

# **Official Transcript of Proceedings**

## **NUCLEAR REGULATORY COMMISSION**

Title: Environmental Review on Evaluating the  
Environmental Impacts from the Proposed  
MOX Fuel Fabrication Facility

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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PUBLIC MEETING TO PROVIDE COMMENTS  
ON THE NRC EVALUATION OF ENVIRONMENTAL  
IMPACTS FROM THE PROPOSED MIXED OXIDE  
FUEL FABRICATION FACILITY

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THURSDAY, SEPTEMBER 19, 2002

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CHARLOTTE, NORTH CAROLINA

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The Public Meeting was held at the Charlotte-  
Mecklenburg Government Center, 600 East Fourth Street,  
Charlotte, North Carolina, at 7:05 p.m., Francis (Chip)  
Cameron, Facilitator, presiding

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

(7:00 p.m.)

1  
2  
3 MR. CAMERON: Good evening, everyone. My  
4 name is Chip Cameron. I am the special counsel and  
5 public liaison at the Nuclear Regulatory Commission and  
6 it is nice to see all of you tonight, and I would like to  
7 welcome you to the NRC's public meeting. Our topic  
8 tonight is the NRC's Environmental Review Process on its  
9 decision making on the application for a construction  
10 authorization for a mixed oxide, MOX, fuel fabrication  
11 facility and it is my pleasure to serve as your  
12 facilitator tonight, and in that role I would like to try  
13 to assist all of you in having a productive meeting.  
14 Usually, I like to cover three items in the meeting  
15 process before we get to the substance of the  
16 discussions. First of all, why are we here? What are  
17 the objectives of the meeting? Second of all, the format  
18 and ground rules of tonight's meeting and third, the  
19 agenda for the meeting so that you have an idea of what  
20 to expect. In terms of objectives, the NRC staff is  
21 going to go into detail on this but, very simply stated,  
22 our first objective is to clearly explain to you what are  
23 the processes for evaluating this request for a  
24 construction authorization and, specifically, the  
25 environmental review process of the NRC decision making

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1 process. Second objective, and a most important  
2 objective, is to get your comments, your advice on some  
3 of the implications for our environmental review from  
4 some recent changes to the Department of Energy's  
5 National MOX Program and the NRC staff will be telling  
6 you more about that in a few minutes.

7 The format for the meeting matches those two  
8 objectives. The first part of the meeting is going to be  
9 devoted to providing you information on the NRC's process  
10 and is going to answer questions that you might have  
11 about that process. The second part of the meeting is  
12 going to be hearing some more formal comments from all of  
13 you on the NRC Environmental Review. In terms of the  
14 ground rules for the meeting, if you have a question when  
15 we go on to the question and answer, just signal me, and  
16 I will bring you this talking stick and please give us  
17 your name and affiliation. Rebekah is our stenographer  
18 tonight and we are taking a transcript so we that we have  
19 a record of everything that is said tonight, and I would  
20 ask you to let's only have one person speaking at a time  
21 to not only have a clean transcript, but also to be able  
22 to give our full attention to whomever has the floor at  
23 the moment. Third ground rule is I would you to the  
24 extent that you can to try to be concise in your comments  
25 and questions we have a lot of material to cover, we have

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1 a number of people who want to talk tonight. This is a  
2 issue of concern, I know a complicated issue, so it is  
3 hard to be concise sometimes, but if you could just try  
4 to do that then we could meet the goal of making sure  
5 that everybody has a chance to talk tonight. And during  
6 the public comment part of the meeting as a guideline, I  
7 am going to ask that everyone try to limit their comments  
8 to five minutes and that is not a hard and fast rule, it  
9 is guideline to go for a little bit and see how much time  
10 we have. Please try to keep it to five minutes. In  
11 terms of agenda for tonight's meeting we are going to  
12 first start with the presentation on the NRC's  
13 Environmental Review Process and we are going to ask Mr.  
14 Tim Harris to do that for us. Tim is the project manager  
15 for the Environmental Review on this MOX fuel fabrication  
16 facility, and he is in the environmental and performance  
17 assessment branch in the NRC's office of nuclear  
18 materials safety and safeguard. He has been with the  
19 agency for about nine years and has been involved in  
20 various activities, uranium recovery, low level waste  
21 deconditioning, and now he is on the mixed oxide fuel  
22 project and Tim has a Bachelor's Degree in Civil  
23 Engineering. We will then go on to you for questions on  
24 that Environmental Review Process and after we have  
25 answered those, we are going to go to a description of

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1 the changes and the Department of Energy's National MOX  
2 Program and the implications that might have to our  
3 environmental review. And to the present that for us, we  
4 are going to have Mr. Dave Brown and Dave has been with  
5 the agency for about two years. Before that he was with  
6 West Valley project and he is on the special projects and  
7 inspection branch at the NRC, again the same office of  
8 nuclear material safety and safeguards. Dave's branch is  
9 responsible for doing the safety evaluation of a  
10 construction authorization request, and Tim Harris is  
11 going to explain how to safely review any environmental  
12 review come together as a basis for the NRC's decision on  
13 whether to grant or whether to deny the construction  
14 authorization request. After Dave is done, we will go  
15 onto you for questions again and then we are going to go  
16 public comment. This -- a few points on relevance, not  
17 all of the questions that will come up will fit squarely  
18 in the agenda items that we are talking about so we may  
19 defer those and put those up in the parking lot here, so  
20 to speak, we will come back and answer them before the  
21 night is over. Second point on relevance is that this is  
22 a big project, there are lots of issues here, we are  
23 going to focus on the NRC's responsibilities tonight.  
24 We'll try to give you information that are outside of our  
25 responsibilities to the extent that we can, especially if

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1 it has implications for what we do. But we do want to  
2 try to focus on getting the information to you by far our  
3 particular responsibilities. I would just thank you all  
4 for being here tonight to help us with this decision. I  
5 did want to introduce the deputy division director, Bill  
6 Reamer, who is here. He is one of our senior managers  
7 back at the agency. Bill's division is overseeing the MOX  
8 project as well as other efforts so, with that, I would  
9 just ask Tim to come up and give us the first  
10 presentation and then we will try to answer your  
11 questions.

12 TIM HARRIS: Thanks Chip. Good evening. I  
13 would also like to welcome you to the meeting on NRC's  
14 Environmental Review for the proposed mixed oxide fuel  
15 fabrication facility. I would like to thank you for  
16 taking the time to come out tonight. I know we all we  
17 lead busy lives and look forward to hearing your views  
18 and thanks for taking the time to come and share them  
19 with us. This meeting is one of a series of meetings  
20 that we have been having on the NRC environmental review  
21 for the proposed project. The purpose of tonight's  
22 meeting is to solicit your views of specifically on the  
23 alternatives that should be considered in the  
24 environmental impact statement, I'll go into more details  
25 in just a minute. As Chip said the two presenters and

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1 myself and Dave Brown. You have copies of the slides  
2 which include their phones numbers and e-mail address.  
3 Please feel free to call us if you have questions after  
4 the meeting or e-mail us. As Chip said, I am responsible  
5 for the environmental review and Dave is involved in the  
6 license review. As I said, the purpose of tonight's  
7 meeting is to get your comments specifically on changes  
8 that were made by DOE and how those might effect the  
9 alternatives that are currently considered by NRC in  
10 preparation of the draft environment impact statement.  
11 Before we get your comments, we will give your some  
12 background information on the NRC's role, what are the  
13 specific authority roles in the project, also the  
14 environmental review process which is what we talked  
15 about with the -- given the alternatives which are going  
16 to be described in a little bit more detail. As Chip  
17 said also, we are going to talk about the licensing  
18 decisions and how the environmental piece in the decision  
19 evaluation leading to the decision making process.

20 Also, I would like to put a plug in for the  
21 feedback forms which I believe Betty gave you. Your  
22 comments are important not only tonight but how we do in  
23 the meeting. We want to hear was the meeting really  
24 successful, was it a good place to come to, we consider  
25 those very heavily in planning our future meetings.

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1 Because of DOE's changes we have decided to delay  
2 issuance of the draft environmental impact statement.  
3 Originally that was planned to be public in February of  
4 this year. DOE announced the changes right around the  
5 first of the year so we decided to delay issuance. You  
6 should have gotten a register notice announcing the delay  
7 and we had two questions in there, and those are the  
8 questions that we are going to focus on here tonight  
9 which are: given that the DOE has cancelled plans to be  
10 the immobilization facility should we, the NRC still  
11 consider that when drafting our environmental impact  
12 statement, and are there any other reasonable  
13 alternatives that weren't identified during scoping that  
14 we can also consider as a result of these changes. In  
15 the Federal Register notice we gave a comments period of  
16 August 30th that we would receive written comments, and  
17 the comments that we hear tonight we will factor into  
18 that decision. We have also decided to extend the  
19 comments period to September 30th, so that if you go  
20 home, and have some additional comments you can e-mail  
21 those and we will consider those as well. I would also  
22 like to add that the September 30th date is a little bit  
23 fuzzy. Anything that we received after that date we do  
24 consider it based on when we can. Congress in its  
25 Defense Authorization Act of 1999 specifically gave NRC

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1 a role in this project. NRC was given the licensing  
2 authority for this facility, so our role in the project  
3 is to make a decision on whether or not the license for  
4 the proposed mixed oxide fuel fabrication facility that  
5 would be constructed on the Savannah River site. NRC is  
6 an independent government agency and our mission is the  
7 protection of the public health and safety and the  
8 environment, and the commercial uses of radioactive  
9 material. Our role is different from the Department of  
10 Energy's. The Department of Energy's role in this  
11 project relates to implementation of nuclear non-  
12 proliferation policies, including the distribution of  
13 surplus weapons grade plutonium. DOE made changes to  
14 their national program and the reason we are here tonight  
15 is to get your input on how those changes might affect  
16 our environmental review and Dave, as Chip noted, will  
17 give you a brief explanation of those changes. At our  
18 last meeting, one of the feedback we got back from some  
19 of the feedback forms were that people didn't really  
20 understand NRC's decision making process and the  
21 differences between environmental review and safety  
22 review. So I would like to spend a little bit of time  
23 going through that proposal and let you know how the  
24 environmental impact statement is used to guide NRC in  
25 it's decision making process. Specifically, the NRC has

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1 two decisions to make. Those are listed in the middle of  
2 the slide here. The first is whether or not to authorize  
3 construction of this facility, and the second is whether  
4 or not to authorize the operational license of the site.  
5 Duke COGEMA Stone & Webster which is the applicant for  
6 this project submitted a environmental report back in  
7 December of 2000. They also submitted a construction  
8 authorization request in February, 2001. Due to changes  
9 in the DOE report, which Dave is going to talk about,  
10 Duke, COGEMA, Stone & Webster submitted a revised  
11 environmental report and that was provided to the NRC in  
12 July 2002. NRC is currently reviewing these documents.  
13 The first is the environmental impact statement, which  
14 documents their environmental review, and I will describe  
15 that process in a little more detail to give you a feel  
16 for how that feeds into the environmental impact  
17 statement. NRC will also prepare a safety evaluation and  
18 the safety review is on the bottom of the slide the NRC's  
19 action and the safety and environment report. That  
20 report focuses on the safety assessment of design basis  
21 for the proposed MOX facility. So the safety evaluation  
22 deals with safety and the environmental impact statement  
23 gives the environmental impacts of the proposed action  
24 and also alternatives to that proposed action. NRC will  
25 use the final environmental impact statement and the

