwicki, and I'm from Charlotte, originally,
8 and have worked for the Wildlife Federation for 11 years. So I would like to
9 read a few comments.

10 The North Carolina Wildlife Federation is the oldest and
11 largest non-profit conservation organization in the state. We were started in
12 1945 by sportsmen concerned with promoting science-based wildlife
13 management.

14 Our mission is to be the leading advocate for all wildlife in
15 North Carolina, and its habitat. I have worked for the Wildlife Federation for 11
16 years, and I'm the Regional Manager, as well as the State Coordinator for the
17 aforementioned Wildlife and Industry Together Program.

18 I am by no means familiar with everything regarding McGuire
19 Nuclear Station. I'm a conservationist, and a wildlife habitat specialist. My
20 comments concern what I am familiar with, McGuire's programs, and efforts to
21 protect and enhance wildlife habitat on its site grounds, and their involvement
22 with conservation, education for area citizens, teachers, and school children.

23 The North Carolina Wildlife Federation and myself have been
24 involved in these efforts over the years, in conjunction with McGuire. McGuire

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1 Nuclear Station is the second corporate site in North Carolina to be certified as
2 a Wildlife and Industry Together Site.

3 This unique program recognizes companies across our state
4 that exhibit wildlife stewardship on their properties. For example at McGuire
5 instead of excess parking lots, there are planted food plots for turkey and deer.
6 Instead of underutilized fescue acreage, there are butterfly gardens, songbird
7 meadows, and bluebird, owl and hawk nesting boxes. An osprey platform has
8 also been erected down by the lake.

9 These are all great habitat projects. They were completed
10 thanks to strong, long-term partnerships with many cooperating agencies and
11 community groups, groups like the National Wild Turkey Federation, Boy
12 Scouts of America, Mecklenburg County Parks and Rec. And, of course, the
13 North Carolina Wildlife Federation.

14 These partnerships have led not only to wildlife habitat
15 enhancement, but also to wildlife education opportunities. McGuire has helped
16 to ensure that wildlife habitat enhancement, and wildlife education, go hand in
17 hand.

18 McGuire has been instrumental in creating many of these
19 learning opportunities. Opportunities such as learning about wildlife habitat,
20 and then actually putting that knowledge to use, like the students at East
21 Lincoln High School, who created a backyard wildlife habitat at McGuire, and
22 were subsequently recognized by the National Wildlife Federation for this
23 honor.

24 And all the kids that get to learn about water quality and
25 fishing do collaborative family fishing days that McGuire hosts. And the kids

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1 that are introduced to safe, ethical sportsmen activities through the nationally
2 recognized JAKES, juniors acquiring knowledge, ethics, and sportsmanship,
3 also hosted and sponsored by McGuire.

4 These wildlife education programs require a commitment and
5 rely on enduring partnerships. That is why McGuire is recognized as a Wildlife
6 and Industry Together Site.

7 McGuire has developed and sustained partnerships that allow
8 continuing wildlife projects, such as the annual butterfly and bird inventories
9 with Mecklenburg Parks, hosting composting workshops with county waste
10 reduction, hosting environmental workshops for our state's educators, in
11 conjunction with the state, through project WILD.

12 Most importantly McGuire has fostered relationships with the
13 communities in the area. McGuire allows public wildlife viewing, and
14 educational opportunities in the areas throughout their site.

15 Just one example is McGuire's nature trail, which
16 coincidentally goes through one of the first areas ever designated by the
17 National Audubon Society as a very important bird designation area.

18 I think that the signs at the front entrance of McGuire tell it all.
19 They proudly proclaim, in big bold letters, wildlife habitat enhancement
20 program, and wildlife and industry together.

21 Simply put the folks at McGuire have embraced their
22 surroundings. They have sought to enhance their property, and their
23 community relations through wildlife enhancement and education. They have
24 realized that these concerns serve not only the betterment of wildlife itself, but
25 of the community as a whole.

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1 I would like to thank McGuire for its wildlife stewardship.
2 Thank you.

3 FACILITATOR CAMERON: Thank you, Tim. Let's go next
4 to Don Moniak.

5 MR. MONIAK: Thank you. My name is Don Moniak, I'm an
6 organizer with the Blue Ridge Environmental Defense League. I live in Aiken,
7 South Carolina, which is about 20 -- I live 20 miles from the site where a
8 company called Duke, Cogema, Stone and Webster is planning to build a
9 plutonium fuel factory, also known as a mix oxide fuel fabrication facility.

10 A company that has invested virtually nothing in Aiken county,
11 as almost its entire workforce are either in Charlotte, North Carolina, Houston
12 Texas, or in France.

13 And this consortium, Duke, Cogema, Stone and Webster, is
14 under contract to the U.S. government to irradiate plutonium fuel in place of the
15 normal low enriched uranium they burn down, they radiate at McGuire and
16 Catawba.

17 So the intention of Duke is one thing, and the intention of
18 Cogema, which has no vested interest in this area, same as it doesn't have in
19 Aiken, and it is merely trying to recoup its losses that it has had over the last
20 few decades because of bad business decisions in the nuclear field. That is a
21 whole other matter that you should think about.

22 And when it comes to being a good neighbor, good neighbor
23 means tell the truth, too. And this letter that is out there in the Duke table talks
24 about the September 11th events, about how ready McGuire is.

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1 It says: "Our containment buildings are designed to withstand
2 tremendous physical forces, multiple barriers consisting of several feet of
3 heavily reinforced high density concrete and steel protect our reactors."

4 It is only three feet of concrete protecting that reactor. The
5 nuclear generation station when asked, could they be protected from an event
6 like what took down the World Trade Center they said, it is not designed to do
7 that, they weren't required to do that.

8 It would be very simple for Duke to simply say we are not
9 required to build a structure that can contain a deadly amount of radiation from
10 an intentional crash of a large jet. It is not their fault they are not required to,
11 that is what the law says.

12 But to say, to give the impression that they are somehow
13 prepared to defend against such a thing is crazy. And in the scope of this
14 Environmental Impact Statement it is time to analyze the impacts of total loss
15 of containment, which is what you've always should have been doing, anyhow.

16 And it is time to analyze the impacts of the strong possibility
17 that every nuclear plant in this country is going to need a larger land area to
18 provide for increased security and safeguards.

19 If you can't see that coming then I don't know what you can
20 see. Let's see what Duke's record in this EIS. You know, the list of violations
21 over the last 20 years, and how it compares with the rest of the industry.

22 When Duke got the contract to do plutonium fuel it said it
23 was, you know, a leader in the industry. And I did as good a review as I could
24 within a span of a few months, back in this past fall, and found that, you know,
25 Duke is not so much a leader, but they are not in the back of the pack, either.

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1 They are kind of comfortably in the middle, on just about everything, it seems
2 like.

3 They never had a reactor appear on the NRC's watchlist,
4 which is good. But they also never had a reactor appear on a list of superior
5 performers from '90 to '95.

6 To its discredit Duke initially teamed up with a company called
7 Commonwealth Edison in pursuit of plutonium fuel contracts with the
8 Department of Energy in 1996. Commonwealth Edison has a miserable record
9 in terms of nuclear safety, they are just notorious.

10 So to say that the ultimate concern is safety, and then to try
11 to team up with Commonwealth Edison is rather hypocritical.

12 The systematic assessment of licensee performance reports
13 that the NRC conducted for several years, Duke nuclear power plants weren't
14 rated among the top, but they weren't at the bottom, either. And all Duke
15 nuclear power plants experience chronic maintenance problems.

16 The forced shutdown rate, Duke power nuclear reactors
17 experience higher than average unplanned, unforced shutdown rates through
18 the data as of the end of 1992, when all of the data was readily available in one
19 place.

20 It is an interesting thing, in spite of the internet, it is harder to
21 find comparable data among all the reactors in one place, like you used to be
22 able to, when Oak Ridge was putting that together.

23 Plant efficiency and capacity factor. Duke's reactors have
24 experienced average efficiency relative to the rest of the nuclear industry.

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1 McGuire 1 and 2, they are both in the 20th percentile. So between 40 and 60
2 percent, right in the middle.

