

BLUE RIBBON COMMISSION ON AMERICA'S
NUCLEAR FUTURE

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PUBLIC MEETING TO SOLICIT FEEDBACK ON THE
DRAFT COMMISSION REPORT

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TUESDAY,
OCTOBER 18, 2011

The Commission convened at 8:15
a.m. in Rooms 707 and 708 at the Marriott
Marquis Atlanta, 265 Peachtree Center Avenue
in Atlanta, Georgia, Kevin Bryan, Moderator,
presiding.

COMMISSION MEMBERS PRESENT:

MARK AYERS
VICKY BAILEY

ALSO PRESENT:

TIM FRAZIER, Designated Federal Official
KEVIN BRYAN, Meridian Institute,
Moderator

STEPHANIE BROCK, Kentucky Radiation
Health Branch

DENISE BROOKS, Texas State Energy
Conservation Office

SUSAN CORBETT, South Carolina Sierra
Club

JOHN KOTEK, BRC Staff Director

CONNIE LEWIS, Meridian Institute
T.D. LIVELY, West Virginia Division of
Homeland Security and Emergency
Management

PAULA MARINO, Southern Nuclear Operating
Company

KAREN PATTERSON, South Carolina

Governor's Nuclear Advisory
Council

ALSO PRESENT(Cont'd):

BOBBIE PAUL, Georgia Women's Action for
New Directions

GLENN SJODEN, Georgia Institute of
Technology

ELGAN USREY, Tennessee Emergency
Management Agency

DAVID WALTER, Alabama Department of
Public Health

CHRISTOPHER WELLS, Southern States
Energy Board

JIIYOUNG WILEY, Louisiana Department of
Environmental Quality

STAN WISE, Georgia Public Service
Commission

PUBLIC COMMENTERS:

BARBARA ANTONOPOLUS

BRYAN BENNETT

GLENN CARROLL

JOE CARSON

TOM CLEMENTS

BARBARA CROW

ART DOMBY

EARL EASTON

CARLYN GREENE

COURTNEY HANSON

PEGGY HENDRIX

MARILYN KARWOSKI

CASH JASZCZAK

DAVID JAMESON

ED MUELLER

YOMI NOIBI

JACKIE POSEY

BETSY RIVARD

DON SAFER

TOM SANDERS

ANNIE LAURA STEPHENS

SOLOMAN REID

ANISA REID

DENNIS SEWELL

ELLEN THOMAS

RYAN TROGSTAD

DIANNE VALENTIN

C-O-N-T-E-N-T-S

Welcome and Introductions	5
BRC Welcome/Introductions (Vicky Bailey).	5
SSEB Welcome (Christopher Wells)	8
Meeting purpose and logistics (Moderator)	10
Overview of the Blue Ribbon Commission Draft Report: Key Recommendations John Kotek, BRC Staff Director.	15
Southern States Energy Board Radioactive Materials Program History (Christopher Wells)	49
State Roundtable Alabama (David Walter, Alabama Department of Public Health).	62
South Carolina (Karen Patterson, South Carolina Governor's Nuclear Advisory Council).	65
Louisiana (JiYoung Wiley, Louisiana Department of Environmental Quality).	76
West Virginia (T.D. Lively, West Virginia Division of Homeland Security and Emergency Management)	79
Kentucky (Stephanie Brock, Radiation Health Branch)	82

C-O-N-T-E-N-T-S (Cont'd)

Texas
 (Denise Brooks, Texas State Energy
 Conservation Office). 84

Tennessee
 (Elgan Usrey, Tennessee Emergency
 Management Agency). 86

Environmental Group / Non-Profit
 Recommendations

Susan Corbett, South Carolina Sierra
 Club. 131

Bobbie Paul, Georgia Womens' Action for
 New Directions (WAND) 179

Industry Insight

Paula Marino, Vice President
 Engineering, Southern Nuclear Operating
 Company 193

Financing a Successful Nuclear Waste Strategy
 Commissioner Stan Wise, Chairman of the
 Georgia Public Service Commission
 201

Academic Outlook

Dr. Glenn Sjoden, Professor of Nuclear
 and Radiological Engineering, Georgia
 Institute of Technology 209

Public Comment. 245

Meeting Wrap-up

John Kotek outlines BRC next steps. . . 307

Moderator Summary 309

Adjournment 311

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

2 8:21 a.m.

3 MR. BRYAN: Good morning,
4 everybody. My name is Kevin Bryan. I am with
5 the Meridian Institute and we are helping to
6 facilitate this public meeting today here in
7 Atlanta, Georgia.

8 I wanted to get started off -- we
9 will run through the agenda in just a couple
10 of moments. What I want to do is a couple of
11 introductions.

12 We want to thank Vicky Bailey, who
13 is one of the Commissioners for the Blue
14 Ribbon Commission on America's Nuclear Future,
15 and we are also going to have Chris Wells come
16 and give us some greetings here in a second.

17 But let me first turn to Vicky
18 Bailey. Thank you. Yes, right over at the
19 podium.

20 MEMBER BAILEY: Thank you. It's
21 really good to see all of you here bright and
22 early for this very important topic and

1 important opportunity for myself and my fellow
2 Commissioner Ayers to listen.

3 We really want to thank you for
4 coming. I am Vicky Bailey and a member of
5 the Blue Ribbon Commission on America's
6 Nuclear Future.

7 And as you know, the Commission
8 issued its draft report in July of this year.
9 The Co-Chairmen have directed the staff to
10 work with regional state government groups to
11 organize public meetings, to hear your
12 comments on the draft report.

13 And your first meeting was held
14 last month in Denver, in cooperation with the
15 Western Governors Association, and the second
16 was with the Council of State Governments -
17 Eastern Region Conference in Boston.

18 Atlanta marks our third meeting
19 and we are grateful to the Southern States
20 Energy Board for co-hosting today's meeting
21 and for all the assistance that they have
22 provided to us and the Commission thus far.

1 I am here today, along with
2 Commissioner Mark Ayers, primarily to listen,
3 and I know Commissioner Ayers might have
4 several questions. You know, I shouldn't put
5 words in his mouth. I apologize, Mark -- but
6 primarily to listen.

7 Mark and I, Commissioner Ayers and
8 I, want to hear your reactions to our draft
9 report. We will share the perspectives that
10 we gain today with our other Commissioners and
11 we will factor your perspectives into our work
12 in finalizing the subcommittee's reports and
13 the Commission report to the Secretary of
14 Energy.

15 Let me close by thanking all of
16 those who came here today to offer your
17 perspective. It's important. It takes
18 courage and bravery sometimes to come up and
19 let us know what you think. But we really
20 want to hear it. That's the only way we can
21 make it better, is to hear these views.

22 And so my fellow Commissioners and

1 I have learned a great deal by listening to
2 the input that we have received thus far. We
3 look forward to hearing your thoughts on the
4 Commission's work today. Thank you.

5 MR. WELLS: Good morning,
6 everyone. My name is Christopher Wells. I am
7 the Assistant Director of Nuclear Programs for
8 the Southern States Energy Board, and as Vicky
9 just mentioned, we had the honor of co-hosting
10 this event.

11 And I would just like to take the
12 opportunity this morning to thank the Blue
13 Ribbon Commission's staff. The staff has been
14 very diligent.

15 If you have looked at the
16 schedule, you can see they have been traveling
17 all across the country hosting these events,
18 which I imagine is not an easy task. So Mary,
19 Tim, you and your staff, I just thank you for
20 all the efforts you have made in making this
21 come together.

22 I also want to thank the speakers,

1 those individuals whom I have contacted for
2 your participation today, for taking time out
3 of your schedule in order to provide your
4 perspective, my state contacts, many of whom
5 I work with on other projects, I would also
6 like to thank you as well for attending, and
7 just the general public and all other
8 attendees who found time today to weigh in on
9 this important topic.

10 So I would just like to welcome
11 you to Atlanta, hope we have a productive
12 session and move forward. Thank you.

13 MR. BRYAN: Thank you, Chris.
14 Thank you, Vicky. I do want to make certain
15 that -- Vicky mentioned that Mark Ayers is
16 here, who is another member of the Commission.

17 Mark, if you would just kind of
18 wave your hand and let everybody know that you
19 are here. Thank you. I wanted to make
20 certain that we introduce him and he will be
21 participating in the discussions along with
22 everyone else.

1 Let me do a quick walk-through of
2 the agenda so that you get a sense of what we
3 are attempting to do today. Keep in mind the
4 purpose of this meeting.

5 The Blue Ribbon Commission has
6 worked for the last 18 months to put together
7 this draft report. The idea today is to make
8 certain that they get from you comments,
9 input, suggestions for how to make this report
10 better, how to improve the report.

11 They want to know what's good in
12 the report, what needs to be changed, and they
13 want to make certain that they hear from you,
14 and that they can incorporate those ideas into
15 the discussion about how to finalize the
16 report in the coming months.

17 I think John Kotek is going to
18 come in just a moment and explain some of the
19 -- some more details about that so I am not
20 going to get too deep into that. But we want
21 to make certain that you have an opportunity
22 to provide input today.

1 So what we want to do -- let me
2 walk through and explain, after John comes to
3 us in just a couple of minutes and gives us
4 the draft report overview, Chris is going to
5 come back to us and talk a little bit about
6 the Southern States Energy Board.

7 And then we are going to go into a
8 roundtable discussion. Now, this will be a
9 panel discussion, eight minutes apiece, and
10 then there's going to -- for each of the
11 speakers -- and then there's going to be an
12 opportunity for Q&A.

13 This will be the first opportunity
14 for you to chime in, ask questions of the
15 panel, as we want to make certain that it's an
16 interactive process.

17 We are going to take a brief break
18 and then we are going to come back, and you
19 will see that there are listed four different
20 insights from environmental organizations,
21 industry groups, there's a piece on financing
22 nuclear waste strategy and then an academic

1 perspective.

2 We are going to run those
3 concurrently, and then we are going to take
4 some questions in that section, so that will
5 be another opportunity for feedback.

6 We will take a lunch break, and at
7 one o'clock we want to make -- we are going to
8 close off sign-up for the public comment
9 section this afternoon.

10 So if you want to speak this
11 afternoon, during the public comment section,
12 please let us know. We are planning to shut
13 that off at one o'clock this afternoon. Okay?
14 So you will take some time during the break or
15 whenever and just make certain you are signed
16 up before that.

17 We will go into a facilitated
18 breakout session this afternoon. Remember you
19 were asking what are the little funny dots on
20 your name tags? Well these are the different
21 breakout -- color-coded breakout groups that
22 we will have you participating in this

1 afternoon.

2 The purpose of those breakout
3 groups is to give each of you an opportunity
4 in those sessions to have a conversation with
5 one another about the key issues on your mind,
6 hear the key issues on other individuals'
7 minds and have some discussion about that.

8 We are not trying to come up with
9 consensus in those groups. All we are trying
10 to do is have a facilitated discussion.

11 There are other members of the
12 Meridian Institute here, and I believe Justin,
13 Robin, Connie are throughout the room, we will
14 be facilitating those four breakout group
15 sessions.

16 So we will talk a little bit more
17 about the breakout sessions. I don't want to
18 get too deep into that right now. But that
19 will be what we will do in the afternoon.

20 You will notice that there are
21 three key questions that we want to answer and
22 they fit with three of the key -- with the

1 three panel sections and with the key areas of
2 the report.

3 We will go through that right
4 before lunch. Public comment period will take
5 place after a brief break at about 3:45. We
6 will run that for an hour and then John will
7 come back and do some wrap-up for us for the
8 day.

9 Any questions about how that is
10 set up?

11 (No response.)

12 MEMBER BAILEY: If not, what I
13 would like to do is just encourage everyone
14 throughout the day, please be engaged in the
15 meeting. We want you to be a part of the
16 discussion.

17 Be respectful of one another.
18 There are different views throughout the room.
19 Everybody's view is important and the idea is
20 to hear those and to try to get some better
21 understanding about how we tackle this tough
22 issue.

1 There are bathrooms outside. I
2 believe you can just go off to the left here.
3 They will be down the hall. You will see some
4 signs for that.

5 We will come back and we will talk
6 a little bit about lunch later. There are
7 places in and around the area to go and to
8 eat.

9 And other than that, I think we
10 are going to just dive right in. We have got
11 a lot to do today and a short time to do it.
12 John?

13 MR. KOTEK: Good morning,
14 everyone. I am John Kotek. I am the staff
15 director for the Blue Ribbon Commission on
16 America's Nuclear Future.

17 I want to talk to you a little bit
18 today about the draft report, the process that
19 led up to the release of the draft report and
20 where the Commission goes from here, to
21 provide a little context for the discussions
22 that we are going to hear later this morning

1 and into the afternoon.

2 Of course the purpose of the
3 Commission is to take a fresh look at the back
4 end of the nuclear fuel cycle in the United
5 States and recommend a new strategy.

6 The Commission was formed by the
7 Secretary of Energy at the direction of the
8 President back in January of last year. The
9 Commission is to deliver a final set of
10 recommendations to the Secretary of Energy by
11 the end of next January.

12 As an interim step, the
13 Commission's charter called for the release of
14 the draft report for public comment at the end
15 of July, which is what brings us here today.

16 I won't go through all the members
17 of the Commission today. I will point out
18 that it is a 15-member volunteer Commission.

19 They are here on their own time
20 and we appreciate them doing what they are
21 doing. Co-Chairs of the Commission are former
22 Congressman Lee Hamilton, who many of you may

1 remember was the Vice Chair of the 9/11
2 Commission, and then General Brent Scowcroft,
3 who was National Security Adviser to both
4 Presidents Ford and Bush, Senior.

5 As was mentioned earlier,
6 Commissioners Ayers and Bailey are here with
7 us today. I am very glad to have them here.

8 When we talk about the nuclear
9 fuel cycle -- this may be familiar to a lot of
10 you but in case there's some folks here who
11 aren't familiar with the terminology --
12 nuclear folks tend to talk about the front end
13 and the back end of the nuclear fuel cycle,
14 the front end being the steps involved in
15 getting uranium out of the ground and ready to
16 go into a nuclear reactor to serve as fuel.

17 The back end, what the Commission
18 is focused on, is the steps that need to be
19 taken after the fuel comes out of the reactor,
20 okay?

21 And in all cases, for reasons I'll
22 talk about in a little bit, fuel comes out of

1 a reactor, goes into interim storage, first in
2 a pool then possibly later in a dry cask.

3 In some nations, spent-fuel
4 reprocessing is practiced where reusable
5 isotopes or elements like uranium and
6 plutonium are extracted for potential later
7 reuse. But in any case, final disposition of
8 the remaining waste streams is required.

9 So that's really what the
10 Commission is looking at. I mentioned fuel
11 earlier. You all may know what, you know, the
12 specifics here.

13 But, of course, nuclear fuel looks
14 like these -- the picture here on the left.
15 The nuclear fuel elements, the fuel itself is
16 cast into small pellets about the size of the
17 tip of your pinky, put into hollow steel tubes
18 called cladding, formed into an assembly,
19 typically 12 to 14 feet long, maybe eight
20 inches to a foot on a side.

21 This of course is fresh fuel, it's
22 mildly radioactive but can be handled without

1 a lot of personnel protection equipment.

2 That reactor will go into -- or
3 that fuel will go into a reactor for about
4 five years, and generate electricity. When it
5 comes out it is extremely radioactive as a
6 result of nuclear fission that has gone on
7 within the fuel, meaning that uranium has been
8 broken up to release energy but it also
9 creates lighter elements called fission
10 products that tend to be intensely
11 radioactive.