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1 safety evaluation report for the construction  
2 authorization request as a basis for deciding whether or  
3 not we will allow construction of the proposed MOX  
4 facility. That would be the decision right in the middle  
5 of the slide. We anticipate making that decision in  
6 September, 2000. DCS also plans to submit a license  
7 application and the current anticipated date is October,  
8 2003. We again would review that application and prepare  
9 a second safety evaluation report. The safety evaluation  
10 report for the operating application and also an  
11 environmental impact statement would be used to support  
12 the decision of whether or not the license is issued.  
13 There are also two opportunities for hearings, we didn't  
14 want to clutter up the slide, but there are two  
15 opportunities for hearing, and John Hull, general counsel  
16 is here to answer any questions about the hearing  
17 process. So the purpose of the slide is to show you how  
18 NRC uses the EIS in the decision making process. We  
19 summarize there will be a single environmental impact  
20 statement that will be used to support both the decision  
21 to construct -- whether or not to construct the facility  
22 and then again whether or not to license the facility.  
23 Now I would like to describe the Environmental Impact  
24 Statement process. The National Environmental Policy Act  
25 requires that government agencies prepare environmental

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1 impact statements for major federal actions, such as the  
2 potential licensing of the MOX facility. As I stated,  
3 the Environmental Impact Statement presents impacts for  
4 the proposed action, which in this case is the  
5 construction and operation of the proposed MOX facility  
6 along with reasonable alternatives to that proposed  
7 action. We are currently considering the immobilization  
8 and will able identify various (indiscernible) in the  
9 process and another No Action alternative which would be  
10 continued storage. The focus tonight's meeting is how we  
11 should consider the immobilization alternative and the No  
12 Action Alternative in our Environmental Impact statement  
13 given the changes the DOE has made announcing that they  
14 are no longer planning to construct the facility. Note  
15 that the shaded areas are areas for public participation,  
16 and we consider this a very important part of the  
17 environmental impact statement process. We want to hear  
18 from the public, your views and your concerns. You  
19 received an environmental handout sheet that published a  
20 Notice of Intent to prepare a environmental impact  
21 statement and that was published in February-March, 2001.  
22 We completed our scoping process and had meetings on it  
23 in this very room last May to solicit your views on the  
24 scope of environmental impact statement. I will describe  
25 that in just a minute. We are in the process of

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1 completing our environmental review which will include a  
2 request for initial information to the applicant. This  
3 information is deemed most necessary to complete their  
4 analysis and these requests are made public. You will  
5 find the draft environmental impact statement in February  
6 of 2003 is currently planning a 45 day comment period.  
7 We will hold public meetings on the draft, that is to  
8 solicit your views on the draft environmental impact  
9 statement and try to have those in March 2003 so we can  
10 come again in March to listen to your views and solicit  
11 your views. If you provided your name to Betty and  
12 signed up with your mailing address we will mail you a  
13 copy. Like I said, we plan to issue that in February so  
14 at the end of February or early March you should be  
15 getting a three inch thick package in the mail. Lastly,  
16 public meetings or written comments we will revise our  
17 final environmental impact statement and like I said from  
18 the previous slide, that will be used to support their  
19 decision on whether or not to allow construction of the  
20 proposed MOX facility. The purpose of scoping is to  
21 gather state holder input for alternatives that should  
22 be considered in an environmental impact statement and to  
23 get input on resource areas that are significant to the  
24 public and should be considered in an environmental  
25 impact statement. We held scoping meetings in north

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1 Augusta and Savannah and also in Charlotte, and we  
2 received an addition to the comments of those meetings  
3 and received a written and e-mail comments, quite a lot  
4 of comments, and the scoping process was summarized in a  
5 report that was issued in August of 2001. And if you  
6 didn't get a copy of this scoping process report I think  
7 Betty has a few copies on the table if you would like to  
8 pick one up. If she runs out, I don't think she will,  
9 but if you would like to get a copy you can always e-mail  
10 or call me. I think the scoping process was very  
11 successful and I think that can be attributed to the  
12 public's involvement; we received a lot of comments. I  
13 think Mary, at least to my recollection, was the first  
14 person that proposed the immobilization No Action  
15 Alternative. I think that was good that we had the  
16 public involvement to listen and back out here tonight.  
17 So just to summarize the next steps in the environmental  
18 impact environmental review, we plan to issue a draft in  
19 February 2003, hold public scoping meetings and solicit  
20 public comment in March and consider those comments and  
21 finalize the document in August of 2003. And that  
22 concludes my brief summary of NRC's role in the decision  
23 making process in the environmental impact statement.  
24 I'll be happy to answer any questions.

25 CHIP CAMERON: Thank you very much. Okay,

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1 let's go to Peter. If just everybody could tell us your  
2 name and affiliation.

3 PETER SIPP: My name is Peter Sipp and I'm  
4 with GANE. Tim, can you please show us the first slide  
5 again, because I did not get a chance to quite hear all  
6 of the names and phone numbers.

7 TIM HARRIS: You got copies of the slide  
8 here on the handout.

9 PETER SIPP: Okay, thanks very much.

10 TIM HARRIS: Sure.

11 CHIP CAMERON: Okay, great. Peter's  
12 question raised a question I have. The comment period is  
13 basically being extended to September 30 and that people  
14 know where to submit written comments.

15 TIM HARRIS: I think you can get the  
16 addresses I have here for Mike Lesar of the NRC's  
17 Washington DC Bureau.

18 CHIP CAMERON: Also e-mail and fax, I guess  
19 you had several comments on that. And any comments that  
20 you make tonight they will be treated with the same  
21 weight as the written comments because we do have a  
22 transcript. Other questions on the environmental review  
23 process? Let's go to Janet.

24 JANET ZELLER: Thank you, Chip. I'm Janet  
25 Zeller, Blue Ridge Environmental Defense League. Right

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1 now immobilization is dead in the water. If we spend a  
2 lot of time making recommendations and doing analyses on  
3 immobilization how is the NRC going to revive it, if you  
4 think our arguments have merit.

5 TIM HARRIS: Revive it in a sense of -- I  
6 don't think we can revive in a sense of -- if the  
7 Department of Energy does something. We can use  
8 alternatives in their environmental impact statement to  
9 consider whether or not to stop their licensing.

10 CHIP CAMERON: To clarify that, the first  
11 decision that the NRC has to make is whether to include  
12 it as an alternative.

13 TIM HARRIS: Currently, it's been identified  
14 by the public area scoping process. We use the scoping  
15 report for several considerations, now (indiscernible)  
16 has canceled that part of the surplus distribution  
17 program, and that is why we are out here tonight is to  
18 solicit your views on should we still consider it, how we  
19 should consider it differently.

20 CHIP CAMERON: And if we did consider it,  
21 the impact would be on our decision on the construction  
22 authorization request rather than anything directly on  
23 the DOE program.

24 TIM HARRIS: Correct.

25 CHIP CAMERON: Correct.

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1                   JANET ZELLER: If NRC agrees with a lot of  
2 the organizations across the country that immobilization  
3 is a better alternative, then you wouldn't allow the  
4 project to be authorized, the fuel factory project?

5                   TIM HARRIS: The environmental impact  
6 statement looks at the environmental impacts of the  
7 proposed action and the construction and operations and  
8 also alternatives and that comparison is used in the  
9 decision making process.

10                  MARY OLSON: I have two questions, but first  
11 I want to acknowledge that they are about things you  
12 haven't covered and say that what we have covered seemed  
13 pretty clear, and I appreciate the dialogue that has been  
14 going on and I know that we are focusing on the  
15 construction and authorization but, we are also in a  
16 (indiscernible) process that law gives the public at  
17 least some understanding that all of the federal action  
18 really in some way needs to be addressed under the  
19 National Environmental Policy Act. And there are two  
20 parts of this programs that I haven't heard how they will  
21 be addressed underneath NEPA. The first is, the second  
22 half of this lie, where we see the operation safety and  
23 evaluation report and the NRC licensing decision on  
24 operations, and yet our final EIS is prior to even  
25 beginning that process; that's one questions. The second

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1 questions is when and how you will have the environmental  
2 impact statement on the environmental impacts of MOX use  
3 in reactors. Because the Department of Energy really  
4 only waived that plan to make soup, Clam Chowder and did  
5 not do anything else to the reactor (indiscernible) on  
6 this region. Now we try to bring into license renewal  
7 for the four MOX reactors that are under contract and the  
8 licensing board agreed with NRC that there are a lot of  
9 questions about when and how the environmental impact  
10 statement is going to happen and then your top brass said  
11 well we side with Duke we are not going to do that now,  
12 but they didn't tell us when and how it is going to  
13 happen. So I don't know that you have the answer, but  
14 that is my question.

15 CHIP CAMERON: Two questions you got them.

16 TIM HARRIS: Okay. The first part of your  
17 question was we are going to consider the operational  
18 impacts in our environmental impact statement to include,  
19 construction impacts and operational impacts so --

20 MARY OLSON: You are not going to change a  
21 thing?

22 CHIP CAMERON: We need to catch that on the  
23 transcript.

24 TIM HARRIS: The second part of the question  
25 is that the scoping summary report states that we are

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1 going to consider reactor use has an indirect impact on  
2 drafting our environmental impact statement. There is  
3 also going to be another opportunity or legal review that  
4 will be prepared by the Nuclear Regulatory Commission if  
5 and when we do request an amendment for the license to  
6 use the proposed MOX fuel in a reactor. The license is  
7 required and as part of that --

8 MARY OLSON: Do you follow me?

9 CHIP CAMERON: Do you want to talk on, go  
10 ahead

11 MARY OLSON: I failed to say to my name is  
12 Mary Olson, and I am the Director of the Southeast Office  
13 of Nuclear Information and Resource Service. My final  
14 one comment. It would seem to me that if you heard that  
15 the EIS now is going to consider of all of the operations  
16 prior to an operation safety evaluation and report so  
17 that just doesn't make sense to me. They are just never  
18 going to change a thing. The other piece of it is there  
19 will be a NEPA review if Duke applies for use of MOX and  
20 their reactors if Duke applies. So if Duke does not  
21 apply does this EIS consider a MOX fuel factory  
22 construction alternative scenario in which there are no  
23 reactors to use the MOX? I mean we have been told that  
24 MOX usage in reactors from the highest level of NRC is  
25 uncertain. Well it's true we are going to intervene on

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1 that licensing process no matter what. But, you know,  
2 what happens if you say they build it and they will come,  
3 but if they build it and they don't come and there aren't  
4 any reactors and so you just have a MOX fuel factory  
5 producing MOX and nowhere to send it, which we see  
6 periodically in Europe and then they scurry around to  
7 find customers and fake it. But you know this is a real  
8 question, that we are being told that there may not be a  
9 NEPA process because there may not be use, then you have  
10 a scenario, that's production, but no use.