3 Even when looking at pressurized water reactors, McGuire
4 actually rates lower than in the middle. Radiation safety, again, right about at
5 the average, a little bit below, but nothing that is statistically significant.

6 And in this EIS you should tell us what you don't know, and
7 what hasn't been reported. Because Duke is no different than any other utility
8 that is regulated. There are regulations that it has to follow, and there is a lot
9 of grey areas in those regulations as to whether they are required to report an
10 incident or not.

11 And every company that is regulated debates whether an
12 incident is reportable or not. Because reporting it creates a paper trail, and the
13 paper trail costs money.

14 So here is something that just came through, through the
15 Freedom of Information Act. I'm not sure who filed it, but in 1996 and 1998
16 there were a series of allegations made regarding the Watts Barr Nuclear
17 Power Plant in Tennessee, which has also the ice condenser containment
18 system.

19 There is allegations of safety deficiencies alleged there, but
20 also alleged a generic problem. Allegor alleges that he contacted somebody
21 at Duke Power, at American Electric Power, the other utilities operating ice
22 condenser plants, and told them of the problem of potential broken, or missing
23 screws. He alleged they stated that they had encountered up to hundreds of
24 screws in their melt system, but did not raise the issue to management because
25 the plants were operating at the time.

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1 So it became a safety concern. Not a major one, but one that
2 wasn't in the license evaluation reports, or the other NRC mandated reports.

3 Problems with DC Cooke ice containment, such as
4 configuration and testing, were known but not reported by DC Cooke, Watts
5 Barr, McGuire, and Westinghouse. And it goes on.

6 And, you know, they do very rigorous training. There is no
7 doubt that Duke does, carries forth a level of safety that is well above your
8 average dry cleaning operation, because they have to.

9 The consequences of a nuclear disaster are enormous. They
10 are so enormous that the American Insurance Industry will not ensure your
11 home from a radiation accident, it says it right in your homeowner policy. That
12 was decided in 1955, and they still haven't changed their mind.

13 And the industry, which Duke is good at lobbying, the industry
14 is lobbying to keep taxpayer subsidized insurance in place not only for existing
15 reactors, but for new reactors, which they claim are safer.

16 So here is one from March 6th, 2001, synopsis of the Office
17 of Investigations regarding Duke Energy Corporation employee who may have
18 falsified his training records. The Office of Investigation did not substantiate
19 that the employee wilfully falsified the training records.

20 That is good, he did not wilfully falsify them, but they were
21 falsified, nonetheless. And that is not the only incident in which that happened.

22 Now it is one thing, as I have said, when it is a low
23 consequence operation going on, but this is a high consequence operation
24 going on, that has to meet far higher levels of safety margins than other

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1 industries. Because if there is an accident much of the area around here could
2 be uninhabitable.

3 At the Nuclear Regulatory Commission's Advisory Committee,
4 its February 2nd, 2001 meeting, the Advisory Committee on Nuclear
5 Safeguards, these are the experts that have to review this, Mr. Powers is on the
6 committee made the quote, statement:

7 "I just wonder if ice condensers had some peculiarity about
8 them that I didn't know about, other than vulnerable containment." And then
9 they all laughed. Which really is not very funny, but to them it must have been.

10 Mr. Kress, also a member, said: "You were reading my
11 mind." And Mr. Powers said: "I saw you grinning over there". And Mr. Tim
12 Johnson was there, at that meeting. In fact, you were making the presentation
13 to them. I'm almost there, yes.

14 So that brings me to the issue of mixed oxide plutonium
15 uranium fuel, which Duke plans, has under contract with the Department of
16 Energy, to put in its reactors. About a third of the fuel will be this plutonium
17 fuel, weapons grade plutonium from disassembled nuclear weapon parts called
18 plutonium pits.

19 They plan on burning about 25 tons at McGuire and Catawba,
20 which about 13 and a half at Catawba, 11 and a half at McGuire, or 12. There
21 is going to be 450 shipments of this fuel, and this too is going to raise the level
22 of safeguards for that facility a great deal.

23 And that needs to be analyzed in this EIS, not in the license
24 amendment, and nowhere else. It needs to be now, and in this. And then you
25 can say you have analyzed the bounding incidents.

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1 As for alternative sources of energy, Duke did not conduct an
2 analysis that looked into the future. They looked at existing sources of energy
3 and the current technologies. But just as the United States essentially
4 subsidized the entire nuclear energy industry with its research and
5 development, now they are sinking tens of millions of dollars into this thing
6 called clean coal.

7 Well, what does clean coal mean, and what would a clean
8 coal plant mean? And that needs to be in this EIS, what would be the
9 environmental impacts of a clean coal plant, because I'm really dying to find out
10 what they are. I've only seen it kind of talked about in vague terms by the labs.

11 And that is how I would like to complete. Thank you.

12 FACILITATOR CAMERON: Thank you, Don. We are going
13 to go to Lou Zeller, Blue Ridge Environmental Defense League. And then we
14 are going to go to Donna Lizenby, the Catawba Riverkeeper.

15 MR. ZELLER: Thank you. My name is Lou Zeller, and I live
16 in Glendale Springs, North Carolina.

17 My remarks tonight I would like to address under the section
18 of Code of Federal Regulations 10 CFR 51, under NEPA issues for license
19 renewals, having to do with postulated accidents.

20 And Don has more or less given you a litany of some of the
21 problems that he has identified. I want to confine my comments, this evening,
22 to design basis, or serious accidents, or incidents, or violations which occur
23 outside the design basis of the reactor.

24 The design basis is the starting point of all Nuclear Regulatory
25 Commission regulation. It is the safety and operational blueprint for a nuclear

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1 reactor. In other words, if a reactor is operating outside the design basis, it is
2 impossible for the Nuclear Regulatory Commission, or the utility, or anyone else
3 for that matter, to determine whether the reactor is safe, or whether it poses an
4 undue risk to public health and safety.

5 Operating a reactor outside the design basis constitutes a
6 violation of NRC regulations. The more events filed by a nuclear reactor, the
7 less certain that a reactor in a safety program will operate as designed.

8 Now, a few years ago the Nuclear Regulatory Commission
9 declared an amnesty, and reports were made. In the early 1990s the design
10 basis issues were a topic of discussion in an attempt to formulate a renewed
11 nuclear reactors license policy for the next 20 years.

12 The Commission's rule was premised on the assumption that
13 nuclear reactor design basis and final safety analysis report would be sufficient
14 to protect the public health and safety, so long as it was modified to account for
15 the effects of aging.

16 Rather than reviewing the design basis documents, in order
17 to prove that reactors were in compliance with the design, the final safety
18 analysis report and the terms of its operating license, the Nuclear Regulatory
19 Commission merely deemed that it was so.

20 Under the license renewal rule members of the public cannot
21 challenge the sufficiency, or question the compliance with the reactor's design
22 basis. When a reactor applies to renew its license, the NRC is neither going
23 to review these documents, nor confirm that the reactor is in compliance with
24 the regulations imposed under the current license.

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1 Yet the NRC acknowledges that the current licensing basis
2 at the nation's nuclear power plants is outdated, and oftentimes poorly
3 recorded. Now, that information I've just told you about comes to you, and to
4 me, courtesy of Jim Riccio, who published a report several years ago, while
5 working for a public citizen.

6 Much of this information comes from regulatory options from
7 nuclear power plant license renewal NUREG-1317. Now, at McGuire Power
8 Plant, they are listed in that three-year period five violations, five incidents
9 where Duke Power Company operated McGuire 1 or 2 outside of its design
10 basis.

11 In addition to that the plant performance reviews note
12 shortcomings in the ice condenser, maintenance, and inspection, corrosion of
13 service water pipes, auxiliary feedwater pipes, and examples of poor
14 engineering performance.

15 Plant systems, safety structures and components within the
16 scope of this power plant license renewal, the ice condenser is a safety related
17 system, which is relied upon to prevent, or mitigate, the consequences of
18 accidents that could result in off-site exposure above 10CFR100 guidelines.