12 The fuel itself goes into a pool
13 like the one on the top right here, that
14 provides both cooling for the fuel because the
15 fuel is very thermally hot when it comes out
16 of a reactor, and it provides shielding from
17 radiation, because it's radioactively very hot
18 when it comes out.

19 There it will sit -- in many cases spent
20 fuel is sat in pools for decades. As the
21 pools have filled up at commercial reactor
22 sites in the United States, more and more of

1 the sites are starting to put fuel into dry
2 casks like the one here on the right, and
3 there are different configurations of casks
4 out there. This is just a representative
5 example.

6 All told, there's about 65,000
7 metric tons of spent commercial fuel in the
8 United States today. Just for a volume
9 perspective, you know, folks ask what does
10 that look like.

11 The metric you will hear most
12 often is a football field stacked about 20
13 feet high of this stuff, give or take. So
14 that gives you a sense of how much of it is
15 out there. About three-quarters of it is in
16 pools right now, about a quarter of it is in
17 dry casks, again, give or take.

18 So that is the scope of the
19 commercial spent fuel problem, and where is
20 this stuff? Well, this is a map of the 104
21 operating nuclear reactors in the United
22 States.

1 And now, you can see they are
2 concentrated in the eastern part of the United
3 States, a handful of them out west, several of
4 them of course, here in Georgia, or in this
5 region.

6 There are also ten shutdown
7 reactors at nine sites that -- where the
8 reactors are no longer operating but there is
9 still spent fuel in those locations. It's not
10 on this map but I will talk about those a
11 little bit more later, because those are
12 important.

13 There's another part of the
14 challenge here, too, though. It's not just
15 about the commercial fuel. There is also
16 waste that the U.S. government owns that needs
17 to be dealt with, that poses a similar
18 radioactivity risk to commercial spent fuel.

19 You've got two main categories
20 here. The first is Spent Nuclear Fuel, again
21 owned by the government and owned by the -- in
22 particular by the Department of Energy.

1 For example, the Department of
2 Energy has operated reactors for plutonium
3 production over the years. The Department of
4 Defense right now operates commercial -- or
5 operates naval nuclear reactors on submarines
6 and some surface ships that needs to be dealt
7 with.

8 And there's some other from
9 experimental reactors and you name it, so
10 there are other spent fuels that the
11 Department of Energy is responsible for.

12 Most of it is up at the Hanford
13 site but you have also got significant
14 quantities at the Savannah River Site, at the
15 Idaho National Laboratory site and then at the
16 Fort St. Vrain reactor in Colorado.

17 You have also got what we call
18 high-level waste that has to be contended
19 with, and again that's something that's
20 present at Savannah River and a few other
21 sites I will talk about in a second.

22 High-level waste is the material

1 left over from reprocessing of nuclear fuel,
2 and again, there was a lot of reprocessing of
3 nuclear fuel that went on in support of our
4 defense program in the nuclear weapons
5 production program.

6 The liquid waste that results,
7 needs to be solidified first and typically
8 what's done -- not in every case -- but
9 typically it's put into a glass form. It
10 looks a little bit like this photo up here at
11 the top left. They call it vitrifying the
12 waste, turning it again, into like a glass
13 form, put into a canister for storage, in a
14 facility that looks something like this one
15 here on the right. These are actually
16 pictures from facilities in the UK but we have
17 got similar-looking things here in the United
18 States.

19 High-level waste in the government
20 inventory, again you have got a fair bit down
21 here at Savannah River, also up at the Hanford
22 site. You have got some at Idaho left over

1 from reprocessing of fuel to regain or reclaim
2 highly enriched uranium and then you have got
3 some up at the West Valley site in New York
4 state.

5 West Valley, as you may know, was
6 a commercial reprocessing plant built in the
7 1960s, operated into the 1970s, reprocessed a
8 mix of government-owned and fuel from
9 commercial reactors, has been shut down. The
10 waste up there has all been vitrified and is
11 sitting in storage. The waste down here at
12 Savannah River is in the process of being
13 vitrified and put in storage. Hanford hasn't
14 started yet.

15 In Idaho they have got -- they
16 actually did a different process up there
17 called calcining, but most of the waste at
18 Idaho is in solid form but there's still --
19 that still needs to be treated and there's
20 some liquid waste still up there to be
21 treated.

22 So that gives you a sense of the

1 scope of the problem, the scope of the
2 challenge that the Commission has been asked
3 to wrestle with.

4 What the Commission did was it
5 sought to learn from past experience here in
6 the United States, with the nuclear waste
7 management program, and experiences abroad,
8 because of course there are other nations out
9 there contending with the same types of issues
10 that the United States is.

11 And so we had the Commissioners
12 visit several places. A large group of them
13 came down to the Savannah River Site, a Waste
14 Isolation Pilot Plant in New Mexico, out to
15 the Hanford site, a few went to the Idaho
16 National Lab, et cetera, also visited places
17 like Sweden, Finland, Japan, France, that are
18 again, wrestling with the same sorts of issues
19 that the United States is faced with.

20 This all culminated in, again, the
21 release of the Commission's draft report in
22 July containing a set of again, draft

1 recommendations to the Secretary that we are
2 out here to get feedback on now.

3 So what are the recommendations in
4 the Commission's draft report? Well, there
5 are seven key recommendations that I will
6 spend the most time on and then I'll skip
7 through a few others quickly.

8 The first one has to do with
9 siting and the Commission's number one
10 recommendation is we need a new approach to
11 siting future nuclear waste management
12 facilities in the United States, okay?

13 Now of course there has been a lot
14 of talk about the Yucca Mountain project and
15 the Commission is not a siting commission. It
16 hasn't been asked to pick specific locations.

17 The Commission is not -- the
18 administration had already made its decision
19 to request withdrawal of the Yucca Mountain
20 license application before the Commission was
21 formed. The Commission hasn't been asked to
22 take a position on that. What the Commission

1 has tried to do is recommend a process that
2 can work regardless of whether Yucca Mountain
3 is part of the picture or not.

4 So that is what you are going to
5 hear about today, and to get past where we are
6 now, the Commission thinks you need to go
7 about siting these facilities, picking sites
8 in a different way.

9 You need a process that's
10 adaptive, staged, based on consent, and I'll
11 talk about that a little bit more,
12 transparent, and that's based on solid
13 scientific standards and can really build
14 confidence in the scientific underpinnings of
15 the program.

16 The Commission made this
17 recommendation based on, again, experiences in
18 the U.S. and abroad, experiences, for example,
19 down in New Mexico at the Waste Isolation
20 Pilot Plant, where you had very strong
21 community support for hosting a nuclear waste
22 repository there.

1 Now many of you may know what the
2 Waste Isolation Pilot Plant is. For those of
3 you who don't, it's a deep underground
4 disposal facility for what we call transuranic
5 waste, which is a certain category of waste
6 left over from the weapons program and from
7 weapons production.

8 That facility has been open for a
9 dozen years. I think it just received its
10 10,000th shipment of waste earlier this year.

11 So, the Commission learned a lot
12 from the process of getting that facility up
13 and opening, and also from examples overseas
14 and this -- the picture I have got here, some
15 of you may recognize the gentleman on the
16 right, that's Claes Thegerstrom, he's the head
17 of the Swedish nuclear waste management
18 program.

19 They are standing in front of -- I
20 believe that's the ship that Sweden uses to
21 transport its nuclear waste around the coast
22 to their storage facility and will ultimately

1 use it to bring it to the disposal facility.

2 Sweden set up -- after a couple of
3 false starts, they wound up setting up a
4 program under which two municipalities
5 actually competed to host a nuclear waste
6 repository.

7 And the two gentlemen here on the
8 left and in the center, were the -- we'd call
9 them mayors, I guess, of the municipalities
10 that were involved in this competition.

11 And the unhappy-looking gentleman
12 on the left is the one who just found out he's
13 not getting the nuclear waste.

14 They had cut a series of
15 agreements. Interestingly, for example, there
16 was an incentive package that was to be made
17 available to the communities that participated
18 in this competition.

19 And there was an agreement
20 beforehand that the losing community would get
21 75 percent of the financial benefit, all
22 right, because the winning community was going

1 to derive the other benefits from hosting the
2 repository.

3 It was interesting talking to
4 these gentlemen, and we heard from the
5 gentleman in the center and then the deputy
6 for the gentleman on the left here.

7 Their attitude was -- and I should
8 mention both of these communities host nuclear
9 power plants -- and their attitude was, we
10 have benefitted from having these nuclear
11 power facilities in our region. We have
12 helped create this nuclear waste problem and
13 we have a responsibility to help solve it. So
14 that was the attitude that led them to get
15 involved in this nuclear waste repository
16 siting program.

17 The second key recommendation from
18 the Commission is we need a new organization
19 focused solely on nuclear waste management.

20 Right now, the program is within
21 the Department of Energy, and DOE has done
22 some noteworthy things that the Commission

1 points out in its report, I mean, getting, you
2 know, the WIPP facility open and running for
3 a dozen years has been important. There's
4 been some real progress on cleanup in places
5 like the Idaho site and Hanford and what have
6 you.

7 But the fact remains that the
8 repository program was something like a \$250-
9 \$500 million a year program inside of a \$25
10 billion a year agency, all right?

11 It just wasn't -- with that sort
12 of proportionality there you can see why the
13 nuclear waste program wouldn't get top
14 management attention every day.

15 The Commission really felt like
16 you needed to take the program out of DOE and
17 set up an organization that is just focused on
18 nuclear waste management.

19 The scope of that organization
20 would be transportation, storage and disposal
21 of spent fuel. The Commission does not, in
22 its staff recommendations, recommend that that

1 organization have any responsibilities
2 surrounding reprocessing, for example.

3 The form that the Commission has
4 recommended is a government-chartered
5 corporation, but still retaining important
6 elements of congressional oversight, for
7 example a Board of Directors nominated by the
8 President and confirmed by the Senate through
9 regular submittal of what we have called a
10 mission plan by the organization for
11 congressional review, and then of course there
12 will still need to be monies provided by the
13 Congress to handle the disposal of the
14 government-owned wastes -- we call them the
15 defense wastes -- that are part of the scope
16 of the problem.

17 When the Yucca Mountain project
18 was ongoing, I think the last cost estimate
19 assigned about 80 percent of the total project
20 cost to the commercial waste and about 20
21 percent to the government.

22 So it tells you, there is still a

1 significant share that needs to come from the
2 taxpayer for the disposal of the government-
3 owned wastes.

4 Let's talk a little bit more about
5 funding now. One of the big things that the
6 Commission focused on was this issue of
7 providing assured access to funding.

8 As many of you may know, the
9 mechanism for paying for the disposal of the
10 commercial waste is something called the
11 Nuclear Waste Fee and the Nuclear Waste Fund.

12 The Nuclear Waste Fee and Fund
13 were established under the Nuclear Waste
14 Policy Act of 1982, and it's a mechanism
15 through which ratepayers, consumers of
16 nuclear-generated electricity pay a one-tenth
17 of a cent per kilowatt-hour fee that is
18 collected and goes into the Treasury,
19 presumably to pay for nuclear waste disposal.

20 Now, the fee collection each year
21 amounts to about \$750 million so about three-
22 quarters of a billion dollars a year. The

1 money that is not used on program costs goes
2 into the Nuclear Waste Fund where it
3 accumulates interest.

4 Right now, you have got a Nuclear
5 Waste Fund that has got around \$25 billion in
6 it that should be available to the program to
7 actually help fix this problem.

8 Unfortunately, through some
9 changes in budget rules that have occurred
10 since 1982, the collection of the fee is now
11 considered a mandatory collection, so the
12 money has to come in. There's no discretion
13 to stop collecting it.

14 But the expenditure of the fund is
15 on the discretionary side of the budget, and
16 so it has to compete with every other program
17 in the Department of Energy and every other
18 program in the federal government for dollars,
19 even though there is this money that is
20 specifically being paid in by consumers to
21 deal with the program.

22 So getting access to that funding

1 for the nuclear waste program is really
2 important and the Commissioners have
3 recommended some short-term steps that they
4 think will help make it easier over the long
5 term to get access to both the annual fee
6 payments and the -- what we call the corpus of
7 the Fund, that remaining \$25 billion balance,
8 to actually go off and site and construct a
9 repository.

10 Number four. This recommendation
11 grows out of actually a question that the
12 Secretary of Energy asked the Commissioners at
13 the first meeting, which was, look at what's
14 happened over the last 25, 30 years in terms
15 of technology development, is there some
16 technology out there, either today or
17 reasonably foreseeable on the horizon, that
18 will fundamentally change the nature of the
19 waste program or problem, and maybe even
20 eliminate the need for a disposal facility.

21 And the Commissioners looked at
22 that question and concluded, no, even with

1 technologies that are on the horizon, you are
2 still going to have waste streams resulting
3 that require long-term isolation from people
4 and the environment, you are going to need a
5 geologic disposal facility.

6 And so the country needs to get
7 started on resuming a geologic disposal
8 facility development program. It doesn't mean
9 you need a facility tomorrow, but you need to
10 get started on the program now, because you
11 know you are going to need one.

12 Recommendation number five has to
13 do with interim storage, and the Commission
14 looked at that question and said, all right,
15 even though we are going to work towards a
16 repository program, and ultimately -- one or
17 more ultimate disposal facilities, there is
18 still value to be derived from establishing at
19 least one, maybe more, interim storage
20 facilities, to provide options at the back end
21 of the fuel cycle and provide greater
22 flexibility.

1 And so the Commission believes
2 this is something that the U.S. ought to get
3 working on soon, and that really the arguments
4 for moving fuel into an interim storage
5 facility are strongest for what we call the
6 stranded fuel.

7 And I mentioned earlier there are
8 these ten reactors at nine sites. At most of
9 them the reactors have been shut down,
10 decommissioned, green-fielded. You know, if
11 you went there, the reactor building has gone,
12 turbine hall has gone, that stuff has gone.
13 What you have got is a concrete pad with
14 storage casks, and then guns, guards and
15 gates.

16 And so you have got this, you know
17 this land that could be returned, you know,
18 and used for other beneficial uses, if not for
19 the need to continue maintaining vigilance
20 over this fuel.

21 The Commissioners really felt like
22 those -- that fuel ought to be first in line

1 to be moved. Looking farther down the road,
2 having interim storage capacity away from a
3 reactor site provides some options in case you
4 need it, basically, because we have been
5 locked into one path right now with Yucca
6 Mountain here over the last 25 years and you
7 know, obviously, having a little more
8 flexibility than just sort of a one-point
9 solution is something the Commission sees as
10 valuable.

11 Recommendation number six has to
12 do with the research and development agenda.
13 The Commission just felt like, while there
14 isn't some magic silver bullet out there that
15 is going to make all of our problems go away,
16 there is benefit to be derived from continued
17 R&D, particularly looking at advancing
18 reactor and fuel cycle technologies and
19 working on their safety and efficiency, again
20 as a way to preserve options for future
21 generations who may decide that using this
22 technology is in their best interest, and that

1 the related workforce needs and skills
2 development needs to be a part of that.

3 And then item number seven, I
4 mean, no surprise here, there are global
5 concerns about nuclear proliferation, the
6 Commission really -- and of course about
7 nuclear safety, especially in light of what
8 happened in Japan at Fukushima.