11 CHIP CAMERON: Mary are you suggesting -- I  
12 think Tim has some answers for some of that -- but I just  
13 want to make sure that we know, are you suggesting that  
14 an alternative that could be looked at in the  
15 environmental impact statement is that there may be a  
16 possibility that there may be no reactors who want to use  
17 the fuel?

18 MARY OLSON: Correct.

19 CHIP CAMERON: Okay. I just wanted to make  
20 sure that we are clear --

21 TIM HARRIS: -- we have to use impacts of  
22 technology that's available at this time in our draft of  
23 our environmental impact statement, then we would review  
24 more use in reactors -- application. And I think that  
25 another point that you were concerned about is, what

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1 happens if in the license application things change and  
2 we would look at that information to see if the -- before  
3 we make a licensing decision to see if there are any  
4 changes that would change the environmental impact  
5 statement.

6 MARY OLSON: So that's a second licensing?

7 TIM HARRIS: Correct.

8 CHIP CAMERON: The implication of what you  
9 are saying, Tim, is that if there were changes that we  
10 might consider preparing a supplemental EIS.

11 TIM HARRIS: Correct.

12 CHIP CAMERON: Do you want to ask one more?

13 MARY OLSON: Does the public have any  
14 opportunity to initiate that, or does NRC staff in their  
15 great wisdom deem it appropriate?

16 TIM HARRIS: I think it is part of the  
17 hearing process, you will certainly get an opportunity  
18 for public intervention as part of the licensing  
19 application process.

20 CHIP CAMERON: The public can always  
21 suggest, feel free to suggest to the commission and staff  
22 that something be done even if it is not part of any  
23 formal process. Any other questions, comments.

24 BILL MAHOOD: I hear two versions of how it  
25 turned out that Duke Power is the only company that is

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1 now participating in this idea of actually using MOX fuel  
2 to generate electricity. I understand that originally  
3 there were 20 some power companies approached about it  
4 and that it boiled to a Virginia company and Duke. I  
5 think that the Virginia Company was either dropped out or  
6 eliminated and the two versions that I hear about this  
7 are, A, was that nobody but Duke would touch it with a  
8 ten foot pole, and, B, that only Duke was qualified to  
9 use the fuel. And possibly both of those things are  
10 wrong, but that is what I have been hearing.

11 TIM HARRIS: I don't know if I can answer  
12 that. All I know is that originally there was Virginia  
13 Power and the Duke Energy reactors, one of them was  
14 Surrey and the Virginia Power Company (indiscernible).

15 CHIP CAMERON: Is there any further  
16 information that anybody else on the staff can offer,  
17 that wouldn't just be speculation? Okay. Let's go to  
18 his gentleman back here. Yes sir. Please state your  
19 name.

20 DENNIS SPRING: Dennis Spring. I am not  
21 affiliated with anyone. I am just a citizen here in  
22 Charlotte for 24 years and I have a family here and I  
23 would like to keep us all healthy. The question I have  
24 about the process here is that under the public comment  
25 section, what can the NRC do to improve getting the word

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1 out about these meetings and the opportunities to comment  
2 because you rarely things about it in the newspaper. It  
3 wasn't in today's paper or on the six o'clock or eleven  
4 o'clock news. So I have a feeling that more people would  
5 be at these meetings and giving more comments as listed  
6 on the slide.

7 TIM HARRIS: That is why we are here.

8 DENNIS SPRING: I mean is there money in the  
9 budget for advertising?

10 TIM HARRIS: We advertise in Sunday's  
11 newspaper, we also issued press releases. We relied to  
12 some extent on the environmental groups to solicit public  
13 interest. If you have some suggestions, we would be  
14 happy to hear how we can better -- we realize that the  
15 general public has, doesn't always read the Federal  
16 Registry. So if you have some suggestions, we would be  
17 happy to hear them.

18 DENNIS SPRING: Put it in the paper on the  
19 day that it is going to happen. On the front page of the  
20 paper on the day that it is going to happen. Have it on  
21 the six o'clock news on the night before. We all now  
22 about the ball games, right? We always know when Monday  
23 Night Football games are going to happen, because they  
24 advertise on Sunday.

25 TIM HARRIS: Thank you.

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1 CHIP CAMERON: Thank you.

2 GREGG JOCOY: Thank you very much Chip. My  
3 name is Gregg Jocoy, that's G-r-e-g-g J-o-c-o-y, and I  
4 here representing the York County Greens of York County,  
5 South Carolina. I just want to make sure, Tim that I  
6 understand what was said. There is a possibility, no  
7 matter how vague or small it may be, that the Nuclear  
8 Regulatory Commission will authorize the construction of  
9 a plan to make plutonium fuel without a destination for  
10 that fuel, locked down and rock solid, before that plan  
11 goes into operation. In other words, you guys may say,  
12 yes you can build a facility that admits plutonium and  
13 uranium together to make plutonium fuel, but we don't  
14 know with absolute certainty that anyone is going to use  
15 it. I would like to know if my understanding is  
16 accurate, and if so, I would like to ask you a follow up  
17 question.

18 TIM HARRIS: I think that is true, there are  
19 some uncertainties with things, we are currently  
20 evaluating what has been proposed. There are some  
21 contractual things that DOE has to do and some others  
22 that have not occurred yet. So you are correct that  
23 regard. But to the extent that we have provided the  
24 environmental impact of what is proposed and what is  
25 foreseen, we are doing that.

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1 GREGG JOCOY: Okay, I guess my next question  
2 would be, just how stupid do you think we are too believe  
3 that the NRC would authorize the construction of a plant  
4 to create a fuel that you don't have a market for means  
5 that you are going to be forced to create a market for  
6 that product after investing billions of dollars in the  
7 project. So, I guess the question I would ask is why are  
8 we here?

9 TIM HARRIS: I think there is a proposal at  
10 hand to have a market. Duke Energy has discussed with  
11 the Department of Energy the use of the fuels at the  
12 Catawba Plant and at the McGuire plant.

13 CHIP CAMERON: I believe you had a follow  
14 up, then I will ask you a question later. Are you  
15 suggesting that the NRC should not grant the inspection  
16 authorization unless it had some assurance that the  
17 products are going to be used, is that what you are  
18 saying?

19 GREG JOCOY: I think it's the cart before  
20 the horse question to a certain extent. It seems to be  
21 that you create this product without a demand that is  
22 already in existence, that then forces you into creating  
23 a demand for it. Which means that it is a self-  
24 fulfilling prophecy and it begins to make me wonder if  
25 this is not a charade. If it is, let me know, I've got

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1 other things to do with my time.

2 TIM HARRIS: I don't think it is a charade.

3 CHIP CAMERON: Okay.

4 TIM HARRIS: And we're happy that you're  
5 here.

6 SHERRY LORENZ: My name is Sherry Lorenz and  
7 tonight I am representing the Fort Mill Citizen's Action  
8 Group and I am also a member of the Sierra Club; a long  
9 time member of the Sierra Club. I would like to chime in  
10 with the gentleman who just left the room. I was looking  
11 around when the meeting started and I was surprised at  
12 the thin crowd. That's usual. Charlotte has an almost  
13 one million population, and here we have just a handful  
14 of people. I get the feeling sometimes, and tell me if  
15 I am wrong, that maybe Duke Power and the NRC would like  
16 to keep these meetings the best kept secret in town.  
17 Could that be a possibility?

18 TIM HARRIS: I would say no, that is not a  
19 possibility. We are here tonight to hear your views  
20 specifically on how immobilization should be considered  
21 in drafting the environmental impact statement. If you  
22 have some suggestions on how we could a better job on  
23 conducting the meetings and we will be happy to hear  
24 them. But, we are not required to have this meeting, we  
25 want to hear your views.

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1           CHIP CAMERON: We do take suggestions about  
2 how to improve notice, for example. Someone said we will  
3 give you a list of community organizations and we will  
4 notify them. We want as many people who are interested  
5 in the subject as possible.

6           TIM HARRIS: In fact, Chip, we sent out an  
7 invitation flyer to people who attended the last meeting.  
8 We probably sent out 100 invitations to people to try and  
9 get them to come out.

10           SHERRY LORENZ: I think that the radio would  
11 be wonderful. What about 107.9, The Bob and Sheri Show,  
12 just about the whole town listens to it. I am sure you  
13 can afford to advertise on that channel and you will  
14 reach a large population. I talk to people about this in  
15 all walks of life and nobody has a clue. They have no  
16 idea what I am talking about. I am also a member of  
17 Toast Masters Club and the speech I gave last time, I  
18 gave at the club recently just to see how long it was, a  
19 Toast Masters speech is supposed to be five to seven  
20 minutes, it turned out to be 10 minutes, which was too  
21 long. In any case, Toast Masters has a large group of  
22 professionals, most of them are teachers, lawyers,  
23 doctors, and educated people. In our group, we have  
24 about 20 to 30 people in every meeting and not one of  
25 them, not one of them, knew that this issue or any

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1 meeting or anything at all, and that is a problem.

2 CHIP CAMERON: We will be glad to -- if you  
3 give us -- we are always trying to improve notice, but we  
4 will begin to, if you give us the names of organizations  
5 we will send them notice in advance time to people who  
6 care to come to the meeting. Let me see if there is  
7 anyone else who has questions or comments. Let's go to  
8 this gentleman back here, then we will come back up here.  
9 Yes sir.

10 WILSON HOPKINS: My name is Wilson Hopkins  
11 and I  
12 work at Catawba Nuclear Station. I do want to say this  
13 morning the public broadcasting announced it; I heard it  
14 about seven o'clock.

15 CHIP CAMERON: Thank you.

16 BILL MAHOOD: I would just like to confirm  
17 the experience of the lady across the aisle that I've  
18 found time and time again that notice of these meetings  
19 aren't until the last minute or simply not enough notice  
20 at all. I am convinced that the NRC has faithfully  
21 attempted to put out press releases in time for the  
22 public to attend. If something is happening here in the  
23 Charlotte area to stop the information from getting to  
24 the public and is it not getting to the public, the last  
25 NRC meeting I attended I heard about it on television

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1 approximately 20 minutes before the meeting happened.

2 CHIP CAMERON: Okay. Well we are listening  
3 to the comments that you are making and we will try to do  
4 a better job and apparently the word gets out on some  
5 channels sometimes and we just need to make sure that we  
6 do a --

7 TIM HARRIS: Get the feedback form and take  
8 that home and if you have some suggestions and state what  
9 you have. Thank you.

10 CHIP CAMERON: Okay. Let's go to Dave Brown  
11 and hear a little bit about the changes in the DOE  
12 program. Thank you very much, Tim.