19 The aging ice condenser system, coupled with poor
20 performance, reduces the safety margin of the reactor. Neutron bombardment,
21 silting from fission reaction degrades the metal parts of the reactor, the metal
22 becomes brittle. Reactor embrittlement increases with age. And an embrittled
23 reactor may look unchanged, but it will not perform as well under extreme
24 conditions.

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1 In the event of a drop in the level of reactor coolant, the
2 heated water is replaced by cold water from outside the reactor. The cold water
3 can cause embrittled reactor parts to fail, and minor reactor failure becomes a
4 major one.

5 Embrittlement of reactor parts is a well known phenomenon,
6 and has caused premature closing of commercial power reactors.

7 In conclusion I would like to say that the plant performance
8 review process, we have made comments on that over the several years, and
9 the reduction of information provided to the public, report provided by a public
10 citizen I think elucidates an ongoing problem within not only the nuclear
11 industry, but also within the Nuclear Regulatory Commission's license renewal
12 process.

13 These remarks will be fleshed out further in our written
14 comments. And in closing I just want to say that in the newspaper it has been
15 stated that Blue Ridge Environmental Defense League is an anti-nuclear group.

16 Just let me say this about that. That actually we are
17 investigating the advantages of nuclear power, and we are still looking.

18 FACILITATOR CAMERON: Okay, thank you very much.
19 Let's go next to Donna Lizenby.

20 MS. LIZENBY: Good evening. My name is Donna Lizenby,
21 I'm the Catawba Riverkeeper. I live in the Catawba river valley in Chester
22 County, South Carolina, and my job provides the responsibility for being the
23 spokesperson for the health, the welfare, the restoration, the protection, and
24 the preservation of the Catawba river.

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1 I would like to thank the Nuclear Regulatory Commission for
2 the opportunity to comment tonight. I would also like to thank Duke Power
3 Personnel for their personal outreach to the Catawba Riverkeeper program, to
4 solicit our comments on nuclear relicensing of the Catawba and McGuire
5 nuclear stations. Specifically I would like to thank Robert Siler, Steve Johnson,
6 and Bill Miller. Thank you for meeting with us at McGuire several weeks ago.

7 I would like to confine my comments to the impact to aquatic
8 life that I believe should be a part of the Environmental Impact Statement and
9 the scoping documents for relicensing in the McGuire facility.

10 First of all, McGuire Nuclear does not have cooling water
11 structures of any kind. It was built several years before Catawba. Catawba has
12 cooling water structures. Duke Energy, Duke Power also has an NPDES,
13 which is national pollution discharge elimination system permit variance for their
14 delta T above state standards for hot water discharge.

15 And also above EPA recommended levels for hot water
16 discharges. McGuire has, I believe, and you all correct me if I'm wrong, but you
17 all have, the NPDS permit provides an unlimited discharge of non-contact
18 cooling water for North Carolina, is that right? No, I'm talking volume, not
19 temperature.

20 I'm pretty sure it is an unlimited discharge volume metrically.
21 I just wanted to say that there are profound environmental impacts on aquatic
22 life due to chronic effects of thermal impact from hot water into the aquatic
23 environment.

24 And I will give everyone here three brief examples that are
25 well noted in the literature. Let's take, for example, the zooplankton

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1 Ceriodaphnia. Cerodaphnia can survive about 108 days when water
2 temperature is approximately 45 degrees.

3 However, they only typically survive about 26 days when
4 water temperature is about 82 degrees. I take the Riverkeeper patrol boat into
5 the discharge areas of all of McGuire's plants, and we call them hot holes, here
6 locally. And there are a lot of fishermen there, typically.

7 And it is not uncommon for me to see water coming out of
8 those hot water discharges at 95 degrees. And that is a profound
9 environmental impact. Not only does it affect zooplankton, and provide lethal
10 thermal shock, as well as chronic lethal effects, it also affects reproduction, and
11 has lethal impacts for other aquatic species.

12 For example, the upper lethal limit for bass is about 85
13 degrees Fahrenheit. And, typically, as I've said in the summertime it is not
14 uncommon, and even in the winter, for me to find the water coming out of many
15 of Duke's plants above 90 degrees.

16 Hot water discharges also affects reproductivities of aquatic
17 life. For example, the release of glochidia from Corbicula. And for those non-
18 science people, the release of immature young from clams relies on
19 environmental cues.

20 Specifically they rely on water temperature cues, as they rise
21 in the spring, it triggers reproduction. And so hot water discharges, like the one
22 from McGuire, can create a profound environmental impact.

23 Additionally cooling water structures provide for recycling of
24 water. The intake structures are huge, and the outflow structures are huge.
25 And when there is a cooling water intake structure, a cooling water structure of

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1 some kind that cools the non-contact water, what happens is that the water,
2 because it is non-contact, can be recirculated, rather than having to
3 continuously withdraw water from the Catawba river, run it through the system
4 once, and discharge it.

5 And so some kind of cooling water structure on McGuire
6 would profoundly decrease the thermal shock, and the chronic thermal
7 temperature impacts on Lake Norman.

8 When we also look at McGuire nuclear in relation to its
9 cumulative impact on Lake Norman, we find that Marshall Steam station has a
10 very large hot water discharge above McGuire.

11 And so the EIS, and the relicensing process, should take into
12 account the impact of Marshall. It should take into account the cumulative
13 impact to all of Lake Norman, considering the other thermal impacts from other
14 discharges in the Lake Norman reservoir.

15 Finally, I wanted to bring to your attention that I believe the
16 failure to have any kind of cooling water intake, a cooling water structure on
17 McGuire is an inequitable application of the law in the United States.

18 Many other nuclear facilities are required to have cooling
19 water structures. Catawba has them, and particularly in the southeast where
20 our temperatures are high in the summertime, we need some kind of cooling
21 water structure on McGuire nuclear.

22 In talking with the gentlemen from Duke, they indicated that
23 the proper venue for this discussion of thermal impacts was through the
24 NPDES permitting process.

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1 I respectfully disagree with the gentlemen, and I believe it
2 should be included in the relicensing discussions and documentation, and the
3 environmental scoping documents, the impact statements, and would like to
4 see that included.

5 Finally I would also like to ask the Nuclear Regulatory
6 Commission to do a detailed analysis for the thermal impacts, and the need for
7 cooling structure at McGuire, including the cumulative impacts of Marshall
8 upstream.

9 A substantial component of the -- it should revolve around,
10 not if cooling structures are needed, but should be required as a condition of
11 the relicense.

12 What I do, as your riverkeeper for the Catawba river, is we
13 typically look at all dischargers, all entities that impact water quality of the
14 Catawba river. And we compare their words, their PR, their hype, to their
15 performance, okay?

16 Duke has a variance for delta T. There are standards,
17 national standards, and state standards. I would like to see Duke Energy, and
18 I would like to issue them the challenge, don't spend your time justifying why
19 you should have a variance for the standard in North Carolina. Spend your
20 time meeting the standard, and proving to us how you can do that, and then
21 your PR will match your performance, as it relates to McGuire.

22 Thank you.

23 FACILITATOR CAMERON: Thank you, Donna, for that
24 information.

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1 The next four people that we are going to have speak, Bill
2 Russell from the Chamber of Commerce, then Paul Smith from the Lake
3 Norman Regional Medical Center, Mitch Eisner from the Catawba Springs
4 School, and then Catherine Mitchell from the Blue Ridge Environmental
5 Defense League, and Bill Russell.

6 MR. RUSSELL: Thank you. I am Bill Russell, I live here in
7 Huntersville. I am president of the Lake Norman Chamber of Commerce.

8 Since 1996 I've had the fortune of working with a number of
9 Duke Power employees. I see Rita back in the back, and some of the other
10 staff, Valerie Patterson works in our business expo project, Winston Kelly
11 serves on our Board of Directors.

12 A former employee, Sandy Glauson, was very instrumental
13 in our lunch buddy program that Brew talked about a while ago, mentoring at
14 risk elementary school students.

15 But really we are not here to talk about their involvement in
16 the community. But I think civic involvement, and working hard in your
17 community says a lot about the character of your company.