9 The Commission thinks the U.S.
10 needs to retain the leadership role that it
11 has long held in addressing issues of non-
12 proliferation and nuclear safety.

13 Now a few other, sort of below the
14 key recommendations, but a few other things in
15 the report that I think are worth noting.

16 One, the Commission did take a
17 hard look at the division of responsibilities
18 as set up under the Nuclear Waste Policy Act
19 between the NRC and the EPA with respect to
20 establishing regulations for a nuclear waste
21 repository.

22 They felt like that division of

1 responsibilities was appropriate and should be
2 continued, and that the agencies need to work
3 together to develop site-independent safety
4 standards.

5 Now, there's a lot of work that
6 has been done on nuclear waste facility
7 standards. It's not like you need to start
8 from scratch. But they do need to start -- go
9 back and develop something that is site-
10 independent that learns from the experiences
11 over the last 25 years, and really seek input
12 from all relevant constituencies in doing
13 that.

14 Let's talk a little bit more about
15 the state role, and you know we have been
16 working with these regional state government
17 organizations because the federal-state
18 tension has been a huge part of this issue.

19 And so getting out and hearing
20 what the states think about this, I think is
21 enormously important to inform the final
22 report of the Commission.

1 A few other, you know, things
2 about the state role that the Commission
3 wanted to urge, that at a minimum, all
4 affected governments need to have meaningful
5 participation in the development of either an
6 interim storage facility or a repository
7 facility, and that states and tribes should
8 have authority over aspects of regulation,
9 that that can be an important confidence-
10 building measure.

11 And one of the things that the
12 Commission heard about the WIPP facility was
13 that an important provision that resulted from
14 the negotiations between the government and
15 the states with congressional involvement, was
16 the fact that the State of New Mexico, under
17 RCRA, the Resource Conservation and Recovery
18 Act, has licensing authority for that
19 facility, every five years they have to re-
20 certify it.

21 So now you have got a unit of
22 government that is a lot closer to the people

1 there who are telling the people in New Mexico
2 that the facility is, in their view, okay to
3 operate, a lot better -- builds a lot more
4 confidence than just someone from Washington
5 coming out and telling folks this is okay.

6 So the Commission, I think, really
7 felt like it was important for the states,
8 tribes to have that regulatory aspect.

9 And that the Commission also
10 wanted to point out that, you know, local,
11 state and tribal governments have a
12 responsibility to work alongside the federal
13 government to help solve this problem.

14 It's an issue that confronts us
15 all, and it's going to require cooperation
16 among all these levels of government to find
17 a solution.

18 As the new organization works to
19 develop and site facilities for storage and
20 disposal of waste, the Commission felt like
21 the same principles should apply, and again,
22 whether it's a storage facility or a disposal

1 facility, and that siting processes for both
2 kinds of facilities need to include a flexible
3 and substantial incentive program. I mean, if
4 a state and a community are willing to step up
5 and help solve this problem, they ought to be
6 rewarded for it.

7 Let's talk a little bit about
8 storage of spent fuel. Even if you had a
9 repository tomorrow, you know, the shipping
10 times involved in getting material off of the
11 sites where it is currently located and into
12 a repository would take many, many years.
13 Storage at the facilities where waste is
14 generated is going to continue for some time.

15 The Commission didn't see
16 unmanageable safety or security risks
17 associated with the current methods of dry
18 storage, but that active research is going to
19 be needed to ensure that that continues to be
20 the case. And so the Commission has called
21 for some work in that area.

22 Of course, the incident in

1 Fukushima happened, you know, roughly midway
2 through the Commission's review, and that has
3 -- there is still a lot of uncertainty as to
4 what has happened over there. The story, I
5 think, has changed pretty significantly about,
6 for example, what happened at the spent fuel
7 pools at the reactor.

8 What the Commission is
9 recommending here is that the National Academy
10 of Sciences be charged with going off, taking
11 a look at what happened there, and then
12 reporting back on whether the Commission -- or
13 whether the Academy would change any of the
14 recommendations that it had set forth in
15 earlier reports, particularly when they put
16 out, I think in 2006, when they looked at
17 security of spent fuel storage at commercial
18 nuclear power plants.

19 So the Commission felt like it
20 would be very useful to have them go look at
21 Fukushima and decide would they change
22 anything, would they urge things be done

1 differently in light of what happened at
2 Fukushima.

3 Transportation, of course, is
4 going to be a big issue, you know, folks, a
5 lot of folks, are just very concerned about
6 nuclear waste transport, you know, it's very
7 hazardous material and the idea of it going on
8 rails through their backyard is not something
9 that gives them a great deal of comfort.

10 So, while the Commission believes
11 the current system of standards and
12 regulations governing transport is functioning
13 well, and that there is an excellent safety
14 record associated with shipments of nuclear
15 fuel in the United States, you know, past
16 success is no guarantee of future performance.

17 This is an area that is going to
18 require a lot of attention, a lot of planning,
19 and this really is one of the long poles in
20 the tent, you know, to work effectively with
21 state and local units of government to plan a
22 transportation campaign is going to take a

1 long time.

2 And so the Commission is
3 recommending that this is something that gets
4 started early. Even if you don't know where
5 you are sending the material, you know where
6 it is now, right? You know the state and we
7 know, for example, the locations of the ten
8 shut-down reactors at nine plant sites, you
9 can get started work, you know, talking to
10 those states about transportation planning.
11 So there are steps that can be taken to get
12 that ball rolling.

13 I mentioned earlier that the
14 Commission really thinks it's important to
15 continue with a solid R&D agenda. The areas
16 that the Commission recommended were: safety
17 and performance of existing Light Water
18 Reactor technology, again, especially in light
19 of the situation in Japan, storing and
20 disposing of spent fuel and high-level waste
21 to support development of, again, storage and
22 disposal facilities in the U.S., and then what

1 they have called game-changing nuclear
2 technologies and systems, things that might be
3 out there that really could be fundamentally
4 different than the nuclear systems that are
5 employed today.

6 As part of that R&D agenda, the
7 Commission is recommending that resources be
8 provided for the Nuclear Regulatory
9 Commission, because of course it's important
10 to have the regulatory framework in place,
11 again, to provide options for future
12 generations that may decide they want to use
13 this technology, so funding ought to be
14 provided to the NRC to support anticipatory
15 research and all sort of aim towards
16 increasing confidence in new systems for
17 commercial investment, if folks think that's
18 appropriate.

19 So that's a summary of the report
20 of the Commission. Where do we go from here?
21 Well, we are here now, of course, soliciting
22 feedback on the draft recommendations.

1 This is the third of four meetings
2 that we are co-hosting with regional state
3 government groups. We have been giving
4 invited talks to interested organizations all
5 around the country, appreciate the interest
6 folks have shown in the work of the
7 Commission.

8 Comments are due back to the
9 Commissioners by the end of this month, so it
10 can be factored into the final report that
11 again, will be -- is due to the Secretary of
12 Energy by the end of January of next year.

13 If you have got feedback you want
14 to provide to the Commission, best way is by
15 email, brc@nuclear.energy.gov. All the
16 comments that come into the Commission are
17 posted on the Commission website; this makes
18 it easiest for us to get it up there on the
19 site.

20 The site itself, www.brc.gov, if
21 you haven't checked it out yet and you are
22 interested in seeing what the Commission has

1 done thus far, there's video archive of all
2 the Commission meetings, all the testimony
3 that the Commission has taken, the comments
4 that have come in, papers that the Commission
5 had -- the papers that the Commission
6 commissioned, to help investigate particular
7 aspects of the problem. All this material is
8 available on the website and I encourage you
9 to check it out.

10 So that's what I wanted to share
11 with you all this morning, and now we will
12 hear from folks who have reviewed the report
13 and get a little feedback, what they think
14 about it.

15 But I guess first we are going to
16 hear from Chris. Is that right? All right.

17 MR. WELLS: As John mentioned,
18 towards the latter part of his presentation,
19 he mentions regional cooperative agreement
20 groups, so this is who we are, my
21 organization.

22 And so this presentation is more

1 so not about the draft report but just kind of
2 an overview for those of you in the audience
3 who are not as familiar with us, just to
4 provide some information and let you know of
5 the resources and some of the things that we
6 work on.

7 As I mentioned earlier, you see my
8 title, I am Chris Wells, I am the Assistant
9 Director of Nuclear Programs for the Southern
10 States Energy Board. This is just our mission
11 statement, you know, we are a non-profit
12 interstate compact organization created in the
13 '60s. We work on numerous programs, energy
14 and environmental programs from recycling,
15 clean coal, carbon sequestration and my area,
16 radioactive materials transportation.

17 This is just a map showing our
18 member states and the way we are organized, we
19 have 16 states, and our official board is
20 represented by a member from the House and a
21 member from the Senate at the state level in
22 each of our member states. You can also see

1 Puerto Rico and the Virgin Islands are also
2 members of our jurisdiction and always popular
3 locations for meetings. Perhaps if we do a
4 second round of these Blue Ribbon Commission
5 meetings, I'd vote for Puerto Rico.

6 We also have a federal
7 representative who is appointed by the
8 President to our board as well, and you can
9 find, if you are interested in who, you know,
10 represents your state on our board, you can --
11 I'd prefer that you look on our website
12 instead of quizzing me right here on the spot
13 as to who is your House and Senate member.

14 The area that I work in,
15 radioactive materials transportation, I staff
16 a couple of committees and I will just go
17 through them one by one. Many of the
18 individuals -- as I have just mentioned, we
19 have gubernatorial representation in each
20 state, and as a part of that process, the
21 governor will select an agency in his state to
22 serve as a representative for each of these

1 committees, and then on down, those agencies
2 will select individuals and these individuals
3 will attend the meetings and provide
4 representation for DOE policies.

5 The first committee that I
6 staffed, the radioactive materials
7 transportation committee, primary focus was to
8 you know, develop, help develop a national
9 transportation program for shipments of spent
10 fuel to a federal repository.

11 We worked closely with OCRWM --
12 you see I used a past tense there as things
13 are on a hiatus right now. But these are some
14 of the things that we worked on --
15 transportation, planning, emergency response,
16 public outreach, training. We worked on the
17 allocation of the Section 180(c) funds which
18 would be distributed to states to prepare for
19 shipments, and all other aspects for a program
20 of transportation to a repository.

21 But as we know now, the Blue
22 Ribbon Commission has been charged with

1 finding an alternative solution, and so it was
2 natural that we would keep the experience that
3 we have thus far and aid the Blue Ribbon
4 Commission in whatever way that we can, in
5 providing them with information.

6 Myself specifically, I provided
7 testimony for one of the Blue Ribbon
8 Commission's subcommittees, the Storage and
9 Transportation Subcommittee, just last year,
10 September of last year, in Washington, D.C.

11 We kind of gave them just some of
12 the experience from some of the transportation
13 programs that our committee has participated
14 in over the years.

15 Speaking of which, this was
16 actually the committee for which I had the
17 most to contribute at that meeting in
18 September. This is our foreign fuels, that's
19 a rather long title there but it is basically
20 a committee that is charged with helping to
21 safely return spent fuel that we loaned to
22 other countries during the Atoms For Peace

1 program during the Eisenhower administration.

2 And the way we became involved in
3 this program is through the Department of
4 Energy's environmental impact statement, they
5 identified ports in the southern region to
6 return the fuel.

7 And so we already had Committee
8 representatives in place in those states, so
9 they naturally contacted us and we have been
10 working with them, both through the --
11 initially they called it an urgent relief
12 campaign where they brought the fuel back
13 immediately, and then, as you can see, a more
14 detailed 23-year program from '96 to 2019 in
15 which we intend to return fuel from 41
16 countries.

17 Two ports were identified for the
18 return of this fuel, one on the east coast,
19 one on the west, Charleston being the east
20 coast site and one at the -- I believe the
21 Concord Naval Facility out in California.

22 But primarily the shipments have

1 returned on the east coast and so we continue
2 to work with the state of South Carolina in
3 safely delivering those shipments.

4 We primarily have conference calls
5 in advance of a shipment and discuss security
6 elements and, you know, other parts of the
7 transportation program, and that program has
8 been very successful.

9 The last bullet, some of the
10 experiences of this Committee were used in the
11 National Academy's study Going the Distance.

12 Transuranic waste transportation
13 working group, you heard John mention the WIPP
14 site out in Carlsbad, New Mexico. This is a
15 committee which supports those shipments of
16 transuranic waste to the WIPP site, this waste
17 primarily being debris and things that were
18 contaminated in the production of nuclear
19 weapons.

20 I am sure DOE would tell you this
21 is one of their most successful programs, and
22 we would concur. We work with the states on

1 this program. We receive funding from the
2 Department of Energy and we issue sub-grants
3 to our individual member states, and they set
4 up their own individual programs with program
5 managers and conducting training and
6 purchasing equipment and it's been a very
7 successful program.

8 And, most recently, if I had a
9 map, you would show the WIPP route going from
10 Savannah River down Interstate 20 to Carlsbad,
11 New Mexico, and then also coming from
12 Tennessee from the Oak Ridge site, joining
13 that 20 corridor, going to New Mexico.

14 But most recently we have had a
15 couple of small quantity shipments from up
16 north, and because of the success of this
17 program, we were able to very easily set up
18 programs with our other member states of West
19 Virginia, Maryland and Virginia, who would be
20 impacted by that route, and again, because of
21 the process that was in place, that was a
22 pretty easy transition.

1 Southern Emergency Response

2 Council, this is one of the older programs.

3 This is -- it's basically a mutual aid
4 agreement which was, you know, started in '72.

5 A group of governors got together
6 and agreed to provide a response for each
7 other in case of a radiological accident.

8 This was -- it was one of my more low-key
9 committees. It didn't receive a lot of

10 attention until the incident in Japan and we
11 had lots of calls in terms of, okay, you have
12 this mutual aid agreement, how does it work?

13 As you can see, we have 14 states,
14 14 of our member states are a part of it. You
15 can also go on our website and see the actual
16 document, the Southern Mutual Radiation
17 Assistance Plan, or SMRAP.

18 And this is just a document that
19 has information resources, it has contacts, it
20 has the different equipment that each state
21 maintains and so it's a pretty good document
22 and that's available for download from our

1 website.

2 As a part of this committee we
3 usually participate with states in nuclear
4 power plant exercises where they simulate
5 invoking SMRAP, and, you know, we kind of get
6 a gist of how long it would take to respond
7 from one state to another and what types of
8 resources you would request in a certain
9 situation.

10 And, most recently, the committee
11 just met in Richmond, Virginia, and I was
12 actually leaving out of Richmond as the
13 earthquake hit there.

14 And so, again, that was kind of a
15 real-life situation in terms of, you know, if
16 an earthquake occurs and there's a power
17 outage, it would again be like a real-life
18 scenario involving the task of this committee.

19 Last slide. Just some meetings
20 and things that we have coming up before the
21 end of this calendar year. Both of my
22 committees, the radioactive materials and the

1 transuranic committee, they meet together, and
2 so we will be having a meeting November 17th,
3 location soon to be identified.

4 And also, here in Georgia -- I
5 don't think I see any of my contacts from
6 GEMA, but they have agreed to host a TRANSCOM
7 -- TRANSCOM is simply the tracking system that
8 the Department of Energy uses to keep track of
9 their shipments, and all of our users, or all
10 of our state representatives who participate
11 in these major transportation campaigns, have
12 TRANSCOM users so they can track a shipment as
13 it comes through their jurisdiction, and will
14 have a super-user training where they receive
15 the training and they can go forth and train
16 other people in their states. That is going
17 to occur here in Atlanta on November 8th at
18 the GEMA State Operations Center.