13 DAVE BROWN: Thanks Chip. I would just like  
14 to take a little bit of time and summarize the changes to  
15 the DOE surplus plutonium program. What I will be  
16 talking to you about are the changes and the  
17 environmental impacts that were described in Duke COGEMA  
18 Stone & Webster's environmental report that they revised  
19 in July. The first changes that we have discussed, is  
20 the cancellation of the plutonium immobilization plant.  
21 This plant has been part of DOE's, what they call the  
22 hybrid approach. They were to immobilize some of the  
23 plutonium and turn the rest into MOX fuel. As it was the  
24 DOE has decided to cancel that program for budgetary  
25 reason, so I will get into how that effects the NRC's

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1 environmental review resulting from the plutonium  
2 (indiscernible) now subject to the MOX facility. I want  
3 to talk about New Waste Solidification Building as  
4 proposed by DOE to handle the liquid waste from two  
5 plants that are associated with them MOX facility, the  
6 MOX facility itself and the pit disassembly and  
7 conversion facility. The pit disassembly and conversion  
8 facility will be designed to take (indiscernible) and  
9 plutonium and convert them to plutonium oxide powder and  
10 then the plutonium oxide will be absorbed into the MOX  
11 oxide fuel facility. The program had been set up that  
12 about 8.4 metric tons of plutonium would have gone to the  
13 Plutonium Immobilization plant. About 25.6 metric tons  
14 would have gone to the MOX facility. There are from the  
15 US Confederation Agreement that was reached September  
16 2000. Of the 8.4 metric tons that would have gone to PIP  
17 there are two tons that DEO have said would not be  
18 suitable for use at the MOX facility. So what's left is  
19 really 6.4 metric tons that would have gone to the  
20 immobilization as to the MOX. That's what we are  
21 referring to Alternate Feedstock that this material could  
22 come to the MOX facility from other sources other than  
23 through the pit disassembly and conversion facility. The  
24 consequence of having received this material, the MOX  
25 facility would have to undergo some design changes to

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1 accommodate. The other changes that I will talk about is  
2 the New Waste Solidification Building. The purpose of  
3 this facility is to treat four liquid waste streams from  
4 two from the mixed oxide fuel plant and two from the pit  
5 disassembly and conversion facility. The Waste  
6 Solidification Building would be at the pit disassembly  
7 and conversion facility. On the back of your handout  
8 there is a site plan that shows the relative locations of  
9 the two facilities. We've got these changes and now  
10 let's look at what the environmental impacts are  
11 associated with that. The DCS in their July revision to  
12 the environmental report described that in order to  
13 accommodate this alternate feedstock operation plant they  
14 need to add some steps to the process because the  
15 alternate feedstock has some impurities in it. It would  
16 require about 10 percent more floor area, the alternate  
17 feedstock has more chloride in it that would have to be  
18 removed. That process would generate chlorine gas that  
19 would have emission to the facility. Also the processing  
20 of alternate feedstock would change the nature of the  
21 waste it produces. For example, a volume of low level  
22 liquid radioactive waste generated from the MOX facility  
23 would be about 60 percent higher than any additional  
24 impurities in that waste, associated with processing  
25 alternate feedstock. The MOX facility also generates a

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1 liquid high alpha activity waste which means the waste  
2 is generated from purifying the plutonium that is sent to  
3 the waste facility for disposal; that waste would contain  
4 silver. Silver is used in the MOX facility a proposed  
5 use to be used to help dissolve plutonium oxide, which is  
6 a step and there would be more volume then as well. With  
7 respect to the Environmental Impacts as described by DCS  
8 of the Waste Solidification Building. This building was  
9 part of it's process of receiving the liquid waste, will  
10 solidify that waste and transfer any waste, would be  
11 prepared for shipment to the Waste Isolation Pilot Plant  
12 in Mexico. So that we are looking at the capacity for  
13 ways to isolate the plant and how waste generates the MOX  
14 impact. There are also two other waste treatments  
15 produced, one is produced by the MOX facility, and one to  
16 be produced by the pit disassembly and conversion  
17 facility and solidified as low level waste that can be  
18 disposed of at the Savannah River Site, near the area  
19 where we have a permanent low level waste site. DCS  
20 looked at the construction related impacts at the waste  
21 solidification building's new facility in it's proposal  
22 they would look at, that sort of thing associated with  
23 building a plan. Also operational impacts. Things like,  
24 we looked at air, liquid effluents, and radioactive  
25 exposure to workers. DCS also looked at potential

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1 accidents that could occur at the waste solidification  
2 building that would have environmental impacts. At this  
3 point, I will take any questions.

4 CHIP CAMERON: Thanks Dave. Are there  
5 questions for Dave on possible environmental implications  
6 and what that might mean in terms of the NRC; the  
7 environmental impact.

8 GREGG JOCOY: Just one real quicky question.  
9 Can you describe for us what this waste solidification  
10 process is. I have read about plants that pour concrete  
11 into radioactive liquid and leave it in South Carolina  
12 for perpetuity. Is that what you are talking about?

13 DAVE BROWN: For the low level liquid  
14 radioactive waste that has been processed, the process  
15 would be to use cement, solidify it and be disposed of  
16 either at the Savannah River Site or another appropriate  
17 low level waste site.

18 CHIP CAMERON: Thanks for your question.  
19 Other questions on changes? Mary?

20 MARY OLSON: The first question is what  
21 happens to the two tons that was going to go the  
22 immobilization and is not considered part of the MOX  
23 program.

24 DAVE BROWN: At this point, I am not aware  
25 that the Department of Energy has decided what to do with

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1 those two tons.

2 MARY OLSON: But they are out of NRC's  
3 authority?

4 DAVE BROWN: Yes. It would be out of our  
5 authority. They would not be coming to the site.

6 MARY OLSON: Okay. So the NRC only looks at  
7 the mixed oxide fuel plant in terms of the operation. Is  
8 that right?

9 DAVE BROWN: We do look at the  
10 transportation of plutonium that would be coming for the  
11 purpose of the MOX fuel; there would be consideration for  
12 that.

13 MARY OLSON: Okay. Do you look at the Pit  
14 Disassembly and Conversion Facility, like for instance,  
15 have they built that yet?

16 DAVE BROWN: No, they haven't build that  
17 yet. But, yes we are considering it.

18 MARY OLSON: In that -- I'm sorry. So the  
19 waste solidification building is a part of that, right?  
20 The Pit Disassembly Conversion and Waste Solidification  
21 Building?

22 DAVE BROWN: Yes, they are all on the same  
23 site. The purpose of the waste solidification building  
24 is to treat waste from the Pit Disassembly and  
25 Conversation Facility and the MOX.

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1 MARY OLSON: My last question, I will put  
2 two together here, does DOE have to do an environmental  
3 impact statement on the Pit Disassembly or on the Waste  
4 Solidification, and I heard through the grapevine that  
5 the amount of high alpha activity waste that you are  
6 mentioning, just the americium along would make something  
7 like 30 billion smoke detectors as sort of a yard stick  
8 and that is a hell of a lot of americium. So like, you  
9 are kind of considering it in your EIS but I mean, does  
10 DOE have to do an EIS too?

11 DAVE BROWN: At this point, we are focusing  
12 on the scope of the EIS -- you know, that where we  
13 consider impacts of the Pit Disassembly and Conversion  
14 Facility. Your comment to regard to the amount of smoke  
15 detectors, yes there is a large number, the amount of  
16 americium (indiscernible) proposed to process is like  
17 80,000 curries.

18 CHIP CAMERON: Just a couple of  
19 clarifications. I may not understand this, but there was  
20 no DOE plan to turn the americium into smoke detectors.  
21 This is just an example. I don't want people to think  
22 that that's what's going on. But in terms of the DOE  
23 environmental impact responsibilities, we did hear last  
24 night that there was a Department of Energy Federal  
25 Register notice in terms of environmental reviews -- I

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1 mean Dave, or can anyone from the NRC give Mary some  
2 information on that.

3 DAVE BROWN: I think the Department of  
4 Energy's has early this year decided to cancel the  
5 plutonium immobilization plant. It has also issued a  
6 record of decision to cover to address that. That record  
7 of decision was issued in April 19, 2002.

8 MARY OLSON: DOE has just issued a notice of  
9 intent to (indiscernible) the process on making new  
10 plutonium pits. Talking about and getting rid of the  
11 plutonium pits, now they are going to make some new ones.  
12 I understand that are considering lots of different  
13 sites, but Savannah River Site is one of the site being  
14 considered. So what happens if they use the Pit  
15 Disassembly and Conversion Facility to generate plutonium  
16 oxide for weapons as well as MOX? What is NRC -- how are  
17 you all going to handle that in terms of NEPA, regulatory  
18 authority, materials?. Working with DOE and having clear  
19 lines of communication, I mean as far as I have heard you  
20 don't even have a MRU. So what if it is dual purpose  
21 facility needing two factories?

22 DAVE BROWN: If I understand your question,  
23 there's no proposal for use at this facility for uses  
24 like that. We are aware that DOE will, I think, start  
25 the building process on the proposal for a pit

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1 manufacturing facility, but at this time, we don't have  
2 any information that would change the scope of our  
3 environmental review; there's been no decision on that.

4 CHIP CAMERON: Thank you Dave. Are there  
5 questions on this? Yes sir.

6 ROCKY EVANS: I'm Rocky Evans. The  
7 question I have is TRU waste, what is that? That is one  
8 question. The second is, what is low level waste? What  
9 exactly is that and what is the ramification in the  
10 environment?

11 TIM HARRIS: I will do my best to answer.  
12 The first question TRU stands for trans uranium waste,  
13 and that's --

14 MARY OLSON: Heavier than uranium.

15 TIM HARRIS: -- heavier than uranium.  
16 Thanks, Mary. It is typically (indiscernible). It is  
17 generally more hazardous than (indiscernible). As far as  
18 the specific question about environmental --

19 CHIP CAMERON: What are the environmental  
20 impacts of low level waste and what exactly is low level  
21 waste. Is that what your question is?

22 ROCKY EVANS: What exactly is low level  
23 waste, is it radioactive or is it --

24 DAVE BROWN: Low level waste is radioactive  
25 material, that became moderately contaminated or in some

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1 cases, highly contaminated material. It ranges from  
2 protective clothing, like tyvex that people use that are  
3 contaminated that people are throwing away as radioactive  
4 trash. Low level waste is also things like heat resins,  
5 can be highly radioactive. So the spectrum of low level  
6 waste is quite large. Things that not very radioactive  
7 to things that like heat resins that are radioactive.  
8 There are procedures and policies of the regulations on  
9 how to dispose of that material safely.

10 CHIP CAMERON: I think we have a follow up.

11 ROCKY EVANS: One more question. You take  
12 the 6.4 tons of plutonium to the plant, the MOX. I  
13 guess, how much waste will there be produced from the --

14 DAVE BROWN: How much of the waste is  
15 attributable to that alternative feedstock, is that your  
16 question?

17 ROCKY EVANS: I guess what I am trying is  
18 you are trying to get rid of 6.4 tons of plutonium. How  
19 much waste in this TRU low level is left over or created  
20 or -- I'm not sure what I'm trying to ask, do you  
21 understand what I am trying to ask.

22 DAVE BROWN: Let me see if I can understand  
23 your question. I don't have the answer, I simply don't  
24 know what the volumes are or --

25 MARY OLSON: Go back one slide.

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1           DAVE BROWN: What I've given you is kind of  
2 a relative of numbers here, how much more than what was  
3 proposed before, but in terms of gallons --

4           CHIP CAMERON: Is that because the -- that  
5 is a detail that we don't have with us or that is a  
6 detail that no one knows how much waste is going to be  
7 reduced either in volume or curries or whatever?