18 And certainly all of the employees that I've met at Duke Power
19 have shown a lot of character because they take ownership in Huntersville, and
20 Davidson, and Cornelius, and Mooresville, and have been very involved.

21 This afternoon I snuck in here and heard some of the
22 comments from the people who were speaking, and some just a little while ago,
23 when they talked about safety issues, what if scenarios.

24 Two weeks ago tonight, actually two weeks ago in the
25 morning, I was in the Cannon building, in the U.S. Capitol, listening to

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1 Congressman Mel Watt and Senator Joe Lieberman. And about ten minutes
2 after 9 Joe Lieberman informed us that a plane had hit the World Trade Center.

3 Well, we were all quite shocked and dismayed by that
4 statement. But to be honest, the program continued to go on. Lieberman
5 talked about the economy, and working together as a Congress. Business as
6 usual. Nobody left the Capitol, nobody ran out, nobody jumped on their cell
7 phones.

8 And after his presentation he even took questions. There
9 was no chaos. Because, see, we were in the U.S. Capitol, the safest place you
10 could be in the United States. Or at least that is what I thought.

11 And at the conclusion of his comments we found out that a
12 plane had hit the Pentagon. And, again for me that was -- I couldn't believe it.
13 How could you hit the Pentagon? The capital, the military headquarters?

14 I got back home that evening, and as soon as I got out of DC
15 I did get on my cell phone, I called my wife and said, please call mama. And
16 you have to understand, I'm from South Carolina, I still call mama, mama, and
17 daddy, daddy.

18 But I said please call mama and let her know that I'm okay,
19 and please don't get on the phone and tell everybody Billy is in Washington,
20 and they are attacking Washington.

21 And when I did talk to her that evening she said, you must be
22 really shaken up. And I said, no ma'am, not really. And she said, how can you
23 not be shaken up? I understand that might have been headed for the capital.

24 Well, mom, I said, you are 20 minutes away from the second
25 largest financial district in the United States, Charlotte. And there was a pause

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1 at the other end of the thing, and I heard her yell out to my stepfather, Bill, Billy
2 says we've got to move.

3 Well, I said mama I didn't say that, where would you move to?
4 You see, where in the United States are you going to be totally secure and
5 safe, where are you going to live without some type of risk?

6 In the early 1960s Dr. Martin Luther King stood at a podium
7 in Selma, Alabama, right on the verge of the civil rights movement. And he said
8 it is not where a man stands in times of comfort and convenience, but where
9 he stands in times of challenge and controversy.

10 And certainly right now in the United States we face a lot of
11 challenges. Do we stand in the shadows, afraid? Because if we do, then those
12 people, those terrorists in the middle east, and other countries, have won.

13 Life is full of risk. I see Paul Smith back in the back, from
14 Lake Norman Regional Medical Center. Every day a baby is born in one of our
15 hospitals. And no baby is born without risk to that mother. While it may be
16 minimal, there is risk.

17 When each one of you get back in your car tonight, and drive
18 home, there is risk involved. And sometimes earlier in the day there may be
19 more risk than others. But we all take risks.

20 It is riskier for someone from the Huntersville Police
21 Department than maybe an executive of the Chamber of Commerce, but there
22 are risks. When we talk about what happens, and what if scenarios, you could
23 talk about a plane crashing into McGuire nuclear station.

24 You could talk about a warhead, or some other kind of device,
25 nuclear device launched anywhere else, or it doesn't even have to be launched.

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1 And we are glossing over what happens if there is germ warfare. What if a
2 virus is let loose in our rivers and our streams?

3 Are we going to continue to live in fear and trepidation that
4 that might happen? I guess I put my faith in the security of my community
5 through the Huntersville Police Department, and the other police departments,
6 and in the U.S. Military, and in Duke power for their security.

7 Over the course of the last five years we have had a
8 leadership program with the Lake Norman Chamber, where we have visited our
9 nuclear facility. They brought us in through all the security measures that they
10 have, which are quite strenuous.

11 And if you don't follow them to the T, you don't get in. We
12 found that out, too, haven't we Valerie? You don't get separated from the
13 group, nobody ventures off very far.

14 And we have seen the people at their task. But more
15 importantly I've listened to the people from Duke Power talk about what they
16 do, and I've seen the roles that they play in their stations.

17 This afternoon I heard Scott Hinkle, who is editor of the Lake
18 Norman Times, talk about -- the employees of Duke Power are more than just
19 employees of a utility company. They are our neighbors, they are our friends,
20 and we all work side by side.

21 We talk about what if scenarios, what if in 1962 we didn't build
22 the lake that we know today? We certainly wouldn't be here tonight. Many of
23 us wouldn't live in Huntersville, a population that in ten years has gone from
24 3,000 to 30,000 people.

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1 Just a few months ago, when it was so hot outside, breakers
2 popped all over Charlotte and Mecklenburg, and I lost power. And I have to tell
3 you something, sitting in the dark, with no TV, no microwave, no power, no
4 electricity, that was a bummer of an experience.

5 And when we talk about what if scenarios with other fossil
6 fuels, what are we going to do to derive our electrical means that powers our
7 hospitals, that powers our schools, that heats our homes? Again, we do so with
8 a certain amount of risk, but we have to have faith that the people who are
9 there are experienced and qualified, and know what they are doing.

10 Earlier today Scott Hinkle said, we trust those people because
11 they are neighbors. The Lake Norman Chamber of Commerce trust the people
12 at Duke Power, because they have earned that trust.

13 A little while ago I alluded to something that Martin Luther
14 King said, where do you stand? Well, I do stand on the side of Duke Power,
15 because they've earned my trust, they are responsible, they are professional
16 people, and they are good corporate citizens.

17 Thank you. And one other comment, Chip. I don't know if
18 you have any jurisdiction over the Yucca Mountain facility, but I believe as
19 someone who is a user of Duke Power, we've paid for that facility, I would like
20 to see that thing opened up.

21 FACILITATOR CAMERON: Thank you, Bill. I guess, just for
22 the record, the NRC has licensing responsibility, in other words, to evaluate if
23 there is a Department of Energy application for a license to put waste in Yucca
24 Mountain.

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1 The NRC has a responsibility to make a decision on whether
2 to grant that license based on whether our regulations are met. Just as the
3 NRC has a responsibility to evaluate whether to renew the licenses at McGuire
4 and if you need further information on that, there is some staff here.

5 But, yes, I think we've got the point.

6 MR. MONIAK: Spent fuel, is that within the scope of the EIS,
7 or outside?

8 FACILITATOR CAMERON: I don't want to get into a long
9 discussion on this, but can we just have a clarification on is it a Category 1
10 issue? Jim, can you just quickly say that? Then we are going to -- tell us about
11 that for Don, and everybody else's elucidation. Go ahead.

12 MR. WILSON: The issue of spent fuel storage has been
13 determined to be a generic issue, its impacts are similar at all plants in the
14 country, regardless of where they are located. The national repository is a
15 concept that DOE has been trying to develop for 20 or 30 years.

16 And for the purpose of our Environmental Impact Statement
17 we aren't going to include the analysis in our plant-specific review, unless there
18 is something new, some new significant information about the impacts if that
19 repository become available.

20 FACILITATOR CAMERON: And, Don, thanks for asking that,
21 so we could clarify that.

22 Let's go to Paul Smith, Lake Norman Regional Medical
23 Center.

24 MR. SMITH: Good evening, and thank you for the opportunity
25 to speak.

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1 I am Paul Smith, I'm the executive director of Lake Norman
2 Regional Medical Center in Mooresville. And I'm also the president of the
3 Mooresville South Iredell Chamber of Commerce.

4 Just a brief comment on this process. Just to follow-up on
5 Bill's comments, I sort of grew up with a theory that in God we trust, and
6 everyone else we ask for proof.

7 And I'm pleased to see that this process exists. To be honest
8 with you I didn't know a whole lot about it, before tonight, or before I was
9 contacted.

10 But I'm pleased to see that the opportunity to comment, the
11 opportunity to ask questions, the NRC takes its time to review, to ensure our
12 safety. And I do entrust in that process, and believe that there is a good
13 opportunity for those folks that have concerns to raise those, and for Duke to
14 respond. I also feel that like Duke will respond.