19 So, again, this was just a little
20 information, feel free to access our website
21 and find out more about us. Thank you.

22 MR. BRYAN: Thank you, Chris.

1 What we are going to do now -- you have a bit
2 of a context for the day. You have a context
3 about the report, how the report was
4 developed, what the key recommendations in the
5 report are, a little bit of an idea about some
6 of the things that are going on here in the
7 southeast region.

8 What we want to do now is move
9 into the conversation about state
10 perspectives. We have got eight individuals
11 that are going to come forward and give us
12 perspectives from their states.

13 And what we want to do is have
14 them come to the stage now and just grab a
15 seat here at the panel table, and what I will
16 do is just do a quick run-through of who we
17 have: from Alabama, David Walter; from
18 Kentucky, Stephanie Brock; from Louisiana,
19 JiYoung Wiley; from South Carolina, Ernie
20 Chaput and Karen Patterson; from Tennessee,
21 Elgan Usrey; from Texas, Denise Brooks; and
22 from West Virginia, Terrance Lively.

1 If you all would just come
2 forward, grab a seat at the table and we will
3 get going. Once again, these discussions,
4 eight minutes apiece, we will be getting a
5 perspective from each of them and we will --
6 we have our trusty little timer over here
7 which will keep track of the conversation.
8 You can see it will be green when we get
9 started -- for the panelists it will be green
10 when we get started. When we get to about a
11 minute it will turn yellow and when you are
12 out of time it will turn red, so -- and it
13 will beep. So we just want to make certain we
14 keep everybody on time here.

15 Following the completion of all
16 the presentations, we will open up the floor
17 for Q&A, so if you have questions for any of
18 the panelists, please hold those until the end
19 of the presentation and you can direct them to
20 an individual panelist, or you can do -- or
21 you can direct it to the entire group.

22 And keep in mind, what we want to

1 do during that Q&A session, if you want to
2 clarify any of the points of discussion that
3 were raised by the panelist, or if you want to
4 offer some kind of a different perspective,
5 please feel free to do so, all right?

6 I believe we are going to start
7 with David Walter, so I am going to get out of
8 the way.

9 MR. WALTER: Good morning,
10 everybody. Is this working? Okay. I am
11 really only going to bring up a few talking
12 points here. I don't have any slides. I am
13 going to keep it fairly short and precise,
14 here.

15 I don't believe that there is
16 anyone here attending or who has been involved
17 with any of these processes in the past that
18 will disagree with me that the current
19 radioactive waste management program in the
20 United States, on both the high level and the
21 low level -- with the exception of WIPP, which
22 still has Project Plant as part of the name --

1 the system has failed.

2 It has just not worked the way it
3 was envisioned in the beginning. And there
4 are a myriad number of reasons for that, many
5 of which have been addressed to some extent,
6 at least, by the Blue Ribbon Commission.

7 One of the things that we believe
8 is that reprocessing, while it has its own
9 problems that it can create, also is -- it
10 makes a lot of sense to us, simply because, at
11 least for the purposes of this discussion, the
12 resultant waste minimization can be
13 particularly important. It's very high level
14 but you are going to have it regardless, that
15 high-level waste is going to be there
16 regardless.

17 Well, I personally am a little
18 skeptical about how well a consent-based
19 siting process will work. I would hope that
20 it would work much better. I know that in
21 certain areas that it does work better.

22 But I think in today's -- even in

1 today's climate, it may be very difficult. I
2 do believe that it will take a concerted
3 effort to educate the public in order to
4 obtain a broader buy-in.

5 This education has to include
6 current and future waste disposal options --
7 there are advantages and disadvantages -- and
8 specific information on safety to the public
9 during handling, transportation and both
10 storage and disposal, because without this
11 public buy-in, we are likely to flounder along
12 with any chosen waste management program, much
13 like we have the past 25 years.

14 And, finally, I would also
15 indicate that I believe, or we believe in
16 Alabama, that the Nuclear Regulatory
17 Commission should be the lead federal
18 regulating agency, and must work closely with
19 its state counterparts during the siting,
20 licensing and ultimate operation of any
21 storage or disposal facility.

22 And when I say that they are the

1 lead federal agency, that doesn't mean that
2 they are always going to be the licensing
3 agency. The lead agency may actually, for the
4 entire process, may be a state agency, but
5 that does not mean that they have to work
6 alone, just as it does not mean that the NRC
7 would work alone.

8 As a health physicist with the
9 office of radiation control in an Agreement
10 State, and as a member of -- a board member of
11 the Organization of Agreement States, one of
12 the things that we do, and we continue to
13 strive to do, is to work as a partnership, a
14 regulating partnership between the 37
15 agreement states and the Nuclear Regulatory
16 Commission.

17 No one has -- no one agency has
18 all the right answers, and so working together
19 is the only way I think we are going to be
20 able to have an effective and efficient
21 regulating program on this. Thank you.

22 MS. PATTERSON: Ms. Bailey and Mr.

1 Ayers, thank you for coming. South Carolina -
2 - I am from South Carolina -- appreciates the
3 opportunity to comment on the BRC's reports.

4 I am Karen Patterson, a member of
5 the South Carolina Governor's Nuclear Advisory
6 Council, but in this roundtable I am also
7 going to provide comments from the South
8 Carolina Department of Health and
9 Environmental Control, Aiken County
10 government, and the Savannah River Site
11 Community Reuse Organization.

12 Each of these entities will
13 provide written comments on the basic topics
14 that I am only going to touch on today. Most
15 of our remarks relate to the immediate need
16 for a high-level waste repository and to the
17 defense high-level waste and the research
18 reactor used nuclear fuel, which Chris alluded
19 to, which is stored at Savannah River Site.
20 So that used nuclear fuel that has been coming
21 into Charleston from countries all over the
22 world is actually stored at Savannah River.

1 South Carolina has a unique
2 perspective on civilian used nuclear fuel and
3 defense high-level waste and used nuclear
4 fuel. We have a commercial low-level waste
5 disposal facility, seven commercial reactors
6 at four sites, each storing their used fuel.

7 In the last month two utilities
8 completed the last step before being issued
9 licenses by NRC to construct and operate two
10 additional reactors just across the Savannah
11 River from Aiken County, and two more in
12 central South Carolina.

13 Defense waste has been generated
14 at the SRS, Savannah River Site, since 1954,
15 resulting in approximately 3,000 canisters of
16 vitrified waste and 36 million gallons of
17 liquid high-level waste awaiting vitrification
18 prior to disposal in a geologic repository.

19 SRS is also the location of H
20 Canyon, which is the only operational
21 reprocessing facility in America.

22 For years SRS has been receiving

1 and maintaining foreign and domestic research
2 reactor fuel and the nation's excess
3 plutonium, all brought to the SRS expressly
4 for treatment per DOE's disposition plans.

5 DOE has since abandoned those
6 plans for the treatment of much of this
7 material. We are most concerned about the
8 fate of these nuclear materials that must now
9 remain at SRS until DOE identifies, develops,
10 and funds alternate disposition plans.

11 So let me preface South Carolina's
12 remarks by first stating that because of our
13 experience with these orphaned materials,
14 South Carolina is skeptical of the
15 government's commitment to truly manage
16 nuclear wastes, as opposed to continuing to
17 kick the decisions down the road.

18 Secondly, while we understand that
19 the Commission -- the consideration of Yucca
20 Mountain as the first national repository is
21 not within the Commission's purview, I must
22 state unequivocally that South Carolina

1 believes that the decision to ignore the
2 Nuclear Waste Policy Act and abandon Yucca
3 Mountain as a repository is illegal. In a
4 separate venue, the state, Aiken County and
5 others are pursuing this conviction.

6 However, because of that decision,
7 the Commission has been charged with coming up
8 with solutions to manage nuclear wastes absent
9 the repository, and we provide you with these
10 comments on that topic in good faith.

11 We agree with your analysis of
12 where the nation is today in terms of managing
13 its nuclear wastes. The remainder of my
14 comments relate to the future management of
15 the nuclear materials at SRS.

16 Regarding recommendation one, for
17 consent-based, standards-based, transparent,
18 and science-driven siting decisions for
19 nuclear waste. We agree in part. John did a
20 great job of talking about the states' need
21 for regulatory authority. We agree. We ask
22 that you consider expanding the recommendation

1 to speak directly to the regulatory authority
2 of the states.

3 They need direct decision
4 authority over proposed activities within
5 their states, and this authority should be in
6 the form of court-enforceable agreements. So
7 we suggest that the Commission specifically
8 articulate something like that in
9 recommendation one.

10 Regarding recommendation two, for
11 a single-purpose organization to manage the
12 transportation, storage and disposal of
13 nuclear wastes. Again, we agree in part, but
14 suggest that the Commission also recommend
15 that, because of the small volume of defense
16 waste, the two should be considered -- defense
17 and commercial waste should be considered
18 separately.

19 By considering it separately, the
20 defense waste, which is a much smaller volume
21 but harder to manage in interim storage, could
22 be dispositioned sooner, reducing risk to the

1 public, and money for the taxpayers -- saving
2 taxpayers' money.

3 Regarding recommendation three,
4 for access to the Nuclear Waste Fund, we
5 agree.

6 Regarding recommendation four, to
7 promptly develop one or more permanent
8 geologic repositories, we agree in part. More
9 than one repository will be needed, but we
10 must point out that Yucca Mountain has been
11 proven scientifically as an acceptable
12 repository, and its opening should be pursued
13 in parallel with siting a second repository.

14 We respectfully ask the Commission
15 to include the continued pursuit of Yucca
16 Mountain as the first geologic repository in
17 recommendation four.

18 Regarding recommendation five, to
19 promptly develop consolidated interim storage
20 facilities, we agree in part. SRS is a likely
21 candidate for an interim storage facility. It
22 is owned by DOE, already stores defense waste,

1 has a trained nuclear workforce, and is in a
2 nuclear-centric community.

3 However, because of DOE's repeated
4 proven ability to transfer wastes to SRS and
5 proven inability to remove wastes from SRS, we
6 cannot support this recommendation without
7 guarantees in the form, again, of
8 court-enforceable penalties for failure to
9 meet interim storage milestones, and without
10 measurable parallel progress on siting
11 permanent disposal facilities.

12 We suggest the Commission link the
13 development of interim storage facilities to
14 court-enforceable penalties, to measurable
15 milestones in the development and operation of
16 permanent disposal repositories, and to the
17 removal of wastes from interim storage,
18 particularly those de facto interim storage
19 facilities such as SRS.

20 Regarding recommendation six, for
21 long-term research, development, and
22 demonstration, we agree. We also suggest that

1 the Commission make a specific recommendation
2 regarding the preservation and use of H Canyon
3 as a necessary part of any R&D program.

4 Regarding recommendation seven, to
5 provide international leadership to address
6 global non-proliferation issues, we understand
7 the intent of this recommendation, but do not
8 support it.

9 DOE has cited the country's
10 leadership in non-proliferation as a reason
11 not to continue to process the defense waste
12 at SRS through H Canyon. The motive is good,
13 but I have to ask, realistically, how many
14 nations actually follow our lead? Much of the
15 currently orphaned material at SRS was brought
16 here specifically for treatment in H Canyon
17 because that is the only existing disposition
18 method.

19 We should not abandon the only
20 proven way of dispositioning this material to
21 support a discredited diplomatic policy on
22 non-proliferation. To do so is to favor

1 unrealistic expectations regarding the
2 behavior of other nations over the welfare of
3 citizens of the United States.

4 DOE has stated that it is awaiting
5 recommendations from the BRC before resuming
6 processing of research reactor used nuclear
7 fuel in H Canyon. Absent a statement from the
8 BRC that specifically calls for the immediate
9 disposition of this fuel by processing in H
10 Canyon, South Carolina believes that DOE will
11 not act and that the fuel will remain
12 indefinitely in South Carolina.

13 Therefore the state urges the BRC
14 to amend recommendation seven to acknowledge
15 that H Canyon is a national treasure, and to
16 state clearly that H Canyon should be used to
17 complete the original plan of dispositioning
18 all nuclear materials brought to SRS for that
19 express reason.

20 My final comment addresses
21 transportation. We agree that it is the long
22 pole in the tent, and although the BRC has not

1 made it one of its top seven recommendations,
2 the report explicitly acknowledges --

3 (Timer sounds.)

4 MS. PATTERSON: I am almost done -
5 - the report explicitly acknowledges that
6 transportation will be a large component of
7 any national disposal plan, and therefore,
8 must be considered from the outset.

9 The radioactive materials under
10 consideration by this Commission have been
11 safely transported across the country for many
12 years. The outstanding safety record provides
13 confidence the system works.

14 In order to reassure the public of
15 the continuation of that excellent safety
16 record we ask the Commission to consider a
17 recommendation for strong state oversight of
18 the transportation activities.

19 Thank you for giving me the extra
20 30 seconds.

21 MS. WILEY: Good morning. I am
22 JiYoung Wiley, with Louisiana DEQ. I am the

1 supervisor for --

2 PARTICIPANT: Can you talk into
3 the mic?

4 MS. WILEY: Oh. Can you hear me
5 now? I am the supervisor for the radiological
6 emergency response section for the state of
7 Louisiana.

8 The state of Louisiana has
9 currently two reactors and one in the adjacent
10 state, in the state of Mississippi.

11 River Bend Station has been dry
12 storage for spent nuclear fuel and Waterford
13 3 is in the process of starting the dry
14 storage this year.

15 Waterford 3 is located on -- right
16 by the levee in very unique -- in the highly
17 commercial area, and highly visible, traffic
18 there, many traffic around the area.

19 Also, this spring, we had big
20 flooding issues with the Mississippi River, so
21 therefore the dry storage at that facility
22 could be a problem or also being so visible,

1 we worry that citizens of Louisiana may think
2 what is that next to the Waterford 3 plant.

3 So, I think moving the spent
4 nuclear fuel out of this facility is very
5 important. So I want to make a couple of
6 recommendations for this report. I see this
7 report contains a lot of things that may take
8 a very long time to achieve. However there
9 are no specific timelines given to meet each
10 recommendations. And the Commission had done
11 near-term actions but it still -- it needs to
12 be done ASAP, but giving a timeline will make
13 the recommendation better.

14 For the recommendation six, state
15 -- the report should state clearly who is
16 responsible for creating stable, long-term
17 support for research, development and
18 demonstration and also state how this is going
19 to be funded, it then have specifics of who is
20 going to be doing it, how it's going to be
21 doing it. So I think that needs to be added
22 to that draft.

1 And I am just going piece by
2 piece. For the research for the security and
3 safety of the interim storage of spent fuel at
4 the reactor site, that -- so that security
5 should be -- it's not clearly saying it should
6 -- the security research should be done by the
7 licensee, or do you put it as a regulation you
8 have to come up with your own security. So it
9 wasn't that clear.

10 A few recommendation about the
11 transportation is while we are we coming up
12 with this interim storage place, we can also
13 work on shipping containers. We know how the
14 spent nuclear fuel looks like and we can
15 develop shipping containers simultaneously.

16 Also, the -- along with the state
17 agreement, they could do some route research.
18 NRC is coming up with the transportation
19 regulation changes that including all
20 radioactive material shipment has to go
21 through a pre-determined route. That study
22 can be done simultaneously. I think that's

1 it.