8           DAVE BROWN: We have the information, but I  
9 don't have it right in front of me --

10          UNIDENTIFIED: It keeps going up.

11          CHIP CAMERON: We do need to get you on the  
12 transcript if you want to make a remark.

13          JANET ZELLER: I just wanted to say that  
14 whatever effort is made to the amount of waste is sitting  
15 down there, you know, by next week is going to be  
16 greater, because it keeps going up in geometrical and so  
17 you know at some point we are going to have to have a  
18 real answer.

19          CHIP CAMERON: Let's go to this gentlemen  
20 over here.

21          WALLACE EVANS: **(Due to the public address**  
22 **system and Mr. Evan's location in the audience many of**  
23 **his comments were indiscernible.)** I'm Wallace Evans, the  
24 father of this fellow here. The thing that I think ought  
25 to happen is that we burn it up. Because of that I would

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1 like to bring up some points here. This is a much  
2 greater thing than just the part of Duke Energy. It goes  
3 into how much uranium we will use, how are we going to  
4 use it what we (discernable) electricity, all those  
5 things. I'll tell you how to do it. First, you go in  
6 and take all of your (indiscernible) energy of breather  
7 reactors and let breather reactors burn up all of your  
8 nuclear waste. That should satisfy these people over  
9 here about nuclear waste, you would just go through the  
10 plutonium and burn it all up, and you elide put out  
11 nothing. The only thing is produces it makes heat. So  
12 you burn all of that stuff up and (indiscernible) and  
13 once you get that done you take this electricity that  
14 puts out low heat or waste -- or low gases  
15 (indiscernible) or coal, or gas anything -- you take that  
16 and make hydrogen and you make hydrogen with fuel cells,  
17 and these fuel cells will make hydrogen out of  
18 electricity -- I mean oxygen -- and you take the hydrogen  
19 and use it in various ways in fuel cells that burns  
20 oxygen (indiscernible) hydrogen. Use that in cars, any  
21 kind of transportation, airplanes -- I could go into this  
22 in detail with you on how it goes but I've taken my time  
23 (indiscernible). But once you get all of that done  
24 you're putting out nothing but water fumes. No more of  
25 this stinky stuff and no more noise (indiscernible). You

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1 put everything (indiscernible) and that ought to satisfy  
2 this group over here. It's not waste. Oxygen can be  
3 used for various things. You can put the oxygen into  
4 rivers and lakes and all the places (indiscernible). You  
5 can go down to New Orleans and put it out into the ocean  
6 there. (Indiscernible) little critters that down there  
7 that live off the runoff from the fertilizers  
8 (indiscernible) and they can live off of seven tenths of  
9 (indiscernible) so (indiscernible) oxygen in  
10 (indiscernible) 100 miles and 140 miles (indiscernible)  
11 Gulf Coast that have no fish in it (indiscernible).  
12 Well, anyway, you can this in sewage plants to get rid of  
13 the smell and (indiscernible) and make it work better.  
14 I could go on with this for an hour if you want me to,  
15 but I'll (indiscernible) but all this people are talking  
16 about shouldn't be. (Indiscernible) use any excuse they  
17 can to get out of using nuclear power, but someday we'll  
18 pay for it.

19 CHIP CAMERON: Thank you. Thank you sir.  
20 You have certainly given the NRC some alternatives to  
21 think about in the environmental impact statement. Thank  
22 you very much for that. Are there any other questions on  
23 the DOE, the changes in the DOE program and the  
24 environmental implications before we get into some of the  
25 public comment and I think we have already sort of gotten

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1 into that with those ideas. Anybody else? Okay, Mary  
2 you have another question here. Then I am going to ask  
3 Tim to come up and frame those two questions.

4 MARY OLSON: Both the waste isolation power  
5 plant and this (indiscernible) supposedly gotten into  
6 waste after the radiation of MOX fuel leaking potentially  
7 (indiscernible) as possible sites -- but both of those  
8 sites have certain natures and processes and definitions  
9 of ways and impacts on transportation, we know agreements  
10 have been worked out on -- and will be worked out so my  
11 question is is whether the process in terms of those  
12 assumptions where this waste will go.

13 DAVE BROWN: At this point, the two things  
14 that we are going to look at are as those -- the bulletin  
15 up there -- deposal and what I mean by that are as  
16 follows. Would the DCS produce more waste would it go to  
17 the waste isolation pilot plant would be considered in  
18 the environmental impact statements. With regard to the  
19 transportation disposal, yes, the radium and MOX fuel.

20 CHIP CAMERON: Thank you, Dave. Tim, do you  
21 just want to frame the two questions as just sort of the  
22 lead into the public comment, we are going to start out  
23 with Sherry Lorenz, our first speaker.

24 TIM HARRIS: Sure Chip, thanks. As I  
25 mentioned in the beginning, what we are hear tonight to

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1 talk about are alternatives in our environmental impact  
2 statement and how the changes in the Department of Energy  
3 might affect their considering various alternatives.  
4 Again, the two questions were how should we consider the  
5 immobilization of plutonium instead of using the proposed  
6 MOX facilities since we have cancelled that program, does  
7 the public still want us to consider that alternative.  
8 The next question is whether or not there are any  
9 additional alternatives that weren't identified the last  
10 time during scoping. Some things for us to think about.  
11 Again, we are going to hear your comments today, this  
12 evening, if you want to go home and write some comments,  
13 we will accept them until September 30. Thank you for  
14 taking your time to come.

15 CHIP CAMERON: Tim, just to make sure people  
16 understand what no action alternative is can you give a  
17 little explanation of what a no action alternative is.

18 TIM HARRIS: Basically, the environmental  
19 impact statement is a proposed action, the proposed  
20 action is the construction of the mixed oxide fuel  
21 fabrication facility. The National Environmental Policy  
22 Act says you have to look at alternatives, as the bare  
23 minimum you have to look at the no action alternative, in  
24 this case it would be not to license the facility. So  
25 one of the no action alternatives that we described

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1 earlier we were talking the alternatives to continue  
2 storage of the plutonium after recycling, and another no  
3 action alternative NRC would not license a facility, what  
4 would happen is another no action alternative brought by  
5 the public is no immobilizing. So the question is how  
6 the publics want us to consider that.

7 CHIP CAMERON: Okay, thank you very much.  
8 Sherry would you like to come up and join us.

9 SHERRY LORENZ: My question is NRC saying  
10 they're only going to consider a total of two  
11 alternatives. No action and MOX and the question is what  
12 should that no action be? Is there a possibility of more  
13 than two alternatives being considered?

14 TIM HARRIS: I think the answer is yes. I  
15 think that is what the second question is. Are there  
16 things that weren't identified during scoping because of  
17 the changes that you think we should consider.

18 SHERRY LORENZ: Would you consider more than  
19 one alternative?

20 TIM HARRIS: Yes. Right now --

21 SHERRY LORENZ: I am trying to understand  
22 why there would only be two scenarios, whether you're  
23 considering the possibility of more than two scenarios.

24 TIM HARRIS: When we did the scoping process  
25 which I described, there was actually three alternatives

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1 that were identified. Those were summarized in the  
2 scoping seminar. They were proposed action, no action  
3 and continued storage, and no action at all. So it is --  
4 if we didn't anything right now, we could draft the  
5 environmental impact statement and consider three  
6 alternatives. So the question is should we still  
7 consideration immobilization as an alterative and are  
8 there other things because of changes in the DOE -- so it  
9 is a possibility.

10 CHIP CAMERON: Thank you very much, Tim.  
11 Let's go to Janet.

12 JANET ZELLER: Thank you, and I appreciate  
13 the opportunity to speak tonight. My name is Janet  
14 Zeller I am the executive director of the Blue Ridge  
15 Environmental Defense League. We have four offices in  
16 North Carolina, including Charlotte, and also a new  
17 office in Augusta, Georgia, right across from the  
18 Savannah River Site and an office in Aiken. I want to  
19 provide some critique tonight on the environmental report  
20 as revised. First of all, the environmental report does  
21 not adequately evaluate the adverse health impacts from  
22 the plutonium fuel factory. Everyone knows that high  
23 amounts of radiation causes cancer, that is generally  
24 expected as true by everybody. But, one of the things  
25 that is consistently underestimated, by Duke COGEMA,

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1 Stone and Webster, by the Department of Energy and by the  
2 Nuclear Regulatory Commission is the affects of low dose  
3 radiation and those cancer and other health impacts. I  
4 think that in light of recent huge studies, done by Dr.  
5 John Gofman that there needs to be a complete  
6 reevaluation of health impacts of fuel factories. Let me  
7 explain this a little bit. In 1999, Dr. Gofman released  
8 a study that was -- it was 1940-1990 it encompassed all  
9 of the mortality across the whole nation, Dr. Gofman is  
10 not only a medical doctor he is the holder of two patents  
11 for the removal of plutonium from irradiated fuel, so he  
12 is an expert at nuclear chemistry in addition to be a  
13 medical doctor. But his conclusion is that high amounts  
14 of radiation is the leading cause of heart disease in  
15 this country and elsewhere, and there is absolute  
16 evaluation of the health impact of heart disease, there  
17 is a way underestimation of the cancer impact in the  
18 environmental report. If you read the environmental  
19 report carefully, you see an amazing admission by the  
20 Duke COGEMA Stone and Webster, they do admit that the  
21 overall dose of -- from the new plutonium fuel factory,  
22 if this happens, could be an increase of 2.6 percent in  
23 death to the public and they call that small, but they  
24 compare it to all of the radiological impacts of the huge  
25 Savannah River Site. So our point is 2.6 percent of a

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1 large number is a large number and so this is not either  
2 small, it's certainly not reasonable or acceptable. So  
3 look at it again NRC. I want to say also that especially  
4 this whole business that that much additional exposure at  
5 9.98 person for transport, that these things are  
6 justified by the weapons reduction component by the non-  
7 proliferation of nuclear weapons -- and of course, when  
8 Duke first out with this whole idea in the newspaper and  
9 TV here, they were using the term, "swords into plow  
10 shares". Well in May of this year the Department of  
11 Energy announced that they were going to go back to  
12 plutonium pit reduction and on September 13, 2002, just  
13 very recently, they identified this Savannah River Site  
14 as a potential site for that plutonium pit reduction. So  
15 any perceived benefit of this facility and comparing a  
16 small acceptable 2.6 percent increase in dose, I mean  
17 that just doesn't make sense because you are not  
18 comparing anything. There is no benefit at all anymore  
19 to the plutonium fuel factory. So that whole thing needs  
20 to be looked again. I did want to say that there was a  
21 really poor job in the environmental report of evaluating  
22 the current situation, the current health of the people  
23 in Aiken and Barnwell County. Both counties have higher  
24 mortality rates than the average in South Carolina. In  
25 fact, Barnwell County -- and these are the two counties

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1 that are within a 10 miles radius -- in Barnwell County  
2 it is 9.8 percent greater than the average in South  
3 Carolina. So people are dying like flies in Barnwell and  
4 Aiken already, and so to assume that the Savannah River  
5 Site and it's radiological effects are not part of that  
6 picture is pretty naive, I think. So I do want to say  
7 that I am submitting some stuff on heart disease in these  
8 two counties. Heart disease is the leading cause of  
9 death, and cancer is the second one, and in fact in Aiken  
10 County heart disease kills more people annually than  
11 pneumonia, Alzheimer's, stroke, accidents, and anything  
12 else. So finally, we really would like to have a true  
13 health evaluation in the environmental review process.  
14 Of all of the options that are on the table now, which  
15 immobilization is unfortunately is not one, we certainly  
16 support the no action alternative. Just doesn't make any  
17 sense with no piece dividend, no swords into plow shares,  
18 to expose more people in counties that are already  
19 suffering from heart disease and cancer, the two leading  
20 effects of radiation.