15 Over the years Lake Norman Regional Medical Center has
16 enjoyed a positive relationship with the McGuire Nuclear Station. We have
17 found McGuire to be both a good corporate citizen, a good Lake Norman
18 neighbor.

19 When we have had questions concerning McGuire their staff
20 has been ready, willing, and able to respond. We have worked closely with
21 McGuire in developing and testing our own emergency plans. We have
22 confidence in Larry Dickerson, Iredell County's emergency management
23 director, and his emergency plan for Iredell County.

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1 He, in turn, has confidence in McGuire's ability to operate
2 efficiently and safely. Our confidence level at Lake Norman Regional Medical
3 Center, with McGuire Nuclear Station, is therefore more reinforced.

4 As President of the Chamber I'm very interested in attracting
5 new business to our area. Reliable and affordable electricity is always a major
6 factor for business who are considering a location.

7 Duke Power has attractive rates, and the power has been
8 reliable for Lake Norman Regional. My understanding from Duke is that 20
9 percent of their generation comes from McGuire. It makes good business
10 sense to keep that supply source around for an additional 20 years.

11 In addition to assisting with the business and industry
12 recruitment, McGuire has been an annual sponsor of the Chamber's leadership
13 program by inviting participants to spend a day on-site learning about electric
14 supply and the McGuire station.

15 Each year Chamber members also enjoy the area's largest
16 business after hours event in McGuire's Energy Explorium. As executive
17 director of Lake Norman Regional Medical Center, President of the
18 Mooresville-South Iredell Chamber of Commerce, and a resident of the Lake
19 Norman Community, I look forward to many more years of efficient, safe
20 service from McGuire.

21 Thank you for the opportunity to speak.

22 FACILITATOR CAMERON: Thank you, Paul. Let's go to
23 Mitch Eisner from the Catawba Springs School. Mitch?

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1 MR. EISNER: My name is Mitch Eisner, I'm the principal of
2 Catawba Springs Elementary School, which is a school located maybe about
3 five miles from McGuire.

4 Listening to the presentations this evening I thought about the
5 issue of safety in regard to, if everyone is speaking of McGuire, and it never
6 really dawned on me to a great degree, that I would have to worry about the
7 safety in the capacity that I have parents and children at my school, parents
8 who work at McGuire, and also have children at my school.

9 And I see the dedication those individuals have to their
10 professionalism of the job they perform, at their job, the way they take care of
11 their children, and how much they care about the community in which they
12 serve.

13 So I have faith in those individuals to provide that to the
14 community which we have. Furthermore, Duke Energy, McGuire, we've had a
15 partnership for 11 years now, with our school. We have seen many individuals
16 come to our school from McGuire in many capacities, helping the children,
17 helping the school, helping the community, as a partnership, and working
18 together, hand in hand, because they are members of the community.

19 And I also live in the community, lived in the community for
20 21 years. McGuire has done many things for our school, and not just our
21 school, but many schools in the community. They have provided assistance
22 with grant opportunities for the school systems.

23 They have provided in our school, for example, the assistance
24 in developing a computer lab, which we would not have had the ability to
25 develop without their assistance. They have provided coats for needy children,

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1 they have had coat drives to help children that do not have coats for the
2 wintertime, and would come in short sleeve shirts in the middle of December.

3 They care about the children in our community, they have
4 established grading of our property when we have had problems with the water,
5 they've assisted in the grading of our land. Cost factor that would be quite high
6 for a school to be able to handle by itself.

7 They've assisted with volunteers in our school. They have
8 been able to provide individuals to our school who have not only been saying
9 they want to help, but individuals who are willing to sit down, attend training on
10 how to help children, teach children how to write and read, and then
11 furthermore go on and come to the school on a weekly basis, and make that
12 commitment to help children on a regular basis.

13 They've come to have lunch with children, just to be able to
14 sit down and have the ability to sit and talk with them. They have not only done
15 this for our children, but for our staff they have provided opportunities for
16 technology workshops, computer skill training that our staff can go to, at no
17 cost, at their facility.

18 So not only looking at our children, but our adults. They also
19 have assisted, we have an ecology club after school hours, where
20 experimentation with water samples, and other experiments. They have
21 donated books and had book drives to raise, to collect books for children, and
22 brought those to our schools.

23 They have provided pencils and paper for children who did
24 not have their own pencils and paper, and helped those students in need.

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1 As far as my concern, obviously I'm a supporter of McGuire,
2 and believe they are a supporter of the community. Thank you.

3 FACILITATOR CAMERON: Thank you, Mitch. Let's go to
4 Catherine Mitchell, from Blue Ridge Environmental Defense League.

5 MS. MITCHELL: Well, I would just like to say that I will try to
6 keep this as brief and to the point as possible. And although I have never
7 personally been a member of toastmasters, I would like to address a couple of
8 points that Bill Russell brought up, before I actually get to the point.

9 And that is, there is risk, and then there is risk. And to try to
10 equate the risk a mother takes in giving birth to the kind of risks we are looking
11 at in this situation is, I'm sorry, it is just a little bit ludicrous.

12 And like a lot of comment tonight it is not exactly on the point.
13 And one of the things I would like to say is that we make our choices about the
14 risks that we take in life. That doesn't mean that we are afraid to live in this
15 community.

16 What we are looking at, what I'm looking at, what my
17 organization is looking at, is the level of risk, and whether it is appropriate to
18 ask the people of this community for that level of unnecessary risk.

19 I think it is important to understand that this is not an
20 absolutely necessary program to this country, certainly not to Duke Energy.
21 And if you are looking at level of risk assessment, you certainly have to look at
22 how that level raises when you talk about adding plutonium to the equation in
23 these reactors.

24 You cannot leave that out of the equation. To do so is
25 irresponsible. This environmental assessment, this evaluation has to include

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1 this, because Duke Energy has plans to go forward with the use of MOX fuel,
2 they have stated the case, there is a signed contract.

3 How can you look at a license renewal extension process
4 without considering this? Because we are looking at something that is going
5 to be moving into our area. If it proceeds within the next few years.

6 So I think that if there is one point that I would really like to
7 make tonight, above all others, it is that you cannot leave this out of the
8 equation.

9 The other point that I would like to make is that we cannot
10 dismiss, you can make light of the situation regarding nuclear power plants, and
11 bombs falling out of the air, or planes flying into these nuclear plants, you can
12 dismiss that all you want.

13 You can, you can -- when a reporter puts a microphone in
14 front of your face and you say, we can handle this, we could handle this type
15 of situation at our nuclear plant, all I'm asking is that you make very sure that
16 you are telling the truth to the people of this area.

17 And I would like to see a situation where you can prove that
18 to the people of this country, to the people of this area. I don't believe that that
19 is the case. I don't believe that anybody today, who witnessed what happened
20 last week, could sit here and in all honesty actually say that is possible. Just
21 say it may not be possible, but we are going to take the risk.

22 That would make a big difference, I believe, certainly in
23 reassuring myself about this program.

24 The other point that I would like to make in terms of the
25 evaluation process of this Environmental Impact Evaluation, is that we have to

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1 look at the level of development that has sprung up around these reactors, is
2 continuing to be pushed by the development arm of Duke Energy.

3 I understand that there are a lot of good people working for
4 this corporation. I understand that. I've talked with them, I understand that
5 safety is a major issue. If that is the case, please look at the impacts of the
6 kind of growth we have been experiencing both around McGuire and Catawba
7 reactors.

8 I just heard today from a concerned person in the community,
9 a phone call this morning, wanting to know if I knew what could be done about
10 stopping a planned development only several miles from Catawba reactors, that
11 would bring in an additional 4,500 homes into that area, in the very near future.

12 That is something that we are going to be looking into pretty
13 closely, and also around McGuire. If you are going to make this commitment
14 to use this kind of material, to continue to operate this plant for these many
15 years, then please look at, realistically, at the environmental evaluations and
16 assessments that realistically impact the areas.