2 MR. LIVELY: Good morning,
3 everyone. My name is Terrance Lively. I am
4 with the West Virginia Division of Homeland
5 Security and Emergency Management.

6 I am the REP State Coordinator and
7 the WIPP program manager. My comments will be
8 pretty brief. I want to commend the Blue
9 Ribbon Commission and its staff on creating a
10 thorough report in a timely manner.

11 The state feels that the first
12 objective in all decision-making should be the
13 health and safety of the public, as the report
14 states, but we do feel that there needs to be
15 more emphasis in the report itself. Currently
16 this standard of protecting the health and
17 safety is buried in the report and not really
18 emphasized that much.

19 We have some serious doubt on the
20 establishment of another bureaucratic
21 organization outside the DOE, NRC, EPA and
22 others, to manage spent nuclear fuel. Perhaps

1 the organization would be better suited to
2 concentrate solely on siting and construction
3 of facilities itself.

4 And we do not necessarily feel
5 that a new agency will have the wanted effect
6 in reestablishing the public's trust in
7 government, and may further erode it.

8 The BRC proposal to remit only a
9 portion of the annual fee for waste management
10 each year and place the remainder in a trust
11 through a change in the DOE standard contract,
12 we feel that idea is actually a very positive
13 development in dealing with some of the
14 funding issues.

15 We do feel it would be difficult
16 for the creation of a stable, comprehensive,
17 clear and compelling vision that this
18 government agency will be tasked with, in
19 dealing in the current political climate with
20 competing political agendas and various
21 oversight agencies.

22 We have a strong support for the

1 possibility of more than one consolidated
2 storage to minimize the risk of those interim
3 storage facilities becoming de facto long-term
4 facilities.

5 We do feel that the generic
6 standards are very appropriate, but there is
7 some concern in our office that the
8 flexibility -- there must be some flexibility
9 in place to allow for site-specific
10 priorities.

11 The recommendation that there be
12 assured access to funding is vital in our
13 opinion. The funding in research and
14 development is very important and should
15 continue with the BRC's recommendations.

16 And we feel that the
17 public-private partnership suggested by the
18 BRC to ensure the near-term focus of storage
19 meet high standards of safety and security for
20 decades may be in use -- may benefit from more
21 input from private entities and companies with
22 government agencies verifying and assuring

1 safety and security.

2 We are very happy with the BRC's
3 recommendation of increased notifications on
4 transportation and we look forward to seeing
5 how that develops.

6 MS. BROCK: Good morning. I am
7 Stephanie Brock and I am with the Commonwealth
8 of Kentucky Department for Public Health,
9 Radiation Health Branch.

10 I manage Kentucky's radiation
11 laboratory and also am responsible for
12 reviewing all CERCLA documents, which, if you
13 are not familiar with CERCLA, I am going to
14 have to read the definition because I always
15 call it CERCLA -- Comprehensive Environmental
16 Response Compensation and Liability Act, also
17 known as Superfund.

18 We have two sites in the state of
19 Kentucky that contain radioactive materials
20 and are CERCLA sites. One is the Maxi-Flats
21 disposal site, which was one of the first low-
22 level radioactive waste sites that was

1 licensed in the U.S., in 1963, that operated
2 until 1977 when it was found to be leaking its
3 materials.

4 The other site is the Paducah
5 Gaseous Diffusion Plant which up until
6 recently was the only operating uranium
7 enrichment facility. I believe there is
8 another one that has been licensed, not sure
9 if it is quite operating yet.

10 But as far as the BRC draft report
11 goes, we believe the report was overall very
12 well-written. I review a lot of documents as
13 part of my regular job and this is very well-
14 written. It was interesting and full of good
15 ideas.

16 I will say, having the Maxi-Flats
17 disposal site in the state of Kentucky, that
18 the state of Kentucky will own forever, and
19 also having the Paducah Gaseous Diffusion
20 Plant going through D&D right now, the
21 Department of Energy wants to site an on-site
22 CERCLA cell for disposal of the wastes at the

1 plant as they take the plant down.

2 The siting is very important to
3 the state of Kentucky. We, I believe, our
4 discussions about an on-site CERCLA cell
5 started maybe around 1999, kind of dropped off
6 a couple of years later because of the --
7 probably more the state's resistance to it,
8 and it was picked back up again in 2008 and we
9 have been hitting it pretty heavy here lately,
10 and I just want to reiterate that the siting
11 is very important to states who could be
12 housing radioactive material for a long time.

13 That's about it. Thank you.

14 MS. BROOKS: Hi, I am Denise
15 Brooks with the Texas State Energy
16 Conservation Office. I don't have any formal
17 comments today. Part of my job, though, is
18 managing the WIPP program in the state of
19 Texas and that has been a very successful
20 program for transportation coming through our
21 state.

22 We appreciate the Blue Ribbon

1 Commission's report. It's a very thorough
2 report. It address all the -- it seems to
3 address all the different avenues, including
4 the nuclear workforce.

5 And I would just suggest that we
6 don't start over on everything, that we build
7 upon what is already out there, like we
8 already have a private fuel storage that's
9 already been licensed by the NRC sitting out
10 in the Utah area, that we continue to build on
11 what has already been done, and there's
12 already national groups that -- the National
13 Transportation Forum that is going to be
14 meeting, I believe, in New Orleans in December
15 -- that has state representation to discuss
16 transportation issues. That's already been
17 out there. And also still working with the
18 regional groups like the Southern States
19 Energy Board was highly recommended to get the
20 states involved and keep us informed on what
21 is going on with the issues.

22 That's all I have.

1 MR. USREY: Good morning. I am
2 Elgan Usrey, Assistant Director for the
3 Tennessee Emergency Management Agency.

4 I was appointed by the governor to
5 represent the state on the Southern States
6 Energy Board for transportation of material,
7 radioactive materials, and I am currently the
8 chair of the transuranic waste working group.

9 I have been involved with the SSEB
10 since 1986. I have worked on a number of
11 projects with them. I was on the original
12 review group for the MRS that was proposed at
13 Oak Ridge.

14 Well, we found that the technical
15 work was good, and it was sound technology.
16 However, DOE's approach was not politically
17 viable. They came in telling us that that was
18 the site and that we were going to have it,
19 and that approach did not work. And that's
20 been a problem with DOE for a number of years
21 on various projects.

22 I have worked these 25 years on

1 various DOE waste programs, the DUF shipments
2 out of Oak Ridge. We moved over 500 casks of
3 depleted uranium out of the state to a
4 disposal facility without any major incident.

5 Foreign fuels, as Chris mentioned
6 earlier, we have been involved with that with
7 five shipments going through the state of
8 Tennessee. There was one incident with that,
9 but it did not result in any radioactive leak.

10 Transuranic waste, this past year
11 we have had over 100 shipments of transuranic
12 waste come out of Oak Ridge going to the WIPP
13 site. We move on a monthly basis spent fuel
14 out of the HFIR reactor at Oak Ridge.

15 Again, we have a strong
16 transportation program in the state of
17 Tennessee. We provide every county in our
18 state with radiological detection
19 instrumentation. We train the first
20 responders in the use of that and how to
21 respond to an event. The -- we brief the
22 local officials on each transportation route,

1 and what's coming, and what their role in this
2 transportation process is.

3 Before a vehicle leaves the state
4 of Tennessee or comes into the state of
5 Tennessee, it is inspected by the Tennessee
6 Highway Patrol to ensure that that vehicle is
7 in safe operating condition.

8 We also have a staff environmental
9 specialist who inspects the load on that
10 vehicle to make sure that it's in compliance
11 with regulations.

12 We also track any DOE shipment
13 going across our state on TRANSCOM. And for
14 all spent fuel and route control shipments, we
15 provide an armed escort for that vehicle the
16 entire route in the state of Tennessee.

17 Getting down to the Blue Ribbon
18 Commission study, it was an excellent piece of
19 work. I commend the Commission on their
20 thoroughness of looking at all the past
21 information that is out there and looking to
22 the future.

1 There's a lot of work that has
2 been done in siting. I don't think that needs
3 to be thrown out. And there may be some new
4 things that need to be added to it, but
5 there's a lot of work out there.

6 The real crux of the matter is
7 time. We have been looking at this for 25
8 years. I don't -- I thought that when I
9 started on this I would have this job done by
10 now. I don't think that we should delay it
11 another 25 years. A new organization? I
12 don't know how that is going to work, but DOE
13 has tried several different organizations and
14 none of them survived because they didn't have
15 political support.

16 If the leaders of this country are
17 not going to be behind it, then it's not going
18 to work, no matter how good the technical
19 aspect of it is.

20 One of the things that really
21 bothers me, and I'm going to get a lot of
22 opposition to this, is groups coming into a

1 community that do not live there, trying to
2 stop local government from doing what they
3 want to do.

4 If you live in the community and
5 you have objections to it, that's fine. If
6 you do not live in that community and you have
7 objection to it, go to a national forum
8 somewhere else.

9 Access to the Fees, definitely we
10 need that. The access to the Fees, we
11 definitely need. That has been one of the
12 choke points for trying to get this program
13 established. If you don't have the funding,
14 you can't do it.

15 Developing new facilities. I
16 think that we really need to look at the
17 reprocessing. It does not -- well, it allows
18 us to use all the options that are available
19 and it reduces the amount of waste that we
20 have to -- and it provides new fuel for our
21 reactors.

22 Developing one or more interim

1 storage facilities, lots of luck. As I said
2 earlier, I worked on the review of the MRS in
3 Oak Ridge, Tennessee. Until there is a
4 permanent solution, I don't think -- very few
5 states will come up to the stand and say, I'll
6 take it.

7 Local communities, yes, they are
8 looking for jobs, most of the ones that are
9 considered have a nuclear workforce in that
10 area, they understand it. But at the state
11 level, until you can assure that that is a
12 temporary storage area and it's not going to
13 be there the next 25 years, then you are not
14 going to get a taker.

15 Research definitely needs to be
16 done. One of the things that I think that
17 would help -- the nuclear industry is having
18 a hard time finding good workers.

19 (Timer sounds.)

20 We are trying to -- in Tennessee,
21 Tennessee Valley Authority is building or is
22 trying to active a unit at the Watts Bar

1 facility. They are having problems finding
2 workers that know how to do that work, and the
3 workforce that is -- has done that work, is
4 beginning to get gray. So we need some type
5 of education process that will bring these --
6 the young generation into this.

7 International leadership, it's
8 very questionable whether we have a lot of
9 influence in the rest of the world anymore,
10 especially on this, when we have not been able
11 to come to a conclusion on our -- when we
12 solve the problem then we can go out and tell
13 the rest of the world how to do it, but until
14 we do, we are not going to be listened to very
15 well.

16 We have done some. We have taken
17 foreign -- some spent fuel away from some
18 countries but I don't think the rest of the
19 world is our problem right now. Our problem
20 is the United States.

21 Some other information --

22 MR. BRYAN: We are running past

1 time, so -- if it's just a couple of seconds -
2 -

3 MR. USREY: Okay. Safety and
4 health concerns, the nuclear industry is one
5 of the most regulated industries in the world.
6 They have all kinds of safety programs. The
7 state and local governments must be funded
8 early on to support this. The 180(c) provides
9 funding to the state for training only. That
10 is not sufficient. We need money for
11 equipment. We need money for people.
12 Training is a good part of that, but there
13 must be other things. Thank you.

14 MR. BRYAN: All right. Thank you.
15 Thanks to all the panelists for your comments
16 and for all the information that you provided
17 to us.

18 Can we go in now -- we have got a
19 couple of folks floating around the room with
20 handheld mics. If you've got questions for a
21 panelist, please, we will bring a mic to you
22 and please address your questions to the panel

1 members. Give us just a second. We are going
2 to come to you.

3 We've got one right here, and
4 anyone else that wants to ask a question just
5 raise your hand, and we will bring the mic to
6 you.

7 MS. CARROLL: I wanted to -- I
8 have two questions for two different people.

9 MR. BRYAN: Just introduce
10 yourself. It's on.

11 MS. CARROLL: I wanted to ask
12 JiYoung --

13 MR. BRYAN: If you could just
14 introduce yourself.

15 MS. CARROLL: Oh, I'm sorry, I'm
16 Glenn Carroll, I am from Nuclear Watch South
17 here in Atlanta, Georgia, and I wanted to ask
18 JiYoung, would you see those shipping
19 containers that you called for early
20 development of doubling as secure storage?

21 MS. WILEY: That could be -- yes.
22 I am really not sure if the storage container

1 right now is -- can be used as a
2 transportation container.

3 But if we can develop that route,
4 I think that would be a way to go.

5 MS. CARROLL: That seems like an
6 ideal for every single other idea, if you
7 could do that first.

8 MS. WILEY: Right.

9 MS. CARROLL: A double shipping
10 container.

11 MS. WILEY: Yes.

12 MS. CARROLL: Now, Elgin, I have
13 just got to ask you if you have a specific
14 example in mind of where you don't care for
15 the people coming into the community.

16 MR. USREY: Well, in Oak Ridge we
17 had a large number of people from out of state
18 that came in trying to influence the local
19 governments and local population, who knew
20 probably more about nuclear material than they
21 did, and it just disrupts the local process.

22 MS. CARROLL: Can you appreciate

1 that, funded by federal funds, and as an
2 engine of the global nuclear arms race, that
3 this has a wider constituency than just Oak
4 Ridge, Tennessee?

5 MR. USREY: In the global reach,
6 yes, but at local level, no.

7 MR. BRYAN: One more question
8 here.

9 MR. SEWELL: Yes, my name is
10 Dennis Sewell with the Georgia Public Service
11 Commission. I believe my -- I think my
12 question is more targeted to South Carolina,
13 but as a general question, overall, after you
14 read the BRC report and the three subcommittee
15 reports as well, and you listen to some of the
16 websites, and, you know, you have visited some
17 of the website at BRC, they talk a lot about
18 the transportation requirements and the routes
19 and emergency preparedness, especially that
20 was done with WIPP. There was a lot done with
21 that.

22 Now I have heard today about

1 Tennessee. My question is about those things
2 that come in through the port, and getting it
3 from the port to your site, the SRS site, and
4 then to any place else, what type of
5 consideration was taken into place as far as
6 the transportation, the preparedness and those
7 things, that it was done with the WIPP as
8 well?

9 MS. PATTERSON: I think that the
10 states have, particularly defense waste that
11 gets you know, plutonium that was made at
12 Savannah River went to Oak Ridge.

13 So we have -- this country has
14 transported these highly-radioactive materials
15 for a good many years. The states that have
16 the facilities, have trained all their first
17 responders in radiological accidents.

18 They have agreements, as somebody
19 talked about, with DOE, so everybody knows
20 when the transports occur and there is --
21 there are certain security measures that I am
22 not aware of but that the state is, there are

1 tracking systems.

2 I think -- my personal opinion is
3 that, because South Carolina has been subject
4 to transportation of nuclear materials for
5 many years, they don't have -- and I can tell
6 you, the closer you get to the Savannah River
7 Site, the more comfortable people are with
8 transportation.

9 I think that the work of the
10 transportation -- people who are not exposed
11 to nuclear materials on a regular base have --
12 fear is probably not the right word -- but
13 they are more afraid of it than people who are
14 exposed to it all the time.

15 So when you are in a state that is
16 between Savannah River and WIPP but you don't
17 have any nuclear facilities, so you don't read
18 about nuclear facilities all the time and you
19 don't know that they are operated safely, you
20 have less -- less of a knowledge base on which
21 to judge how safe that transportation is.