21 CHIP CAMERON: Thank you Janet. Mary Olson.

22 MARY OLSON: My name is Mary Olson, and I am  
23 the director of the Southeast Office of Nuclear  
24 Information and Resource Service. We are a nationally  
25 based organization with headquarters in Washington, DC

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1 and now being able to affiliate with information service  
2 on energy. I must say that these meetings come at quite  
3 a good moment. There's just been two months ago of  
4 plutonium fuel being rejected by Japan because the  
5 documents were falsified as to whether it had qualify  
6 inspection or not. The Japanese are very meticulous  
7 people, they caught this fiction that they never  
8 expected, they refused to use this MOX fuel and it has  
9 spent two months on the high seas. It was challenged in  
10 many ports, many countries to have it in their waters,  
11 and it just about back in Britain in British nuclear  
12 fuels. Is struggling as a British energy for any kind of  
13 financial stability because nobody wants MOX fuel, they  
14 are only using it because their own governments are making  
15 the fuel at plutonium reactors in France and Belgium and  
16 places like that. So, we're talking about something that  
17 really is a world perspective, is something that should  
18 not be growing, as a matter of fact it should be cut back  
19 and should be stopped now when it comes to the United  
20 States. I want to respond directly to the questions that  
21 the NRC has raised and appreciate the additional meetings  
22 that are being held for the public to give comments to  
23 these questions, I think it is very important. I also  
24 want to support all of the comments that were just made  
25 by Janet Zeller, who is with the Blue Ridge Environmental

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1 Defense League; very vital. But before I do that, I want  
2 to say that the Nuclear Regulatory Commission must ensure  
3 that there is a full legal process on the use of MOX fuel  
4 in the nuclear reactors in this community. We were  
5 rejected during the consideration of license renewal but  
6 the atomic state licensing board agreed with us that  
7 there are a lot of questions that have to do with the  
8 impact of MOX fuel on that licensing renewal and the  
9 impact of these reactors on MOX fuel use. There are no  
10 guarantees, whatsoever, that the legal process is going  
11 to happen unless the public demands it and even then  
12 there are loopholes that the NRC may utilize again to  
13 push away these questions because they go straight to the  
14 heart of the matter which is the question of these  
15 reactors, their safety and the impact on the health of  
16 this community. Plutonium, even the Department of Energy  
17 has acknowledged is far more deadly than uranium and I am  
18 going to come back to that point. But why are our tax  
19 dollars being used to even consider making these reactors  
20 more dangerous. So, yes, the no action alternative must  
21 be considered. Keeping the plutonium where it is right  
22 now sparing the communities on transport routes,  
23 including my own community of Asheville, North Carolina,  
24 where plutonium shipments are coming to already from,  
25 Colorado, Atlanta, Augusta, and all of the cities in

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1 between, sparing them the possibility of a terrorist  
2 attack or other accident that would happen to the  
3 shipments. No actions must be considered. And I also  
4 endorse the consideration of the immobilization, but I  
5 urge the NRC at this point, to break free from DOE's  
6 previous scenarios and instead to do a reference scenario  
7 because more and more of the communities that are hosting  
8 the plutonium now are advocating that it not be moved.  
9 So if it is going to be immobilized let's consider an  
10 immobilization scenario that wouldn't necessarily have to  
11 be the Savannah River Site. In the spectrum of  
12 alternatives that must be considered, I mentioned we  
13 should look at what MOX has produced and know if the  
14 reactor actually uses it. We were told by the top levels  
15 of the Nuclear Regulatory Commission that it is not clear  
16 that Duke Energy is going to MOX fuel. Okay, it is not  
17 clear, what if nobody uses it. Well, Frank Barhemlet  
18 (phonetic) of Princeton and others that have advocated  
19 building a MOX fuel factory for exactly that purpose,  
20 they prospect MOX. And use that in immobilization, why  
21 not consider that. Then another set of alternatives I  
22 want to bring up I already mentioned in question and  
23 answer, the Department of Energy has declared that they  
24 are going to start turning plutonium oxide into new pits,  
25 new guts for new bombs I'm sure the many usable tactical

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1 use and the bunker buster bombs and the bombs in space  
2 and all those bombs that everyone seems to think are a  
3 good idea now, we've been categorically opposed in any  
4 production of these bombs, but the fact is that NRC will  
5 do it and the long run picture is where are they going to  
6 get plutonium oxide to make those bombs. If MOX becomes  
7 simply the waste disposal alternative for new levels of  
8 production, doesn't the NRC have a responsibility to  
9 consider all of the environmental impacts of new nuclear  
10 weapons production. I have to say that I feel sorry, I  
11 feel sorry for every single individual, including some of  
12 my esteemed colleagues who have been involved in the  
13 plutonium disposition program, because I think that every  
14 single last one of them including NGO's, and Duke and  
15 even NRC have been patsies. Patsies to career bomb  
16 makers who wanted to make bombs all along, but couldn't  
17 have nice dinner conversation about making new bombs  
18 during the Clinton administration, so you had to start  
19 talking about to purifying fuel oxide for MOX. And plain  
20 and simple that is all they wanted. So good luck Duke in  
21 keeping your tax dollars for MOX because we are going to  
22 fight you every step of the way. The next little  
23 comment, then I will be done in just a moment, is the  
24 timing of this meeting again. The question of increasing  
25 the lethal destructive capacity of reactors in the event

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1 of either an accident or, heaven forbid, a malicious act  
2 to disrupt them. We have been told that MOX is swords  
3 into plow shares, but this past week, European press ran  
4 excerpts of an interview from Al Qaeda operatives stating  
5 that in fact US nuclear reactors were the original  
6 targets considered and that plan has simply been tabled  
7 for now. I am not going to take the to read the excerpts  
8 from this short account of what an accident or an attack  
9 would be like, but it is on the back table out there and  
10 it needs to be added for the record because it is a very  
11 graphic account and I think people deserve to know that  
12 it is not pretty if you hit a reactor with an airplane or  
13 even the conventional bomb or even a biological attack  
14 that would be the population to their knees in a short  
15 period of time. So, or even an attack on the grid nearby  
16 a station blackout is not a pretty picture. So the point  
17 here is simply this, every single individual -- and I  
18 applaud the NRC hiring guys who are actually excited  
19 about this program and it is really fun to come to these  
20 meetings because they are still excited about it and they  
21 want to do a good job. However, there is a personal  
22 responsible issue from everybody in considering that we  
23 are talking about making not swords into plow shares, but  
24 dirty bombs pointed at ourselves already in this  
25 community twice as deadly if we put plutonium in there

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1 and why are we even considering this program at all.  
2 Thank you.

3 CHIP CAMERON: Please submit that for the  
4 record.

5 MARY OLSON: These two articles. Thank you.

6 CHIP CAMERON: Sherry, you want to come on  
7 up?

8 SHERRY LORENZ: My name is Sherry Lorenz and  
9 I represent the Fort Mill Citizen's Action Group and also  
10 the Sierra Club. I am sitting here listening in this  
11 nice air conditioned room and every thing looks so clean  
12 and bright. We are civilized people aren't we. Then  
13 these gentlemen sit here in nice clothes with this  
14 computer and this -- whatever you call it -- slide thing.  
15 Technical talk, things like environmental impact, new  
16 waste solidification building, liquid low level waste,  
17 liquid high alpha activity waste, beautiful smart  
18 technical words. A lot of the lay people don't even  
19 understand this. It is your job and you have to say  
20 something. Accidental releases to the environment, no  
21 action alternative, sounds so intelligent. Really, you  
22 should read no more plutonium, no more uranium, no more  
23 poisons, no more unnecessary misery and ailments, no  
24 action alternative. What in the world does that mean.  
25 These are just fancy words. These people spend a lot of

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1 thinking up, making them up. The true definition of  
2 these words is all of what is going on in the plutonium  
3 and uranium issue is insanity, pure insanity. You can  
4 choose the most fancy words and have the best computer,  
5 the nicest group, the best suits on, and it all amounts  
6 to one thing only, we are talking about poisons that  
7 kill, give people cancer and whatnot, and they want to  
8 sell it to us like this a great thing. We will take care  
9 of it, bad things won't happen. That is not the truth.  
10 One day we will have an accident and their families and  
11 my families their children and my children will cry and  
12 get sick. What then? Do I knock on their door and ask  
13 for help for medications and doctors to stay alive, no.  
14 I don't even know where they live. So, all I have to say  
15 is tonight is simple, all this fancy jargon and talking  
16 is not getting us anywhere. Let's just speak simply  
17 instead. Let's stop the insanity. You know as I know,  
18 we all know that these poisons, whatever they are called,  
19 are getting us nowhere. They are just bringing us misery  
20 and death. Thank you very much.

21 CHIP CAMERON: Thank you Sherry. Next we  
22 are going to going to Peter Sipp here.

23 PETER SIPP: First I want to thank the NRC  
24 staff for leaving things open to be discussed and  
25 listening to what we have to say. Our chance to say what

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1 is really important to us means a lot. So I want to ask  
2 Chip -- I want to ask Tim a question.

3 CHIP CAMERON: You want to use your time --

4 PETER SIPP: Well, it's an easy one.

5 CHIP CAMERON: With the immobilization would  
6 that be possibly 100 percent of the plutonium or 6.  
7 something tons, if you go back to immobilizing?

8 TIM HARRIS: If we talk about the  
9 quantities, the current proposal is for 34 million tons.  
10 So the immobilization alternative analyzed the same  
11 amount that we used for MOX fuel.

12 PETER SIPP: So, okay, thank you. So now  
13 that I know that, I would love to -- I would really  
14 consider going to work for because there is no jobs and  
15 less waste. Is there any -- over 40 millions of liquid  
16 waste that passes through the US now threatening the  
17 water table. The water table is not small. It goes all  
18 the way underneath Georgia into Alabama, it is huge, and  
19 if that gets spoiled, we are in trouble. So, I want to  
20 you to please consider immobilizing, because I have a  
21 conscience. I want to comment to that gentleman over  
22 here that talks about how we should use the waste. Well,  
23 there's a ship in -- that's parked in the mud in  
24 Charleston, South Carolina, and the name of it is the NS  
25 Savannah. It was commissioned in 1959 and decommissioned

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1 in 1971 and it was decommissioned because according to  
2 the (indiscernible) of National Action and Defense code  
3 it couldn't compete with the oil price, it costs too much  
4 to operate; that is why there is only one ever built.  
5 So, nuclear power just costs too much to operate, it is  
6 that simple. If the Bush Administration has it's way  
7 with more nuclear reactors by 2010, okay, after those  
8 reactions die, then 2070 are you going to have more?  
9 There's going to be so much scrap buying and so much of  
10 that, where is it going to be put? The United States  
11 what are we going to do with all of it -- the  
12 decommissioned stuff. Where's it going to go? So I can  
13 understand why Duke wants to use this MOX because it is  
14 money in their pocket. So that when these people  
15 retires, they can get dividends every month. That's out  
16 of your's and my pocket. It's not okay. You can't point  
17 -- when the steamboat caboose was driving the trains,  
18 then the diesel locomotives came along -- boom. Steam  
19 locomotives stopped; it was over. There was no subsidies  
20 for people that worked to maintain them and make parts  
21 for them and then it was over, period. That is the way  
22 nuclear power needs to be. It need to be over, period.  
23 It costs too much to operate, we need to get to the idea  
24 of immobilizing because it is just wrong. Thank you very  
25 much.