17 Thank you very much.

18 FACILITATOR CAMERON: Thank you Catherine. Our final
19 four speakers are going to be Jim Gilpin who is the President of INENCO, Inc.,
20 Robert Mahood, Ed Decker, and then Dan Faris. And Mr. Faris, I'm not trying
21 to put you last, although you are. But I do think we do have an answer for your
22 question, too, and maybe we can discuss that question that you asked
23 previously, we can discuss that at the end of the meeting.

24 And I would ask Mr. Gilpin to come down.

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1 MR. GILPIN: Good evening, I'm Jim Gilpin, I'm an
2 environmental consultant in private practice. I live in Davidson, so I'm a
3 resident of the area.

4 I might preface my remarks by saying I have not worked with
5 Duke Power, but I have served on a number of advisory boards with Duke
6 Power personnel, and I have the highest respect for those persons that I have
7 worked with.

8 My personal background is that I have degrees in chemical
9 and metallurgical engineering. I have been in private practice, as an
10 environmental consultant since 1984. However, my environmental exposure
11 extends back to 1969 when I worked on a Department of Interior project.

12 I've also worked on the development of control rod materials,
13 and also on the design of a transportable volume reduction unit, which was
14 purchased by Duke Power many, many years ago. I don't know if the McGuire
15 people remember that one or not.

16 So I do have some knowledge of the nuclear industry, not
17 perhaps in depth as a nuclear engineer, but some appreciation of what goes
18 on.

19 One of my associations, though, with Duke Power has been
20 through the Boy Scouts of America. My son is a first class scout and patrol
21 leader this year. Duke, as you have seen on previous slides, has sponsored
22 an annual encampment for the local boy scout troops.

23 For those of you who are not familiar with scouting, the
24 training in scouts is primarily for outdoor training, and maintenance and
25 enhancement of the environment is one of the primary tenets of scouting.

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1 And I think that Duke's support of the Boy Scouts of America
2 underscores the fact of their concern for environmental impact.

3 One of the primary topics of consideration at this particular
4 meeting is the long-term environmental impact of the McGuire nuclear station.
5 I believe there is two points that at least I have considered.

6 The first is the long-term handling and storage of the
7 radioactive waste, particularly the high level radioactive waste generated with
8 the spent fuel rod assemblies.

9 I have asked the question, and you have heard from others
10 here, how open Duke Power is on asking questions, and their answering them.
11 I asked the question, I said, how good is your long term storage?

12 And here is the reply I got. Approximately 50 fuel rod
13 assemblies are replaced each year, although not every 365 days, but on a
14 different schedule. And they are currently permitted at the McGuire site for on-
15 site storage for up to about 2,200 fuel rod assemblies.

16 If one does a quick math, you can figure out that they've got
17 just about a 40 year permitted area for the spent fuel rods on-site. And that
18 does not include the possible disposal of central facility, that we have already
19 talked about, with Yucca Mountain.

20 The second point I would like to address is the protection of
21 the water resources. Donna, is Donna still here, or did she leave? Oh, she left,
22 shucks. Donna and I have had many conversations about the Catawba river.

23 Anyway, Duke Power has created several lakes in their area,
24 and particularly along the Catawba over the past half century. And protection
25 of this water resource is paramount, I firmly believe that.

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1 Duke has taken several steps to preserve this resource
2 through continuing biological studies of the lakes. I think Donna's comments
3 were pretty much on mark, of looking at the possibility of cooling water, and
4 cooling towers.

5 But also Duke Power has developed a shoreline stabilization
6 plan, which I'm currently evaluating, for a housing development for the city of
7 Mount Holly. So they are trying their level best now to look at the long range
8 impacts of the environment, and environmental protection.

9 And with that, I don't need to say any more.

10 FACILITATOR CAMERON: Thank you very much, Mr. Gilpin.
11 Let's go to Mr. Robert Mahood.

12 MR. MAHOOD: My name is Bob Mahood, and I'm here just
13 on my own behalf, as a person who lives about five or six miles from McGuire,
14 and who is a person who has become quite familiar with a great many
15 environmental issues, because I have worked as a volunteer with several
16 different organizations, such as the Sierra Club, and others.

17 There are about six questions that I would like to hear the
18 NRC, or Duke answer, and also four points I would like to make. But I won't
19 start by saying that when I called up Duke and asked some questions about
20 which I was concerned, Brew Barron was very responsive, and he set up a
21 personal tour of the McGuire plant for me, and I very much appreciate the time
22 that he and the other people who took me through the plant gave me.

23 One of them was the gentleman who was responsible for the
24 plutonium or MOX fuel idea. And he explained a lot of things about that, that
25 allayed some of my concerns.

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1 Also they demonstrated very clearly that it would probably be
2 a lot easier for 7, or 8, or 12 people to bust into the White House, or Fort Knox,
3 than it would be to get into McGuire. I certainly couldn't think of any way that
4 I could have a team of armed terrorists trying to rush that building and get in,
5 I don't think I could.

6 And there didn't seem to be any way to park a truck, or
7 anything, anywhere near it, either. So I agree that they have gone to
8 tremendous lengths with security.

9 Now, to the questions. I was leading up to something else,
10 too. And that is that I felt very reassured, but I also felt that I was dealing with
11 people who really believed what they told me. That I wasn't getting lied to.

12 But I'm not quite sure that people higher up in Duke Energy,
13 which is an enormous corporation, or the Duke Cogema complex, are always
14 telling their workers the truth.

15 And certainly there seems to be a sort of a stop on giving the
16 public the complete picture. Recently there have been several big stories in the
17 local papers, and on local television, about Governor Hodges, and South
18 Carolina, and how he is ready to bring out the state militia to stop the trucks
19 from coming in.

20 And not one of those stories, although these are not South
21 Carolina TV stations and newspapers, not one of these stories linked the
22 McGuire and Catawba connection, which are the only two plants that I know of,
23 that are going to process that MOX fuel, or are going to use it, and therefore in
24 a sense don't have the whole story.

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1 Why was this left out? I don't think it was an accident. And
2 that kind of thing diminishes my confidence and my trust of Duke, when I sense
3 this kind of subtle censorship going on.

4 Another thing that really shook my confidence is when this
5 summer, or just recently, they tried to pass a smokestack law which would
6 considerably clean up the air that is put out by power stations.

7 And Duke was right there among others, sending expensive
8 lobbyists to Raleigh, to diminish the impact of that law, and to say, let's
9 compromise, let's not have to charge our customers an extra four dollars, why
10 don't we jus compromise, do a half-baked job cleaning up the air, and then we
11 will only have to charge our customers two more dollars.

12 Well, personally I would be glad to pay two extra dollars to
13 breathe clean air, and not have an orange alert every other day or so. And that
14 kind of shook my confidence, because I think it was Mr. Barron who looked at
15 me, and I believe he meant it, and he said, Duke doesn't want to endanger
16 people's lives and health.

17 And then this happens. Going and lobbying and saying, let's
18 not have these stringent regulations, we don't have to have air that clean. So
19 that shakes me.

20 Okay, now to the questions. If the license is not renewed,
21 would the nuclear plants be total write-offs, or could they be converted to
22 operation by gas as a fuel, or some other form of energy?

23 Is three feet several feet? Because I never thought that three
24 feet was more than a few. I'm talking about the thickness of the reactor shell.
25 Is the waste stored inside the reactor shell which is so strong, and all that, or

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1 is it in another building, or is it in fact sitting around outdoors, the way it is at
2 some nuclear plants? I would like to know that.

3 I would like to know why it shouldn't be a state of the art
4 nuclear plant that experiments with the MOX fuel. I understand that state of the
5 art now means something called a pebble reactor. There is one being built in
6 South Africa, that cannot melt down, it never reaches temperatures hot enough,
7 cannot reach temperatures hot enough for a meltdown.

8 Why not a state of the art reactor for a riskier fuel like MOX?
9 I would like to know that.

10 I was given a reassurance, and it felt good at the time, that
11 nuclear accidents don't just go boom, like dropping an atomic bomb, they
12 develop gradually, over a period of hours, and that gives everybody a chance
13 to get away.