22 I can tell you that Savannah River

1 Site has been there since 1954. We have never
2 had a radiological accident that killed
3 anybody or that even contaminated anybody.

4 But we -- Graniteville is in Aiken
5 County. We had the worst chlorine accident
6 about five years ago and it was a railroad
7 engine ran into a chlorine tank and broke it
8 open and nine people died almost instantly.

9 So it's perception. A lot of it is
10 perception. But I do agree that we have got to
11 do -- we have got to do better education
12 because you have got to get past this
13 perception problem.

14 That's a long answer, sorry.

15 MR. BRYAN: Other questions.

16 MR. SAFER: I've got a microphone.

17 I don't know. Can you hear me? I am Don Safer.
18 I am with the Tennessee Environmental Council
19 based in Nashville.

20 I have got three different points.
21 The first has to -- I am going to address
22 reprocessing. Two of the panelists recommended

1 that that move forward.

2 I would refer them back to the
3 last meeting by the BRC in Boston. There was
4 a panel of people from the West Valley, New
5 York area, and they recounted the horrors of
6 that experience of reprocessing.

7 They are still suffering at that
8 Superfund site. That plume of radioactive
9 water is still headed toward the Great Lakes.
10 The Indian Nation there is very upset. The
11 local community is very upset. Reprocessing
12 should be abandoned. Any idea of it should be
13 abandoned. Minimizing the environmental
14 hazards of reprocessing is, I think,
15 disingenuous.

16 So that's not anything you need to
17 respond to. The question about, let's call it
18 outside agitators, oftentimes in Tennessee,
19 the nuclear industry sites facilities in very
20 poor communities.

21 You can take the example of
22 Memphis, Tennessee, and you can take the

1 example of Erwin, Tennessee, opposite corners
2 of the state.

3 Erwin Tennessee Nuclear Fuel
4 Services is the single biggest employer in
5 Unicoi County. When the Studsvik came into
6 Erwin, Tennessee, in 1999, locals there say
7 that facility was advertized to the locals as
8 not radioactive, not a radioactive waste
9 processor.

10 I wasn't there. I don't, know
11 that. That's anecdotal information. But I
12 think local people in poor communities get
13 taken advantage of by large industries.

14 It's an environmental justice
15 issue. There are a lot of people working on
16 environmental justice issues and there are a
17 lot of people that can go into it in a lot
18 more detail than I.

19 But I think it is incumbent upon
20 people that can help poor communities to come
21 in there and help them protect themselves from
22 being taken advantage of by industries that

1 want to pollute and harm, and the people in
2 Erwin are suffering from a lot of health
3 effects.

4 My third point is -- addresses the
5 process in general here, and Tennessee is the,
6 as far as I have been able to determine, the
7 destination for over 75 percent of the
8 nation's low-level radioactive waste that is
9 processed.

10 It comes from all over the nation
11 and now it's coming from all over the world.
12 We have got 1,000 tons coming from Germany
13 that is going to be burned in incinerator in
14 Oak Ridge and that's just an example.

15 We have got 55 million pounds of
16 radioactive materials that came into the state
17 in 2009 to be processed. Four million pounds
18 of the materials that came in in 2009, went
19 into four landfills in Tennessee under a
20 program called Bulk Survey for Release, and in
21 that program, the radioactive waste processors
22 operate on what I have been told is the honor

1 system by the Department of Environment and
2 Conservation, to make sure that those
3 materials qualify as being so low level as to
4 be able to be released into these landfills,
5 two of which are in Shelby County, sitting on
6 top of the aquifer there.

7 And there's nobody that checks and
8 make sure those shipments -- and I'm talking
9 about four million pounds of materials, two
10 million pounds went into the Shelby landfills
11 that came from the Studsvik facility on
12 President's Island, where they take apart
13 steam generators. It's one of only two places
14 that I know of in the world that take apart
15 steam generators.

16 Now, my point on all of this
17 background is just to say that I appreciate
18 the work that the Blue Ribbon Commission has
19 done on high-level waste, but low-level waste
20 is not low-risk waste.

21 It has all of the transuranics,
22 all of the elements that make high-level waste

1 a problem, and in Tennessee we burn it, we
2 melt it, we compact it, we do all manner of
3 materials.

4 And recently it looks like all of
5 the B and C waste from all of the reactors in
6 36 states will be coming to Studsvik to be
7 cooked in a process that they call THOR.

8 And because Tennessee is an
9 Agreement State there is no Environmental
10 Impact Statement that's required. The Nuclear
11 Regulatory Commission relies on the state of
12 Tennessee to determine that those processes
13 are safe.

14 And I have worked with the
15 Division of Radiological Health and I am not
16 convinced that those processes are safe, and
17 that they have undergone the kind of scrutiny
18 that they need to be undergoing in terms of
19 incineration of radioactive waste, and some of
20 these other materials.

21 And so I thank you for your
22 patience in letting me speak.

1 MR. USREY: Well, since I am from
2 Tennessee, I need to rebuttal on that. The --
3 all of the waste that he is talking about is
4 commercial.

5 It goes to commercial firms in Oak
6 Ridge, Tennessee, that are licensed by the
7 state of Tennessee, and so far we haven't had
8 a major problem with them.

9 MR. SAFER: It's not just in Oak
10 Ridge, it's in Memphis--

11 MR. USREY: Well, I know, but the
12 majority of it is in Oak Ridge, and that
13 foreign material that you are talking about is
14 going there, to commercial facilities. They
15 are not government facilities.

16 MR. SAFER: Yes, and that's my
17 point--

18 MR. BRYAN: Hang on just a second.

19 MR. SAFER: The fact is that
20 there's no comprehensive, low-level
21 radioactive waste policy. It's a patchwork.
22 You had the Radioactive Waste Compact set up

1 in the '80s, where no particular state was
2 supposed to get the brunt of it.

3 That has fallen apart, and
4 Tennessee, because of all the programs we
5 have, has become the de facto, let's just send
6 it to Tennessee.

7 And that's not been anything that
8 the citizens of Tennessee are even aware of,
9 let alone have agreed to. And it's -- it's --
10 I'm just calling for the Blue Ribbon
11 Commission to take up the issue of low-level
12 radioactive waste, and to develop a
13 comprehensive, transparent, national policy in
14 dealing with low-level radioactive waste.

15 MR. BRYAN: Okay.

16 MR. USREY: And the majority of
17 that waste comes to Tennessee, is processed
18 and sent back to the original shipper.

19 MR. BRYAN: Okay, we are going to
20 cease the conversation on that particular
21 point. I think we get the points from both
22 individuals. Let's move to the next question.

1 MS. POSEY: My name is Jackie
2 Posey, and I live on the Tennessee river,
3 right down from you and that's one of the
4 reasons that when there are things going on in
5 Tennessee, I try to be there too, because I
6 live on the river, and it does flow downstream
7 and I support everything that he has said.

8 Also, I live right across the
9 river from Browns Ferry. What can you tell me
10 about safety measures that are being taken in
11 Alabama?

12 MR. WALTER: Specifically for what?
13 Or are you talking about just in general for
14 all types of radioactive material and uses?

15 MS. POSEY: Well, I know, you know,
16 after the tornadoes came through, I had a team
17 from Japan come and interview me, and ask me
18 lots of questions.

19 And I went to my county people --
20 I'm just outside the 10-mile radius -- and I
21 went to my county people to ask about
22 evacuation, and they gave me some information

1 but there's no way it would work.

2 MR. WALTER: Okay. First let me
3 address directly the incident that occurred as
4 far as what happened with the tornadoes. For
5 those of you that may not know, Browns Ferry
6 Nuclear Plant lost all but one of their off-
7 site power lines.

8 They were in an incident
9 situation. Our office -- I am in the Office of
10 Radiation Control -- I happened to be the
11 duty officer at that time and I was in
12 constant contact with both the plant, as well
13 as the Emergency Communications Center which
14 is based up in Chattanooga, for the entire
15 time that this incident was going on until
16 they could reestablish everything.

17 There never was a situation that
18 would have required us to come anywhere near
19 having the possibility of there being the loss
20 of even the first of the three barriers that
21 are involved in a nuclear power plant.

22 So when you go to the possibility

1 of one barrier, we start, in our state we
2 start considering the possibility of
3 evacuation.

4 We never got that point, okay? We
5 are -- we do drills every year with all of the
6 counties surrounding Browns Ferry and we work
7 with the emergency management agencies in all
8 of those plus the state emergency management
9 agency.

10 And the state health department is
11 the lead agency when it comes to whether there
12 should be an evacuation, whether there is any
13 public health or safety hazard that needs to
14 be addressed in any other way.

15 And we -- we follow these things
16 diligently. Our drills are, yes, at this time
17 going to affect the 10-mile Emergency Planning
18 Zone, although we have a drill coming up in
19 December of this year that will go out to at
20 least 50 miles.

21 It's -- that is just something
22 that we do on a regular basis. Now, if you --

1 if you have questions regarding your
2 evacuation requirements and how you would need
3 to go about that, if your emergency management
4 agency for the county that you are living in,
5 they should be able to give you the
6 information that you need.

7 And if you are not getting the
8 information you need, I would urge you to call
9 the state emergency management agency and get
10 them involved in it more.

11 Because I know for a fact that
12 every single one of the five or six countries
13 that are involved in that 10-mile EPZ are
14 drilled constantly, as well as all the
15 hospitals in the area are drilled constantly
16 on the possibility of there being any kind of
17 radiological incidents).

18 MS. POSEY: Well, we need to get
19 that information out to the general public.
20 I did get the information, but I asked people
21 that lived right under Browns Ferry, and they
22 did not have a clue what I was talking about.

1 MR. WALTER: Well, they get
2 mail-outs at least once a year from the TVA
3 that tell them everything that's going on, who
4 they should be -- where they should go if they
5 are evacuated, how they should evacuate,
6 evacuation routes.

7 That is all given out to every
8 individual, every household in the 10-mile
9 EPZ. Now what they do with it once it gets in
10 their home, nobody can control other than
11 them.

12 MR. BRYAN: So, okay, great. Thank
13 you. Any other questions? Yes, please.

14 MR. CLEMENTS: My name is Tom
15 Clements and I am with the environmental
16 organization, Friends of the Earth, in
17 Columbia, South Carolina, and I had a question
18 for Karen Patterson.

19 Karen, you presented at the
20 opening that you were speaking on behalf of
21 several state or local entities, including the
22 South Carolina Department of Health and

1 Environmental Control.

2 And I just want to clarify, on
3 recommendation number five concerning
4 consolidated interim storage, you said that
5 we, speaking on behalf of DHEC and the other
6 entities, agree in part with that
7 recommendation.

8 And just to summarize what you
9 said and you can correct me if I am incorrect,
10 given certain stipulations that might be
11 placed on any interim facility that would be
12 court-enforced and have milestones for removal
13 and progress towards a geologic repository.

14 Tracking this issue in South
15 Carolina, I am not familiar that the state has
16 a policy on consolidated interim storage at
17 this point.

18 There may be some thought about,
19 if that were to develop, and I heard you say
20 that South Carolina may be a target for this,
21 I just want you to clarify, if you would, that
22 what the state's position might be at this

1 particular point.

2 Because I am not aware of any
3 public process that's looked at this issue.
4 It's going to be very controversial. There's
5 going to be forces aligned against it, that
6 are powerful, in my opinion.

7 So I was a little bit surprised to
8 hear you say that you -- that, speaking on
9 behalf of just DHEC, that that point was
10 agreed in part. I am not familiar with that
11 at all in South Carolina. Thanks.

12 MS. PATTERSON: Thanks, Tom. I --
13 obviously I need to clarify how we put this
14 together. What I gave you was an overview of
15 comments that all those entities could agree
16 to.

17 And the interim storage facility -
18 - I know you know I have had this conversation
19 many times -- the logic is there that SRS
20 would be considered as an interim storage
21 facility.

22 The point we are trying to get

1 across, and this is not -- DHEC has no
2 position at this point -- is just that if they
3 -- if the government wants to site interim
4 storage facilities, they -- South Carolina
5 believes, DHEC believes, that anything that
6 comes to South Carolina is going to have to
7 have some South Carolina authority over it.

8 That is DHEC's position, and
9 whether it's an interim storage facility or
10 processing or disposal, whatever, the state,
11 their strong point is the state needs some
12 regulatory authority.

13 So it's not specific to interim
14 storage. I didn't mean to imply that South
15 Carolina is supporting interim storage. It is
16 not at this point.

17 MR. BRYAN: Okay. Thank you. Any
18 other questions? We have one over here. And is
19 there anyone else that has a question? Okay.

20 MR. TROGSTAD: Hi. I am Ryan
21 Trogstad, a student from Clemson. I am
22 curious, a couple of you had expressed

1 misgivings about interim storage. Do you think
2 that there is an increased political viability
3 for a state-level consolidation, just, most
4 states have two, three nuclear plants,
5 consolidating to maybe one plant managed by
6 the state rather than the construction of a
7 whole new facility?

8 MR. WALTER: I will take that as a
9 punt for a little bit here. First off, those
10 of us in states -- like I said before there's
11 37 states that have agreements with the
12 Nuclear Regulatory Commission to regulate the
13 use of radioactive material -- those
14 agreements specifically exclude the use of
15 fuel and the nuclear power plants themselves.

16 Those remain under the
17 jurisdiction of the Nuclear Regulatory
18 Commission. They are federally regulated. And
19 so when you are talking about a consolidated
20 storage facility, we would be talking about
21 some place off site of the radiological -- of
22 the nuclear power plants for it to be able to

1 be regulated even partially by a state agency.

2 And I think -- I don't want to
3 speak for everyone here -- I know in Alabama,
4 we would most definitely want to have a hand
5 in the regulation of any such site, wherever
6 it may be sited in Alabama.

7 We would work in partnership with
8 the Nuclear Regulatory Commission because they
9 have -- they are a fount of knowledge. You
10 have just got to have the right people that
11 you can get in touch with.

12 But absolutely, I think that the
13 states would have to have some type of
14 authority, regulatory authority over a
15 consolidated site, as long as it is off-site
16 of a nuclear power plant.

17 MR. BRYAN: Thank you. Oh,
18 Commissioner Bailey.

19 MEMBER BAILEY: Thank you. I first
20 of all want to thank each and every one of you
21 for giving your perspectives from your
22 particular vantage point and states.

1 I had a couple of areas I just
2 want to explore. I may point to certain
3 individuals but obviously welcome comment from
4 all of you.

5 One has to do with this issue of
6 the new organization, and I think it was Mr.
7 Lively that said that it may not -- a new
8 organization -- that you don't necessarily see
9 the need for a new organization, or a need for
10 a new agency, and it may not in particular
11 inspire the trust or the confidence that we
12 may be seeking.

13 Could you expound on that? And
14 also, could I hear from others on that?

15 MR. LIVELY: We had discussed a
16 little bit about a new organization itself,
17 and while we do agree that it is a viable
18 means forward, we do have concerns with it,
19 that in the current political climate we don't
20 really know if it will be able to survive as
21 was mentioned earlier by a few of the other
22 panelists as well.

1 A good example, you know, you all
2 mentioned that you would like Congress to
3 approve the Board and everything like that. If
4 -- our concern was, similar to how the EPA is
5 being currently held hostage to scientific
6 standards by Congress. They can't really
7 enforce certain scientific standards.