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1                   CHIP CAMERON: Thank you Peter. Let's go to  
2 Gregg.

3                   GREGG JOCOY: I want to start of by  
4 basically endorsing that Pete said. Each and every one  
5 of you guys did have to leave your families and fly here  
6 or drive here to bring us your listening ears, and there  
7 is some appreciation for that, it is very sincere and  
8 very heartfelt. But I also as I prepare to read this  
9 statement I want you to understand when I say the things  
10 that I am about to say they're directed at what I  
11 consider to be a monster, okay. We start from  
12 fundamentally different perspectives on the whole concept  
13 of nuclear energy. So with that in mind, here are my  
14 comments. My name is Gregg Jocoy. I am here today to  
15 represent the York County Greens. Unlike many of the  
16 others who are here today we are not experts in nuclear  
17 issues. We are learning day by day, website by website  
18 e-mail by e-mail what is going on in the nuclear industry  
19 in York County and Aiken areas and we are appalled at  
20 what we find.

21                   The idea that Duke Energy, which has been  
22 implicated in the fleecing of California rate and tax  
23 payers last summer, would be given the responsibility to  
24 undertake such a program is problematic. We are further  
25 outraged at the NRC would take seriously the proposition

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1 that we should choose power generators so close to our  
2 homes and use them in this risky experiment. To add  
3 insult to injury, the federal government is using this  
4 plutonium fuel process to line the pockets of  
5 identifiable corporations in the process. Not only Duke  
6 but the fiscally challenged Stone and Webster and the  
7 French concern with the dubious record of compliance  
8 COGEMA, are also questionable as partners in such a risky  
9 enterprise.

10 There is clear evidence that a terrorist attack or  
11 accident that resulted in a release at one of these  
12 plants would be twice as harmful as the current  
13 situation. While we would prefer the closing of each of  
14 these and all other nuclear power station around the  
15 planet, as soon as it can be safely accomplished, we  
16 think it is particularly aggravious that our taxpayer  
17 money will be used to put our families and communities in  
18 harm's way. As I said before, we are not experts, but  
19 average citizens trying to lookout for our communities.  
20 We are not blind to the fact that Duke is involved in the  
21 development in the land along the lakes to host their  
22 power plants. The fact that local governments have no  
23 effective way to empty this area in the event of a  
24 release means that there is no excuse for the continued  
25 operation.

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1           How dare you use our taxpayers dollars to do this.  
2           These power plants are ice cooled and are unsafe with any  
3           fuel. How dare you tell our people that we are not going  
4           to get an effective evacuation system, that we are not  
5           going to get higher security such as encapsulation of  
6           waste material. That we are not going to get full value  
7           for our families in the event of an accident. That we  
8           are not going to get any consideration of immobilization  
9           and permanent removal of plutonium from the biosphere,  
10          but we have to pay you guys to boot?

11           We believe that the people of York County and the  
12          people of the Aiken are being put in danger to make  
13          profits for Duke COGEMA Stone and Webster, their top  
14          executives and the top shareholders. We think that it is  
15          obscene that these companies would do this to us and  
16          believe that the people of the areas affected are waking  
17          to the dangers we are being asked to bare, and to the  
18          lack of benefits to anyone but the companies that stand  
19          to make undeserved profits.

20           This is a bad plan and should be stopped. There  
21          is no way that a serious examination of nuclear power as  
22          a concept will stand up to scrutiny. Since the idea of  
23          splitting of atoms to boil water is so stupid on it's  
24          face, it is difficult to find common ground with the  
25          plutonium fuel project. There is pretty much nothing

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1 that the companies involved nor the NRC can say which  
2 would be likely to persuade to the York County Greens  
3 that a nuclear power plant is a good idea, much less one  
4 that will be expected to use a fuel that it is not  
5 designed to use.

6 Finally, the Green party is founded on ten key  
7 values. One of those key values is peace and non-  
8 violence. The Augusta Chronicle has published an article  
9 in which an industry spokesperson announced that there  
10 were plans being made which might bring a plant to the  
11 Savannah River Site to fill plutonium pits. These pits  
12 represent another step to the rearming of the United  
13 states with a new generation of unholy nuclear weapons.

14 Again, how dare you put our communities, our  
15 families in danger, by making our state the heart of  
16 nuclear weapons industry. Do you think we don't realize  
17 that nothing good can come from our being the merchants  
18 of war. Your plans to turn our people into cogs in the  
19 military industrial complex which is rejected by anti-  
20 globalization and labor activists are an affront to  
21 everything we believe the United States should represent.  
22 Again, for this, you want our tax dollars.

23 Let's be clear, we want nuclear power plants  
24 shutdown, we want new sources of electric generation to  
25 be funded. We want resources made available so average

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1 people can prepare for a time when the cost of  
2 electricity better reflects its real costs. Yet, the  
3 idea that the NRC would give the time of day to an  
4 environmental impact study that doesn't address serious  
5 health effects on the target community, with the  
6 exception of an inadequate job of addressing cancer is  
7 astounding. The people on the NRC staff have been  
8 requested to address these issues but chose not to move.  
9 Why? It cannot be for time, for finding the answers to  
10 the questions would take less time than there is  
11 available before they must move on this issue. It can't  
12 be cost, for a full evaluation of this project, complete  
13 with fair funding of groups in opposition to the  
14 applicants at the applicants' expense would not represent  
15 even a tiny fraction of the cost of any of these  
16 programs. The only conclusion we can come to is these  
17 questions are not being answered out of fear for what the  
18 answers might be. We don't believe that nuclear power  
19 will survive serious analysis and that the plutonium fuel  
20 plant is totally unacceptable.

21 CHIP CAMERON: We are going to go next to --  
22 is it Kathryn Koppers?

23 KATHRYN KUPPERS: I am not used to speaking  
24 on a microphone. My name is Kathryn Koppers and I am  
25 going to make a brief statement on behalf of the

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1 Charlotte Area Green Party. It is very brief. Then  
2 after that, I may make a couple of comments on my  
3 reaction to this hearing. The Charlotte Area Green Party  
4 is opposed to the use of MOX fuels in Duke power plants.  
5 We strongly support the safe storage of contaminated  
6 waste in currently storage sites. We fear that storing  
7 of MOX fuels at area Duke Power facilities will be  
8 significantly more dangerous than the current burning of  
9 uranium fuels, and that the use of MOX fuels will only  
10 produce more contaminated waste rather than serving to  
11 recycle the uranium waste on hand already. We suspect  
12 that this newly generated plutonium waste is  
13 intentionally being produced to supply materials to make  
14 new nuclear weapons. From this comes a question and two  
15 requests. First, we want to know how the Department of  
16 Energy can justify paying Duke Power to use this fuel.  
17 Secondly, we would like Duke Power to be required by the  
18 Department of Energy to develop alternative sources of  
19 energy, not encourage (indiscernible). Finally to call  
20 on private citizens, businesses and government agencies  
21 to make serious efforts to reduce the consumption of  
22 power in order that the area's electricity needs can be  
23 met without resorting to expansion of the nuclear power  
24 industry. That is the statement. As I said, it's very  
25 brief. One comment I have about this hearing. I keep

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1 hearing that they wanted to get the message out. I know  
2 that can't be true, that can't be true. You are not  
3 going to get message out by contacting the NGO's who  
4 don't have any budget for advertising. The Charlotte  
5 Area Green Party has practically no budget for  
6 advertising. We know about it, how do we get the word  
7 out. You all have the money and it is your responsible  
8 to get the word out to the general public, not just the  
9 organizations. I am also a little bit disturbed because  
10 my impression is is that the NRC is acting as a screen  
11 between the public and the Department of Energy.. Long  
12 ago you painted a screen; a block. I feel that is where  
13 the power is and not really talked about. Thank you.

14 CHIP CAMERON: Did I miss anybody who signed  
15 up and who wanted to talk? Did you sign and I missed it.  
16 Well come up and let us know who you are. I apologize.

17 MEREDITH McLEOD: I am not used to speaking  
18 in front of crowds very much, so bear with me. I  
19 currently reside in Sikes County and am a forth  
20 generation North Carolinian. I am basically am just here  
21 tonight as a concerned citizen. My two main points about  
22 whether we should start the facility or should we license  
23 the facilities. My main concerns include transportation.  
24 I think that the thousands of miles that shipments of the  
25 materials across over any of international lands and

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1 waters is a really bad idea and I will define it. I  
2 think that all the complicated science that I couldn't  
3 really understand tonight is pretty much a smoke screen  
4 for what's slated for our state, and I think there are  
5 two stakeholder groups here, there is an environmental  
6 and -- I don't think we're as far apart as we may seem to  
7 be. I think what everybody might want for their health  
8 and for their families needs to be considered. In  
9 addition, I think nuclear power is a bad idea. I think  
10 that there are better alternatives, including global  
11 energy are alternatives. I think there are some costs  
12 that -- Janet talked about some of the health costs and  
13 specific costs to the community need to be considered.  
14 It is not just building a facility, it is not just  
15 operating a facility, it is not just public relations.  
16 We have to think about health costs. And lastly, I think  
17 that shareholders of Duke Power that has business in  
18 North Carolina or citizens that can afford to have in  
19 shares in Duke Power, I think they really want what's  
20 right for their families. They want health and safety  
21 and health and safety for their future children. I hope  
22 to have children eventually some day and I hope to raise  
23 them in this state, and I hope it's a safe place for me  
24 to do so. Thank you.

25 CHIP CAMERON: Thank you very much. I am

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1       sorry that I missed you. We do have Mr. Nesbit, who is  
2       going to speak to us now.