14 That sounded good until I started trying to picture that. So
15 you are in the control room and somebody says, temperature is getting in the
16 red zone, maybe we better get that valve open. Oh, oh, it won't open up, what
17 are we going to do about it? Let's start working on it.

18 Would that be the moment, at the beginning of the several
19 hours? Would that be the moment when they set off the sirens, or will they
20 fight the problem for three or four hours before they give the alarm? I would
21 like to know just how that works, and at what point, when you realize you are
22 in trouble, or getting into trouble, or beginning to get into trouble, at what point
23 do you alert the public?

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1 I understand, from -- I talked with some people who say that
2 they think that the three foot containment wall is so well reinforced, so well
3 designed, that you couldn't crack it with an airplane.

4 I find that hard to believe after seeing what airplanes could
5 do, but would you have to, in order to produce a meltdown, would you have to
6 crack the reactor? What if you just blew up the control building, or just zapped
7 the water intake? Wouldn't that produce a meltdown? We understand it would.
8 Would it, or wouldn't it?

9 So those are the questions. The points I would like to make
10 is that I have seen several other nuclear power plants, and I have seen a
11 couple in Europe and in England. And they have been in very isolated places.

12 There is one at Barnwell near Olbra. Olbra is a very small
13 village in England. The Barnwell plant can be seen way up the coast, a small
14 dot on the horizon. It is not near very many people, at all.

15 I was on a canoe trip in France and we started, we were
16 passing a lot of villages and beautiful places. And then all of a sudden we
17 came to a zone where there was nothing. And after several miles we came
18 across a nuclear plant.

19 Several miles later we started seeing dwellings and things
20 again. It was totally isolated, and obviously that was intentional.

21 When Duke got permission to build McGuire I doubt if there
22 were 10,000 people in the general vicinity. Now they say there are over
23 100,000, and Duke is pretty much directly responsible for this tremendous
24 population explosion here, because they are a fully owned subsidiary, they've
25 done a great deal of the development.

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1 And I wonder if there is ever going to be a point when Duke
2 is going to put some advisory and say, look, we can't evacuate any more
3 people than we have now. You better quit building, you better quit all this stuff.

4 Or are you just going to let it go on and on? Another 20 years
5 how many people will be in this area, will it be another 100,000, or will it be
6 200,000 more, or 300,000 or half a million more?

7 I don't understand how you can want it both ways. Either you
8 want your plant in an area that is sparsely enough populated, and well enough
9 provided with roads to evacuate, or you don't want to operate the plant.

10 The roads at the present time are totally inadequate for
11 escape. The Mooresville Tribune reported that it would probably take 12 to 24
12 hours to evacuate the Rt. 150 area. The exit 28 intersection is dreadful, it goes
13 into gridlock three or four times a day, and on special event days it goes into
14 really tight gridlock.

15 Also the I-77 is inadequate. All it takes is for a few pallets to
16 fall off a truck and people sit on the highway for hours. I think the idea of
17 evacuating is a joke, because of the excessive and irresponsible development
18 that has taken place already, so near an atomic power plant.

19 This point is one I already made, so I won't make it again.
20 The final point is, I think we are reaching a new era. This was in the children's
21 page of today's Observer. It is a power plant that works on wave power. It has
22 one moving part, which is the turbine. It is small, it doesn't power cities the size
23 of Charlotte, but a bunch of them could do that.

24 Also there are many new sources of energy being looked at,
25 that are less dangerous than nuclear power, and less polluting than coal, and

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1 gas, and other things like that. There is solar power, and I know people say it
2 is difficult, it is expensive, and so on.

3 But just weigh this, and with this comment I will quit. In about
4 two hours, as much energy falls on the earth from the sun as we use, we
5 humans use in an entire year. We don't have to hunt for the sun, we know
6 where it is. It doesn't create any waste, it doesn't create any pollution, it is right
7 there.

8 Thank you.

9 FACILITATOR CAMERON: Thank you, Mr. Mahood. I'm just
10 going to ask whether someone from the NRC staff, perhaps someone from the
11 Duke staff might be able to talk to you informally about the questions you raised
12 after the meeting.

13 MR. MAHOOD: I asked them because I thought these were
14 answers that everyone needs to hear.

15 FACILITATOR CAMERON: Well, unfortunately we are not
16 going to be able to do that at this meeting. And a lot of the questions are within
17 the purview, I think, of Duke Power rather than the NRC. Although you might
18 be right about that, I think we are going to try to do that through an informal
19 discussion.

20 But thank you for raising them on the record, at any rate, as
21 well as the points that you made. Mr. Decker? I think we lost Mr. Decker. Let's
22 go to Mr. Faris.

23 Mr. Faris, I know that you have other concerns, and I guess
24 that -- do you want to talk to us first, and then we will get to your question,
25 because I think you asked a question, a clarification that needs to be answered.

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1 Why don't you give us your comments, and then we will go
2 to your question.

3 MR. FARIS: My name is Dan Faris, and I'm not an expert, I'm
4 a citizen of Charlotte and Mecklenburg, been here -- actually I'm a native, you
5 don't see many of us.

6 And so the comments and questions that I have are not from
7 the viewpoint of some expert that studied this a lot. About a year and a half
8 ago I went to a meeting, and was going to hear about this possible new use of
9 weapons grade plutonium by Duke Power, Duke Energy now, at two of their
10 reactors.

11 And I was real concerned and curious about that, and went
12 and heard a lot of environmentalists and scientists make presentations, all of
13 which were pretty negative about this idea of using weapons grade plutonium,
14 MOX, this mixture of plutonium in reactors that were not designed for that use.

15 And I kept waiting, speaker after speaker, and I kept waiting
16 to hear Duke respond to these statements. And finally after it was over, and
17 Duke had not responded, I asked. And one of the persons there, who made a
18 presentation there said, they were invited to come, but they chose not to.

19 And so being, trying to be good citizen, and only having half
20 the story, maybe, I called Duke to find out, first of all why they weren't there,
21 and secondly what their view was about this.

22 And the person I talked to was very helpful, very
23 knowledgeable, very helpful, sent me a number of things which were helpful,
24 and cleared up some questions I had, I read them all. His comment about why
25 Duke wasn't there, by the way, is because they -- he knew about this group that

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1 was making talks in various places, and he considered them quacks, and so
2 Duke did not want to be there to associate with these scientists and
3 environmentalists.

4 I said okay. So they sent the information and I still have some
5 questions and concerns, specially in light of what happened on September
6 11th. My understanding is with the -- well, first let's back up and talk about the
7 first question I asked.

8 When I was growing up I had friends who had a lease on
9 property on Lake Wiley, we loved to go out there, had a great time growing up
10 as a child. We were known as river rats. Some of you have heard that
11 expression before.

12 And we just had a wonderful time. My understanding is the
13 license doesn't just apply to these plants on the lakes. When the original
14 license was given Duke had the responsibility of helping maintain the water,
15 and the land adjacent to the lakes.

16 And this is a question. It seems to me they lost that power
17 to control the quality of the water, and maybe some of the air, too. When
18 instead of having these leases they started selling off the land to private
19 owners.

20 And so now you heard the people talking about all the
21 wonderful things they are doing at the sites, the sites, the sites. Well, yes,
22 because I guess they don't have control of the property right on the lakes, and
23 so the local governments are trying to get buffers now, get people to agree to
24 buffers.

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1 So my question is, has Duke inadvertently abandoned what
2 the federal government licensed them to do by giving up this buffer of leasing?
3 If someone is not doing what they should be doing as far as protecting the
4 water and so forth in their lease, it seems to me Duke could have some say so,
5 I don't know, I'm just asking that question.

6 FACILITATOR CAMERON: Let me just get you a quick
7 clarification on that. I don't think we are going to be able to answer your
8 question, because I think it is probably outside of the Nuclear Regulatory
9 Commission's purview.

10 I think the federal license that you are talking about may be
11 a license from another federal agency, the federal energy regulatory
12 commission, okay? And the one thing that I think I can say, and please NRC
13 staff correct me if I'm wrong on this, is that if there is any implications, potential
14 impacts that should be looked at in the NRC's environmental review for the
15 nuclear station licenses that we give, those types of impacts will be considered.