8 We have concerns there that
9 whether it's viable, that it will be able to
10 function with all the oversight. But you know,
11 we are open to seeing how it works. It's just
12 a matter of seeing how it's done and how it's
13 organized and how it would be -- the oversight
14 that would be there and the appointing of
15 Board members.

16 MS. PATTERSON: Well, I am from
17 South Carolina so I know I'm parochial about
18 defense waste. Our experience, at least this
19 is my perspective, our experience with SRS and
20 the Department of Energy, the Department of
21 Energy's scope is huge.

22 So defense waste sometimes gets

1 lost, I agree with John, there's -- defense
2 waste is way at the bottom of the list of the
3 things that the Department as a whole is
4 looking at.

5 In terms of a new organization, my
6 first thought is -- and again, I am speaking
7 for defense waste, is it quicker to set up a
8 new organization, do all that infrastructure
9 set-up, policy decisions, everybody get lined
10 up.

11 Is that quicker than getting DOE
12 focused for a little bit of time on getting
13 rid of their defense waste?

14 So over the long term -- and I too
15 started this in the '90s and thought that I --
16 it would be done before I died, but I am sure
17 it's not going to be.

18 So in that time frame, perhaps a
19 new organization is good. I don't know whether
20 it should be within DOE or not, but for the
21 short term, which is what I am most interested
22 in because of the defense waste, I am not sure

1 it is the solution to getting our waste
2 resolved.

3 MR. BRYAN: Commissioner Bailey is
4 there anything else that you --

5 MEMBER BAILEY: No, thank you.

6 MR. BRYAN: Okay.

7 MR. WALTER: One other thing that I
8 would mention, and I am not going to take up
9 for DOE or against them, but if you are a
10 member of any organization and you have a
11 specific -- one percent of your funding is to
12 be used for something that cannot be done.

13 If your hands are tied and you are
14 completely not capable of going anywhere
15 forward with the use of that money because,
16 for whatever reason, whether you call it
17 politics or whatever, if you say well, we want
18 to use the money towards this and you are told
19 no, then what is the use of even trying to do
20 it?

21 Now perhaps the focus can be re-
22 energized by the fact that if there is a place

1 that they can spend this money and get
2 something done, and actually go towards what
3 it is supposed to be for, there may be some
4 re-energization that would occur -- if that's
5 a real world -- that can occur.

6 And this is also, I think, in
7 general, and I have been on this earth for 55
8 years and I don't think anybody has ever said
9 that when you, you know, the statement I am
10 from the government and I am here to help you,
11 you know, it's a joke.

12 Everyone looks at it as I don't
13 agree and I don't trust the government. And
14 that goes up and down at times, but the fact
15 of the matter is it comes down to education.

16 And if the public perceives
17 something as being bad, that is reality to
18 them, and until they understand what is going
19 on -- we had up until the fall of the USSR --
20 we had the world's largest chemical waste
21 depository in Alabama.

22 I am more worried about that than

1 I am about nuclear, folks, because I can go
2 and buy stuff down at the local Walmart that
3 I cannot get rid of, not legally.

4 But people do it all the time.
5 They dump it down their sinks. They put it in
6 their backyards. But the fact of the matter is
7 that's happening all over the country, not in
8 a concentrated small area, because it's not as
9 regulated as properly as it should be.

10 I think it's all education. I
11 really think it comes down to until the public
12 and the politicians are properly educated, and
13 understand the ins and outs of the
14 circumstances involved in these -- in the
15 situation that we find ourselves in, we are at
16 a dead-lock and we are going to continue to be
17 at a dead-lock. My own perception.

18 MEMBER BAILEY: Okay. Could I --
19 Karen, do you have a --

20 MS. PATTERSON: Well, I just want
21 to second that. Think, if you remember from
22 January, I am a big public participation

1 person, and I honestly believe that the
2 failure of Yucca and the success of WIPP had
3 to do more with public participation, public
4 perception and education than anything else.

5 And so if I had to pick one
6 recommendation that I would want you all to
7 put in red letters, it is that public
8 participation process, the consent-based
9 decision-making.

10 MEMBER BAILEY: Right, and that was
11 another area I wanted to talk about a little
12 bit, was the consent-based. I think, Elgan,
13 you kind of alluded to it that --

14 MR. USREY: Right.

15 MEMBER BAILEY: We may be dreaming
16 there a little bit. But this is a big pillar,
17 this is a big part of our recommendations, so
18 I would like to hear a little bit more on
19 that.

20 MR. USREY: Yes, in dealing with
21 the MRS, the local community was active in
22 that review. The local community, being well-

1 versed in nuclear matters, saw no problem with
2 that.

3 However, outside people coming in
4 who were well-versed in nuclear matters but
5 looked at it in a different light, presented
6 problems.

7 And unfortunately, they got most
8 of the press and therefore -- elected
9 officials read press and it was detrimental.

10 The local community, yes, they
11 need to have a voice in it. They need to be
12 considered. But well, that's my opinion.

13 MEMBER BAILEY: Okay. Another area
14 that someone also alluded to -- it might have
15 been you as well Terrance -- was the issue of
16 a trust fund, the idea -- the funding issue,
17 and that's also another big component of this.

18 And I think John went into it in
19 the slides, and I think most of you understand
20 how that comes about. Would this also give
21 more confidence to how this money is being
22 collected and then available for use? Do most

1 of you agree with that idea?

2 MR. WALTER: I definitely feel that
3 the funding is a linchpin to the whole
4 process. If the community sees that they are
5 going to receive funding to be involved in the
6 process, and they see a long stream of funding
7 coming into that community to continue to
8 support the community, then I think that goes
9 a long ways toward that.

10 The state level, we would need
11 funding to -- if there's a federal group that
12 is working, or a non-federal group, whatever
13 it turns out to be, it needs to have a
14 counterpart in the state.

15 And that has to be funded through
16 this program, because it's not the state's
17 responsibility there, because if you are
18 siting it there you need to support it.

19 Most states, while they have a
20 rad-health group, they are not engineers.
21 They are physicists, but they are not normally
22 engineers that understand the process of

1 building a facility, ensuring that all of the
2 systems in that facility work.

3 So we have to have a new workforce
4 that is going to monitor and regulate this.

5 MS. LEWIS: If people aren't using
6 the microphone your comments won't be recorded
7 and we will get to you. We are going to try to
8 go -- a whole bunch of hands went up, which is
9 great. We are going to try to go in the order
10 of the hands. So -- and we have a fair amount
11 of time. So hang on to your questions and
12 we'll try to get to you.

13 MR. CHAPUT: Yes, good morning. My
14 name is Ernie Chaput. I am with the Economic
15 Development Partnership in Aiken County. I
16 have just got a comment that kind of knits
17 together a couple of thoughts.

18 As I think everyone in this room
19 knows, Aiken County is a very vocal supporter
20 of Yucca Mountain and of the fact that this
21 Commission should consider Yucca Mountain in
22 its deliberations as a possible -- one part of

1 the solution.

2 And I'd just like to comment that
3 the need for interim storage is either
4 eliminated or greatly reduced if you go and
5 complete Yucca Mountain, that the need for
6 transportation is reduced or greatly -- if you
7 consider or continue with Yucca Mountain
8 activity, and the funding issue is also
9 mitigated if you continue with the Yucca
10 Mountain. You have got \$9 billion invested
11 that you don't have to invest any place else.

12 These are just some of the
13 reasons why we support and why we request that
14 the Commission consider the Yucca Mountain as
15 part of the solution in its considerations for
16 the disposition of high-level radioactive
17 waste, both commercial and Defense. Thank you.

18 MS. LEWIS: Okay, and we were
19 trying to watch hands and get them in the
20 order that they went up on, and I am also
21 going to suggest that people really take
22 advantage of the time of having these

1 panelists up to ask questions of the
2 panelists. We are going to have time coming up
3 later in the meeting for more discussion and
4 for comments that will go into the record, so
5 ask a question.

6 MR. JASZCZAK: I got a quick
7 comment before I do that. I am Cash Jaszczak.
8 I am from Nye County, Nevada. I work for the
9 Board of County Commissioners.

10 The Nuclear Waste Policy Act has
11 procedures in place to provide funding, local
12 consent and all the things that you are
13 talking about.

14 Now, I would really like to know
15 from each of you in turn, are you aware of the
16 fact that there are county -- the local
17 community in Nevada, Nye County, the site
18 county for Yucca Mountain program, is in fact
19 supportive and has been actively and
20 constructively engaged in the development of
21 the Yucca Mountain project for the last --
22 since the site was designated, specifically in

1 July of 2002?

2 Are you in fact aware that local
3 support does exist in Nevada and it is
4 consent-based? A simple yes or no is fine.

5 MR. WALTER: I was aware of that.

6 MS. PATTERSON: Yes.

7 MS. WILEY: I wasn't aware of that.

8 MR. LIVELY: Yes.

9 MS. BROCK: Yes.

10 MS. BROOKS: Yes.

11 MR. USREY: Yes.

12 MR. JASZCZAK: Thank you.

13 MR. BRYAN: We have got questions
14 over here. Would you like to ask a question
15 now? Would you like to ask a question?

16 MS. CARROLL: First of all these
17 chairs are ruining my stockings. So, it's not
18 my fault. We have something that we call a
19 process point, which was there was a whole
20 lengthy discussion about funding and I was
21 just dying with curiosity, if any of this
22 discussion was referring to reuse, another use

1 of the Nuclear Waste Fund, and you know, you
2 talked about it and you talked about it, and
3 I couldn't tell if you were thinking that was
4 a source of funding or if there were
5 additional sources of funding. Thank you. I
6 just wanted clarification.

7 MR. USREY: The funding that is put
8 in place by the Nuclear Policy Act is what we
9 are talking about. That funding has been held
10 hostage and has not allowed DOE to move
11 forward.

12 There's plenty of money there to
13 continue the process and to develop a process,
14 but the way it is regulated through Congress
15 now, DOE can't do anything.

16 I mean they have pulled all the
17 money from Yucca Mountain, and his comment
18 about Yucca Mountain, yes, we are aware that
19 the local community there supports it.

20 I have been in Yucca Mountain. I
21 think it's a very viable process and I think
22 it should be continued, but it needs the

1 funding.

2 MS. CORBETT: My name is Susan
3 Corbett. I am the chair of the South Carolina
4 Sierra Club and I just want to make a comment
5 about the community aspect of all this because
6 I know this is a very important thing to the
7 Commission.

8 I want the Commission to be very
9 aware that there is what I like to call the
10 company town syndrome, and it -- it is
11 something that happens in any place, not just
12 around nuclear facilities, where there is a
13 big company that comes in and brings jobs and
14 impacts a local community in a good way
15 financially.

16 I think it's very hard to speak
17 out against a company in a company town, and
18 we had a situation in this past year in Aiken,
19 South Carolina.

20 We had a new Sierra Club group
21 open up, start up in the Aiken area, and they
22 wanted to take on as one of their issues

1 clean-up at Savannah River Site and the idea
2 of new missions there.

3 And they came to me after about
4 six months of operations and said you know
5 what, we can't talk about nuclear stuff in
6 Aiken, because we get shut down, we get
7 blasted, because our friends work there, our
8 families work there, we have had people
9 threaten our jobs.

10 It was an air of intimidation to
11 raise any kind of negative comments about the
12 site. Now I know that is not true of the whole
13 county of Aiken. I go to Aiken all the time
14 and there's wonderful people there.

15 But I think that this is a problem
16 that we have to be very aware of. It's very
17 hard for people who live in a community that
18 is very dependent on these DOE sites and other
19 things to speak out in public forums, and they
20 are very reluctant to do so because their
21 friends and family work there.

22 And so we have to be aware of that

1 dynamic and that is why we need other people
2 from around the state to come in and speak up
3 on these issues.

4 MR. BRYAN: There was a question.

5 MS. POSEY: Once again, I will
6 second that. We have had the very same thing
7 happen in Alabama. When you wag the dollar
8 sign in front of people, then they tend to not
9 look at the negative things in relationship to
10 nuclear.

11 I had a German reporter call me
12 and ask why the people of Alabama are so
13 complacent about nuclear power. Well it's the
14 dollar sign.

15 When you have got big-paying jobs,
16 that's what people do and it's something that
17 there are not that terribly many of you, these
18 days, and that colors the way people respond,
19 and they tend to choose to be ignorant about
20 problems in relationship to that, and I have
21 friends that -- I can vouch for it -- that
22 that's what is going on with them.

1 A question also. Studies in
2 relationship to cancer rates, you know, there
3 have been leaks here, there and in numerous
4 places.

5 And I have wondered about studies
6 and I have read something recently about where
7 they are doing a few studies on the cancer
8 rates in areas where there are nuclear
9 facilities and where there is nuclear waste.
10 Does anybody have any information on that?

11 MR. WALTER: I have not heard of
12 anything like that going on in Alabama. It may
13 be that there is some organization that is
14 doing that but they are not doing it through
15 our office in the health department.

16 MS. PATTERSON: I know that they've
17 done cancer studies for the workers at
18 Savannah River Site and most of the cancers
19 those workers have are not radiation-induced
20 cancers. They don't have a higher cancer rate
21 than the rest of the country and the cancers
22 they do have are not radiation-induced.

1 And I would just -- we could
2 debate this for years. I have been working as
3 an ecologist on Savannah River Site since
4 1973, and I have to tell you that's 300 square
5 miles of land which ecologists in the
6 southeast love because it is almost pristine
7 except for the very few industrial facilities
8 on the site.

9 I tend to think that if people
10 understood nuclear energy better, some of
11 these misconceptions people have would be
12 allayed.

13 And I have to say, Susan, I am a
14 member of the Unitarian church in Aiken. I
15 don't want to mix church and state but they
16 meet at our church, and I am surprised to hear
17 you say that. I am going to have to go back
18 and talk to David.

19 MR. USREY: In Tennessee the
20 Department of Health did a study supported by
21 DOE. They did not find any major problems
22 associated with radiation.

1 MR. BRYAN: Okay. Any -- another
2 question here and we have got one more in the
3 back and then I think we are going to start --

4 MS. LEWIS: Yes, I think we've got
5 one here, one here, one here.

6 MR. BRYAN: Okay. And we will start
7 to wrap this section up.

8 MS. CROW: My name is Barbara Crow
9 and I also am from Alabama. I have been
10 hearing a lot in this meeting today about
11 education of the public and incentives.

12 There you go with the dollar that
13 will cover up most everything under the sun if
14 it's a big enough dollar. I don't like that.

15 And if the public were told the
16 hard, honest, straightforward truth about
17 nuclear energy and its inherent inability to
18 be safe ever, they would say no.

19 And there is indeed a, seems to
20 me, an effort to go into the poor communities,
21 to put this stuff out there where the people
22 don't necessarily know the dangers of it.

1 And when you start to educate the
2 public, if you are not -- if the Commission is
3 not telling the truth to the public about the
4 dangers, then you are doing a disservice to
5 the earth, to all the people, to the other
6 entities that live on this earth.

7 And it reminds me of what Ms.
8 Scarlett said. When we are digging holes and
9 burying all this stuff, I won't worry about
10 that today, I'll worry about that tomorrow.
11 We are not taking responsibility. Thank you.

12 MR. MUELLER: My name is Ed Mueller
13 from Esmeralda County, Nevada. I don't have a
14 question but I have a point of information for
15 the lady from Louisiana.