3                 STEVE NESBIT: Good evening. My name is  
4       Steve Nesbit and I am the mixed oxide fuel project  
5       manager for Duke Power. This meeting tonight concerns  
6       mixed oxide fuel fabrication facility that's planned for  
7       Savannah River Site in South Carolina. Although Duke  
8       Power is not involved in the development and licensing of  
9       that facility, we are the operators at the McGuire and  
10      Catawba Duke Power reactors; reactors that will  
11      ultimately use the MOX fuel that's produced at the  
12      facility. Therefore, I would like to make a few comments  
13      tonight about MOX fuel project in general and also about  
14      this environmental impact statement. The purpose of the  
15      MOX fuel project is to dispose of surplus United States  
16      weapons grade plutonium, while Russia does the same with  
17      their surplus weapons grade plutonium. Using plutonium  
18      as MOX fuel is an effective means of disposing this  
19      plutonium. MOX fuel destroys much of the plutonium and  
20      degrades the remainder of the plutonium so that it is not  
21      longer attractive for use in nuclear weapons. A few  
22      people would prefer to see other things done with the  
23      plutonium. For example, one alternative is mentioned is  
24      immobilization. However, immobilization does not destroy  
25      the usable plutonium. Immobilization does not

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1 isotopically degrade the plutonium. The National Academy  
2 of Science and Study in 2000 included that immobilization  
3 unlike MOX fuel has not shown been shown to meet the  
4 spent fuel standard for plutonium in this position.  
5 Therefore, the MOX fuel project is an essential part of  
6 the important national security initiative to help  
7 prevent the spread of nuclear weapons by disposing of  
8 weapons grade plutonium in the United States and even  
9 more important in Russia. MOX fuel is a proven  
10 technology. There are decades of experience safely  
11 fabricating the use of MOX fuel worldwide. Currently  
12 there are dozens of reactors in Europe that are using  
13 mixed oxide fuel and it performs as well as the  
14 conventional grade uranium. Before Duke uses any MOX  
15 fuel, that is the McGuire Catawba Nuclear Power reactors,  
16 we must apply for and receive, at a minimum, to our  
17 nuclear regulatory commission reactor operating licenses.  
18 The licensing process provides for a thorough and  
19 independent review of all safety and environmental issues  
20 associated with MOX fuel use. It also provides ample  
21 opportunity for public participation. It would be  
22 unnecessary and premature for this MOX fuel fabrication  
23 facility environmental impact statement to address in  
24 great detail the impacts of MOX fuel use. As I pointed  
25 out, these impacts will be addressed in a comprehensive

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1 manner as part of the reactor operator license process.  
2 Duke Power and the McGuire Catawba Nuclear Stations are  
3 proud to be the power to the Piedmont of the Carolinas,  
4 and we are proud to be participating in this program that  
5 will help make the world a safe place. Thank you for the  
6 opportunity to provide these comments tonight.

7 CHIP CAMERON: Thank you very much, Steve.  
8 Again, my apologizes to you and Meredith for missing you  
9 on this sheet. Anybody else who didn't get a chance to  
10 sign up who wants to make any comments at this time.  
11 Yes, Mr. Mahood do you want to join us up here?

12 BILL MAHOOD: There are some to be perfectly  
13 glib that nuclear energy is obsolete. It is simply  
14 obsolete. It is creating more problems than it solves  
15 when there are many better ways for immediately providing  
16 for better electricity.

17 CHIP CAMERON: Yes sir.

18 WALLACE EVANS: **(Due to the public address**  
19 **system and Mr. Evan's location in the audience most of**  
20 **his comments were indiscernible.)** Plutonium is already  
21 been -- in the United States. There is one other thing  
22 about this, you're going to make it impossible for the  
23 United States to balance its budget or to do anything.  
24 (Indiscernible) oil and gas (indiscernible) make it  
25 possible for them to supply us. This past year we were

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1 using 72 percent of our oil, gas and --import. Sending  
2 oil (indiscernible) to a country that will not  
3 (indiscernible) increase their fuels.

4 CHIP CAMERON: Thank you very much.  
5 Meredith, did you have something?

6 MEREDITH MCLEOD: I would like to know if  
7 you are going to put the transcript of this on the  
8 website?

9 WALLACE EVANS: One other thing --

10 CHIP CAMERON: Mr. Evans, we are going to  
11 have more on here, we're still in the middle of doing  
12 something here. And we will put the transcript on the  
13 website so people can look at the transcript. Make it  
14 brief, please.

15 WALLACE EVANS: I had a friend that worked  
16 in the plant in Oak Ridge. He designed the equipment and  
17 worked there for a good many years from before the war --  
18 really before the war-- but anyway he -- I haven't seen  
19 him for thirty years, but he actually said  
20 (indiscernible) held it in his hand and was amazed at the  
21 weight of it, and he's living today and it doesn't hurt  
22 him; he's just fine. (Indiscernible) and he's eighty-  
23 eight. I'm eighty-nine.

24 CHIP CAMERON: Thank you very much, Mr.  
25 Evans.

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1 GREGG JOCOY: Can I ask kind of a technical  
2 question, super simple?

3 CHIP CAMERON: Sure.

4 GREGG JOCOY: E-mail is for the comments it  
5 is the tehnrc.gov, which I believe is Tim Harris'  
6 address, but the mail would be Mike Lesar?

7 CHIP CAMERON: Yeah, and I'm glad you  
8 pointed this out, Gregg. If you fax it, put it to Tim  
9 Harris' attention because of written comments it is more  
10 the traditional formal system, they usually come in  
11 through Mike Lesar, who is chief of our Rules and  
12 Directives branch, that is why there is a difference  
13 there. Thank you for pointing that out, there might have  
14 been confusion, elsewhere. We do have some time left, we  
15 have people, staff here, not only from both sides of the  
16 MOX project, environmental safety, but we also have  
17 people have the office of general counsel, people here  
18 from our nuclear reactor regulation office that deals  
19 with the fuel and the plan and other NRC staff. I would  
20 just encourage you to take the time to chat with them  
21 personally. Find out how to get in touch with them, how  
22 you get information and maybe we can spend the rest of  
23 time doing that. Unless there is any burning -- there is  
24 something burning and it's right here.

25 MARY OLSON: We are dealing with the

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1 proposal to burn weapons grade plutonium into reactors,  
2 and as far as I know, no one has ever done that in the  
3 world before. So what is the database that is being used  
4 for this scenario, because there was this great report  
5 that was put out on MOX fuel by a bunch of my colleagues,  
6 it is an alternative report on the environmental and the  
7 (indiscernible), unfortunately, he's deceased now. It  
8 was so wonderful I was getting into the MOX issue and  
9 there was this great report, and they told me no, no, no,  
10 you can't use that, the data is all different because  
11 this is the active grade MOX and you are going to be  
12 dealing with weapons grade MOX. So I never used that  
13 great report because it was told by the authors that it  
14 wouldn't apply, so what are you all using?

15 CHIP CAMERON: Tim, are you going to deal  
16 with that one, and at the same time in light of  
17 Meredith's suggestion, tell people where to tune into the  
18 website so they can find the transcript.

19 TIM HARRIS: Actually the website is on the  
20 agenda, so you have that website. I could talk in part  
21 of that, Mary, then maybe Bob Martin can talk about the  
22 other part. Bob will correct me if I am wrong, but I  
23 think you are right, I don't think anybody has used  
24 weapons grade plutonium in a reactor. What we want to do  
25 in working at the reactors these impacts is to look at

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1 the situation that is out there, including the stuff by  
2 the Department of Energy, including the stuff was done by  
3 (indiscernible) at NCI, including the National Academy.  
4 Our intent right now is not to any analysis and use  
5 whatever information is out there currently.

6 CHIP CAMERON: Bob, do you want to answer  
7 that?

8 ROBERT MARTIN: It is widely recognized that  
9 there are differences in weapons grade plutonium and so  
10 called reactor grade plutonium. This has been recognized  
11 for instance by the NRC in their fuel qualification  
12 design report that they publish in previous years. It is  
13 recognized by NRC ongoing research program that we have  
14 a description of which is in the Department of Record, it  
15 describes the several major areas of the fuels we've  
16 collected our information on these effective uses. So  
17 while we do not have application at this time in the  
18 industry to respond to whether the use of MOX reactors  
19 there are things that are ongoing within the agency to  
20 address this.

21 MARY OLSON: (**Speaks without a microphone;**  
22 **indiscernible.**)

23 ROBERT MARTIN: Are you talking about the  
24 environmental impact of the fuel fabrication facility?

25 MARY OLSON: Weapons grade versus --

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1                   ROBERT MARTIN: That is something that Tim  
2                   --

3                   TIM HARRIS: Mary, I'm sorry I thought your  
4                   question was directed towards on reactive use. The  
5                   impact of weapons grade plutonium has been put in an  
6                   environmental report which has been provided to the  
7                   applicants. Estimation of those impacts that we are  
8                   doing and we are going to review that information and  
9                   then it will be specifically for the weapons grade  
10                  plutonium.

11                  CHIP CAMERON: Okay. The third use doesn't  
12                  need any further clarifications on this. Why don't you  
13                  help me end the discussion of that. Do you have a  
14                  question?

15                  SHERRY LORENZ: I would like to make a  
16                  comment.

17                  CHIP CAMERON: Make it short, please.

18                  SHERRY LORENZ: To the gentlemen from Duke  
19                  Power I did not expect anything less from you. You are  
20                  on Duke Power's payroll. And in Europe they do not use  
21                  the MOX --

22                  CHIP CAMERON: Sherry, I don't want to get  
23                  involved in a debate between the audience, please. Thank  
24                  you. Thank you all for coming out tonight. Thank your  
25                  for questions and your comments, and I'll have Bill

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1 Reamer, as our senior analyst official to close the  
2 meeting.

3 BILL REAMER: Let me reiterate Chip's thank  
4 yous for coming. Chip, thank you for another excellent  
5 job tonight. Our goal here is ultimately is a  
6 environmental analysis, environment impact statement that  
7 adequately addresses the impacts of this proposal that  
8 considers a reasonable scope for alternatives and those  
9 impacts. We really need the help of everyone in this  
10 room to get there. That is why we had the meeting  
11 tonight that is why we will have meetings in the spring,  
12 hopefully, next summer we will produce the document that  
13 we all agree meets with success. There was another  
14 objective tonight which I think was to continue our  
15 dialogue between the NRC and the people in this room. It  
16 is important for you to understand our role, it is  
17 important for us to understand your concerns. I think  
18 that if you could take away tonight is to do your best to  
19 understand what our role is in the project, because if  
20 you can understand that we can understand your concerns.  
21 We have really the best chances for success here,  
22 cooperating together to get that objective which I said  
23 is our objective which a full and fair assessment of the  
24 impacts of this project. I too was concerned about the  
25 comments people made about the notices for the meeting.

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1 I know that everyone here came because they thought it  
2 was important to be here. I don't think anyone should  
3 feel that that importance is less because there aren't a  
4 lot of people here. But if we can contribute in some way  
5 to at least do a better job so that there are more people  
6 who really are concerned about this will know about the  
7 opportunities to come I would like to do that. Several  
8 people have tonight said if there -- ideas that you want  
9 to give us, the public feedback forms are a way to do it.  
10 I would like to see us in a meeting next year and hand  
11 you our handout or do a slide stating exactly what we  
12 did. The public notices of meetings in advance to try to  
13 get the most opinions that we can get. Some of you will  
14 be here at that meeting the next time and you may have  
15 some comments on that and if we keep working at this we  
16 will have everyone here who really cares enough to come.  
17 So again, thanks very much. I look forward to our next  
18 meeting with you. I hope you will be here as well.

19 CHIP CAMERON: Thank you.

20 (WHEREUPON, the meeting was concluded.)  
21  
22  
23  
24  
25

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