16 But your specific question, though, relates to the federal
17 energy regulatory commission licenses, and not to the Nuclear Regulatory
18 Commission licenses. And that is another -- two different licensing groups.

19 And if at the end of the meeting, again, like some of the
20 questions that have been raised, perhaps some personnel from Duke can
21 perhaps address that.

22 The comment was, isn't there an issue of compatibility
23 between the two licenses. I think that is where we need, the NRC, need to look
24 at that issue, that comment in terms of scoping. So that definitely needs to be
25 looked at, and considered.

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1 I don't know what the staff's evaluation will be, but you put an
2 issue on the NRC's plate.

3 MR. FARIS: Well, if anybody hear knows about the meetings
4 about that licensing process, I would like to know about it.

5 FACILITATOR CAMERON: After we are done someone will
6 come forward. Go ahead with your comments, please.

7 MR. FARIS: My next is about the MOX, the use of plutonium
8 grade fuel in two of the plants. First of all it seems like to be, to earn trust you
9 have to be a responsible person, at least that is my feeling.

10 And I know someone talked earlier about risk. And I think
11 taking risk without being responsible is not safe, is not good, is not something
12 that Duke wants to do, it is not something that the NRC wants to do.

13 However, my question is, you know, if this used plutonium is
14 going to be crossing the country in vehicles, these vehicles were described to
15 me as being very safe, strong, safe, they can stand any kind of impact and
16 wreck.

17 But can they withstand terrorists taking them over? It may not
18 even go, may not even need a plane to crash into a nuclear power plant. Just
19 take, hijack one of these trucks and take it to a certain place, and blow it up,
20 near Charlotte.

21 So then these trucks are taking this to Savannah river plant
22 to be mixed, or whatever, into MOX. And then it is going to be taken to the two
23 plants to be used. And here, again, responsibility is a question.

24 Because is it Duke's responsibility to get that stuff across the
25 country to Savannah, and from Savannah to -- no, it is not their responsibility

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1 at all, they have no responsibility there, it is the Department of Energy's
2 responsibility.

3 So here you are getting this stuff, and I don't think, I may be
4 wrong, I'm asking a question, that Duke is paying much, if anything, for this
5 used plutonium. They are getting it pretty free.

6 And in the information that was sent to me, that is for the
7 public it says: DOE will reimburse Duke Power for all MOX fuel related
8 operating and maintenance expenditures, as well as capital expenditures
9 necessary to modify the plants for MOX fuel use.

10 So here we are being asked to trust the company, Duke
11 Energy. They are getting all this reimbursement from DOE, they are not
12 responsible for getting this dangerous stuff across the country to Savannah,
13 they are not responsible, as far as I know, getting it from Savannah to McGuire,
14 and they are not paying much at all, they are getting reimbursed.

15 So it seems to me, if you are like most human beings, if you
16 aren't given responsibility, you don't have to take much responsibility. And
17 given the events of September 11th, what would keep a terrorist from hijacking
18 one of these trucks, carrying this stuff, and blowing it up?

19 Now, I don't know the answers to these questions, I'm not an
20 expert. In addition it seems to me that -- let me get my point here. It says this
21 material, first of all, I'm a retired teacher. And I have come to the exploratorium
22 with children.

23 And they would say, here is our plan for dealing with high
24 level radiation. We put it in little glass pellets, and then we will put it in the
25 national repository, and it will be safe.

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1 Well, we are going on how many years now, and we still do
2 not have a national repository, and Yucca has not been decided on yet, right?
3 And in addition to that they say now, in this, it says instead of putting it in glass
4 pellets they think it is a better idea to take this and use it up.

5 Not all of it is used up. If you take plutonium and make MOX,
6 and take it to the reactors, not all of the plutonium is used up. But it is better
7 than leaving it lying around where it could be stolen and used by terrorists, or
8 other rogue countries, to make nuclear weapons.

9 And that sounds like a really good plan. However, given the
10 events of September the 11th, is it? That is my question.

11 One other thing, and this is another about responsibility. It is
12 not Duke's responsibility, but they are the beneficiaries. It is my understanding
13 that the NRC has not given a license to anyone to do, to create MOX in this
14 country, is that correct?

15 FACILITATOR CAMERON: That is the one type of question
16 that I think that we can answer, which is a factual question. Tim, do you know,
17 do you understand the question, can you answer it?

18 MR. JOHNSON: Tim Johnson, NRC staff. If I can kind of
19 rephrase your question, has NRC ever licensed the manufacture of MOX fuel?

20 MR. FARIS: That is not what I asked.

21 MR. JOHNSON: Well, let me just state that, that in the '50s
22 and '60s, and early '70s the NRC did license eight facilities to fabricate MOX
23 fuel for various research purposes that went on at that time.

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1 But in terms of this MOX fuel that is planned to be used,
2 proposed to be used at McGuire and Catawba, we have not issued a license
3 for the fabrication facility.

4 MR. FARIS: Right, in Savannah, you are talking about. And
5 so my question is, has our tax money gone to Savannah to help produce a
6 plant to make MOX before the NRC has even given approval to create this?
7 That is my question.

8 FACILITATOR CAMERON: I think that a lot of the questions
9 that you are asking, and I think that the NRC staff, and everybody gets where
10 you are trying to go, and the concerns that you have, a lot of the questions,
11 though, have a lot of policy issues surrounding them, perhaps having nothing
12 to do with the NRC.

13 And I think that as you have heard from other people in the
14 audience who have concerns about MOX, is that that could be an entirely,
15 another meeting, a long meeting on that. So I would ask you just to raise your
16 concerns.

17 MR. FARIS: My concern is, if that is true, it is another factor
18 about trust. If the NRC is already allowing MOX to be made before they even
19 approve making it, and that money is coming from I don't know where, but it
20 must be some tax money, I'm assuming, I'm not sure, then how can we trust?

21 What is the relationship between the NRC and Duke Energy?
22 Does this raise a question on some people's minds?

23 FACILITATOR CAMERON: Mr. Faris, again, the factual
24 question, the statement that you just made about NRC allowing MOX to be
25 made, the NRC is not allowing MOX to be made.

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1 MR. FARIS: And it is not disallowing it.

2 MR. JOHNSON: This is Tim Johnson. Under the law a
3 company can't make MOX fuel without a license from the NRC. So there is no
4 MOX being made right now.

5 MR. FARIS: But there is a plant being made with our tax
6 dollars for this MOX?

7 MR. JOHNSON: The Department of Energy is funding Duke,
8 Cogema, Stone and Webster, to develop a license application, and go through
9 a licensing process right now.

10 The licensing process involves two parts, construction of the
11 facility, as well as operations.

12 MR. FARIS: Has the construction started?

13 MR. JOHNSON: No, construction has not started, and they
14 will need, Duke, Cogema, Stone and Webster will need our approval before
15 they can begin construction.

16 MR. FARIS: Thank you.

17 FACILITATOR CAMERON: And I would direct you to talk to
18 Don Moniak in the back, who is participating in the licensing proceeding, and
19 can give you all the information that you would want about MOX. The NRC
20 people are here who are involved, to talk with you.

21 MR. FARIS: Just finally, I agree with what a lot of other
22 people said. Duke Energy has added a lot to our community. I mean, we are
23 here with power. And, evidently, they have added a lot to the communities that
24 they are in.

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1 I don't doubt that, I don't doubt the sincerity, the hard work
2 and the safety mindedness of the people at Duke Energy. But I sort of agree
3 with Mr. Mahood. I wonder about the people at the top, and I wonder about the
4 people who are overseeing Duke Energy.

5 Thank you.

6 FACILITATOR CAMERON: Okay, thank you Mr. Faris, and
7 thank all of you. We heard some incredibly articulate and thoughtful issues
8 raised tonight, and I think the staff has a lot to work with, and consider, and I
9 would just thank you for being here.

10 And the NRC staff will be here, some Duke personnel, people
11 from Blue Ridge. Please discuss these issues, and we are -- the formal part
12 of the meeting is adjourned. Thank you.

13 (Whereupon, at 9:34 p.m. the above-entitled meeting was
14 concluded.)

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