16 When she was addressed with the
17 question about whether the canisters could be
18 used for shipping and storage, and I would
19 like to bring it to your attention that there
20 was containers already under development and
21 design for the Yucca Mountain project and they
22 were called TADs.

1 And a TAD is a Transportation
2 Aging and Disposal Container and these
3 containers would have been used, the same
4 container for all three.

5 And you on the internet, you can
6 find everything you want to know about TADs.

7 MR. SEWELL: Yes my name is Dennis
8 Sewell with the Georgia Commission again. I
9 wanted to tag along with Commissioner Bailey's
10 question on the new organization.

11 If Congress or the Department of
12 Energy goes along with the BRC recommendation
13 to create a new organization, what would the
14 panel then recommend to the BRC on how to
15 protect that organization, so that it doesn't
16 succumb to the same thing that happened to the
17 Nuclear Waste Policy Act of 1982 that was
18 amended, and what happened to Yucca Mountain,
19 what happened to the Department of Energy
20 organization that oversaw Yucca Mountain.

21 So what would you suggest to the
22 BRC in order to protect that new organization,

1 if it happened? Mostly the question is
2 probably targeted more toward the TVA because
3 the BRC did cite the TVA a few times. But I
4 put the question to the rest of the panel as
5 well.

6 MR. USREY: Since I am from
7 Tennessee, I will attempt to answer some of
8 that. TVA derives the majority of their
9 funding from the rate-payers.

10 They -- and that fund, that money
11 is used directly by TVA. They do have some
12 appropriations from Congress, but that's not
13 for their power program. It's other things
14 that they do, some conservation and management
15 that they do.

16 If the new organization is given
17 the funding and the control of that funding
18 that comes in from the nuclear power plants,
19 then they will be able to do a job.

20 But if they are held hostage by
21 Congress or the President or whoever, and not
22 given the funding to work, then they will

1 fail.

2 MR. WALTER: I don't think it makes
3 any difference if you leave it with DOE or you
4 try to form a new agency at this point in
5 time.

6 And in the foreseeable past I
7 don't think it would have made any difference,
8 and that's why I stressed getting the
9 information out there to the public, because
10 unless the public is going to buy into it,
11 it's still just another political
12 organization, it's just another political
13 agency.

14 And no one is going to trust them
15 any more than what we have right now. I just
16 don't see where it's going to make any
17 difference until the public has a buy-in.

18 And the public is not going to buy
19 in until they understand what is going on, and
20 they have been given all the facts, so that
21 they can then discuss the facts instead of
22 some facts and some fiction.

1 MS. PATTERSON: At least, for those
2 of us in the communities most impacted, some
3 progress, because we fail to see much forward
4 progress. There's a lot of potential forward
5 progress but not actual forward progress.

6 MR. BRYAN: We've got a question
7 here and then one --

8 PARTICIPANT: I don't have a
9 question, I just want to make a point to the
10 question of the cancer studies, that the
11 Nuclear Regulatory Commission has asked the
12 National Academy of Sciences to conduct a
13 cancer study of the populations surrounding
14 nuclear facilities.

15 MS. CARROLL: This is really a
16 great meeting. It's exceeding my expectations
17 and I just have a couple of comments and a
18 question.

19 Nuclear Watch South is who I
20 represent. We were founded in 1977 as
21 Georgians against nuclear energy. We have been
22 thinking about this a long time.

1 We do support opening up the
2 Nuclear Waste Fund for dry cask storage on
3 site. We would oppose using that fund for the
4 new agency, and tend to not be too gung-ho
5 about a new agency as maybe sucking more
6 energy than it would produce in results.

7 And I wanted to ask the fellow
8 from Nevada about the TAD, if the TAD would
9 also -- would that be something that I would
10 recognize as the hardened dry cask storage, or
11 is it a lighter-weight thing?

12 MR. MUELLER: This was a canister
13 that was being developed that would go
14 directly into the mountain when it got to
15 Yucca Mountain.

16 MS. CARROLL: But you couldn't have
17 loaded it as dry cask on the site and then
18 pick it up and take it and then store it?

19 MR. MUELLER: No. No.

20 MS. CARROLL: Because that's what
21 we would kind of like to see, is get it on --
22 not kind of like -- very strongly, immediately

1 get it into hardened dry cask storage.

2 But we don't really have a fleet
3 of casks and it would be very wise to make
4 that storage cask a transportation cask. Then
5 you have every other prospect that we are all
6 debating open to you, and yet you have just
7 immediately made spent fuel storage in this
8 country infinitely safer by getting it out of
9 the pools and into the dry casks.

10 Let's go down the panel, do you
11 agree?

12 MR. WALTER: In principle I agree
13 with you, but if you knew what it cost to put
14 together one of these storage, or one of these
15 transportation casks that are being used and
16 the tests they go through, the same casks that
17 went through all the tests are the ones that
18 are being used.

19 There are not many transportation
20 casks right now out there. You could probably
21 count on both hands and feet at most the total
22 number of transportation casks that there are

1 available at this time.

2 You could quickly eat up those
3 billions of dollars manufacturing the numbers
4 of casks of that type necessary for the
5 current volume of material that we have on
6 storage at all of the plants.

7 And I am not sure of the economics
8 involved, but in the ideal, I agree with you.
9 I just don't know if it's a feasible option.

10 MR. USREY: Also, the
11 transportation aspect of it is of a concern.
12 We don't know if it will be road
13 transportation, or it will be rail
14 transportation.

15 So that makes a very big
16 difference in the cask that you are going to
17 have. Rail can carry much more than road cask.
18 So if you build all those casks for road and
19 then decide you want to do rail, you increase
20 the amount of shipments you are going to have,
21 or if you do it all for rail, and then they
22 decide road is the best process, then they are

1 too heavy for road.

2 MR. BRYAN: Yes, another question.

3 MR. EASTON: Hi, Earl Easton. I am
4 in the division of spent fuel storage and
5 transportation at the U.S. Nuclear Regulatory
6 Commission.

7 Part of our responsibilities is to
8 improve storage casks and transportation
9 casks, so I would offer if anybody has any
10 questions, that they would want to talk to me
11 off to the side, that I would be available to
12 do that.

13 MR. SEWELL: Dennis Sewell, again.
14 I have a question to the panel, and this is
15 just a generic question. Would the panel
16 support -- when you look at the map that the
17 staff put up earlier and you see the map with
18 all the nuclear plants and power plants on the
19 eastern part of the United States, yet there
20 is an effort to try to locate a waste facility
21 that is on the western part of the United
22 States.

1 So my question to the panel was,
2 how do you guys feel about a repository being
3 located on the eastern part of the United
4 States or even in the southeastern part of the
5 United States, and would you support that?

6 MS. PATTERSON: Well, at Savannah
7 River we have a hard time siting even low-
8 level disposal facilities because we have such
9 a high water table.

10 And I think the issue is -- a very
11 important issue is the water percolation where
12 the aquifers are, and the precipitation
13 through whatever the repository is.

14 So unfortunately, all the nuclear
15 facilities are on the east coast, which gets
16 lots of rain and isn't necessarily
17 geologically set up for that. To me, an arid
18 site is actually a better site.

19 MR. USREY: There have been
20 studies done. There was a consideration for
21 Louisiana. There is a large salt dome there
22 that was being actively considered before the

1 decision to go with Yucca Mountain.

2 There has to be more than one. We
3 are rapidly approaching the maximum amount
4 that Yucca Mountain can hold. So there's going
5 to have to be another one somewhere, and with
6 the process of determining a stable
7 configuration, a geological configuration,
8 needs to start, whether it's on the east, part
9 of the east, or whether it's out west. But
10 that process was in play earlier on.

11 MR. WALTER: I definitely would
12 like to have sites that are as close as
13 possible, but they absolutely have to meet all
14 the geologic and hydro formation requirements,
15 as well as public access, and so all the
16 various safety and design items that you have
17 to go into for one of these places.

18 You don't want to transport any
19 more than you have to, but I think we have
20 seen, and our past experience has shown that
21 if we are good at nothing else, we are pretty
22 good at transporting this stuff.

1 It's been very, very safe as far
2 as our transportation is concerned. So I am
3 not worried about having it out into the high
4 -- the high desert area, which is where you
5 have the inherent good geologic formations,
6 the very low hydro formations, deep hydro
7 formations, and so -- and the salt, basalt and
8 so forth.

9 It just makes sense to put it in
10 the best places for it where it is going to be
11 the safest for all involved.

12 MS. POSEY: Dry cask, like at
13 Browns Ferry? It doesn't matter how much it
14 costs. We need that and we need that now. You
15 know those cooling pools are way overloaded
16 because it hadn't been in dry cask and it
17 hadn't been shipped out.

18 And when that tornado came
19 through, have you been there, have you seen
20 it? I mean, it came so close, and if that
21 tornado had been a direct hit, I wouldn't be
22 here now.

1 And that's something, you know it
2 doesn't matter how much it costs if you know,
3 that would have been worse than Japan. And
4 have you all seen the pictures of the children
5 of Chernobyl? Have you seen those pictures?

6 Well, I mean, you know, that's
7 what we are dealing with here, and it's not
8 funny. Excuse me.

9 MR. WALTER: I am not laughing at
10 what you are saying here.

11 MS. POSEY: It's not funny at all
12 and it is a possibility.

13 MR. WALTER: What I am doing is a
14 couple of things. First off I disagree that
15 it would have been a Fukushima situation
16 totally because Fukushima worked until --
17 until it was hit by the tidal wave.

18 Everything worked the way it
19 should have done. It's just that the siting
20 of the plant and the situation that they found
21 themselves in because of the water that took
22 out all their generators and all the ability

1 to do anything at that point, is what really
2 came to the end on that.

3 The other is there's not a
4 commercial nuclear plant in the United States
5 that is anywhere near the design of Chernobyl,
6 and it could not happen because the design was
7 the flaw in Chernobyl, along with the fact
8 that they just didn't run it right, and they
9 tried to manually do something that you just
10 simply can't do.

11 We wouldn't have the fire that
12 they had there. We don't have the carbon that
13 they had there. They weren't using water. We
14 use water.

15 So I don't want to make
16 comparisons. This is the kind of thing that
17 I kind of get upset about, is that you make
18 broad-based comparisons on things that have
19 happened elsewhere, but you don't -- you are
20 not seeing the differences in the way we look
21 at things and the way we regulate and the way
22 we design here in the States.

1 It's not just because it happened
2 there it can happen here. It doesn't work
3 that way. So I -- that's -- I just want to
4 help allay your fears as far as that is
5 concerned.

6 Had a tornado literally gone right
7 through Browns Ferry. It scrambled. It went
8 into shutdown. They would have had to have
9 had enough generator backup capability to
10 maintain water flow.

11 That's the only place that you can
12 look at, that they could have -- could have
13 ended up having a problem, is if they would
14 have lost all their generators.

15 But that would be very difficult
16 as well, since they have two generator backups
17 for every unit. So --

18 MS. POSEY: Well, the cooling
19 pools, though, what about that? That's what
20 I am talking about primarily. That's the --

21 MR. WALTER: Well, I don't want to
22 get into the design of the nuclear power plant

1 systems since this is, you know, we are
2 talking about high-level waste disposal here
3 but --

4 MS. POSEY: Well that's the waste.

5 MR. WALTER: But they are also in
6 a -- they are inside of the reactor building,
7 and if you have seen the design of one of the
8 reactor buildings, it would still be sitting
9 there if a tornado went through it.

10 MR. BRYAN: Let me -- there are a
11 couple more questions. We are starting to get
12 short on time so let's take the last two, the
13 last three -- there are three questions. I
14 think we have enough time for those and then
15 we will start to go.

16 We will go one, two, three.

17 PARTICIPANT: Excuse me, I heard
18 something from you just a minute ago. You
19 said the pools are within containment?

20 MR. WALTER: No. Well, they are
21 inside the reactor building.

22 PARTICIPANT: They are in the

1 building, but that's not within containment.

2 MR. WALTER: Well, the containment
3 -- they are not where the core is, no.

4 PARTICIPANT: No, I know they are
5 not where the core is, but they are -- I mean,
6 I live in north Georgia 50 miles near Oconee,
7 and they have some, almost 25 years of storage
8 of -- on-site storage of the fuels in their
9 pools, and it has been my understanding that
10 though they are protected somewhat from --
11 they are not in containment.

12 And now we hear that the cladding
13 on those things is -- it can burn and also
14 that they have been re-racked a number of
15 times until they get closer and closer.

16 It seems to me we have got a very
17 dangerous situation there. Don't those things
18 go critical if they touch? I mean if they
19 come in contact, they have got the cladding,
20 but the cladding can burn at a high enough
21 temperature, and they are not in containment.
22 They are simply on site, which is a protected

1 site. Now, I am just asking.

2 MR. WALTER: There is more than
3 one pool. There is a spent fuel pool that is
4 an original pool that the freshest of the
5 spent fuel is placed into for cooling.

6 Then there are other pools that
7 are outside of that building, that after it is
8 cooled down to a certain amount, a certain
9 level, that they can move them into a
10 secondary spent fuel pool, covered by borated
11 water.

12 There's -- could it go critical if
13 all of the water was taken out? I don't know.
14 I would wait on -- I would ask for someone
15 else with a nuclear power physics degree to
16 talk to you about that. I am seeing a lot of
17 people shaking their heads.

18 But the initial pool is inside
19 containment building and then after it cools
20 down and is -- and actually an awful lot of
21 the short half-life material has disappeared
22 virtually completely, it gets moved into a

1 secondary pool which is outside of
2 containment.

3 MR. BRYAN: Okay. One question
4 here.

5 MR. SEWELL: Dennis Sewell with
6 the Georgia Commission again. My question is
7 targeted toward Mr. Walter again only because
8 your title says public health, but it may be
9 more appropriate for the NRC.

10 But a couple of weeks ago there
11 was an article in the -- that was online that
12 I saw that the plant had here in Georgia, here
13 at Baxley, Georgia, had a tritium leak, and
14 they said it was contained within the facility
15 itself.

16 My question -- and as far as I
17 know there was no storm in the area. Are
18 there safety guidelines or monitors in place
19 by any type of public health organization to
20 monitor those type of things, whether we have
21 a storm in the area or not, at the different
22 plants?

1 MR. WALTER: Well, as far as the
2 tritium leak at Hatch, I will turn that over
3 to the NRC because thankfully there is
4 somebody here that might be able to have more
5 information.

6 I have no information about Plant
7 Hatch, okay? Being in Georgia, I don't deal
8 with that. But we have -- we maintain an
9 environmental system in our state, surrounding
10 both of our nuclear power plants.

11 We have five reactors at two
12 plants, and we have an environmental system
13 that surrounds those plants and we take
14 regular water samples as well. But they are
15 surface water samples. We don't have any deep
16 water wells.

17 MS. LEWIS: Okay, we have just a
18 response.

19 MR. EASTON: Again, Earl Easton,
20 the NRC. While I deal primarily with storage
21 and transportation, I can put you in contact
22 that can answer your questions on tritium. I

1 would be glad to do that and I would be glad
2 to have a discussion on where the spent fuel
3 pools are located and about when they catch on
4 fire and when they go critical off-line if you
5 would like, okay?

6 MR. CLEMENTS: Once again Tom
7 Clements with Friends of the Earth, Columbia,
8 South Carolina. A comment and a question of
9 Ms. Patterson.

10 Mr. Walter, you just made a
11 statement that prior to the tsunami, there was
12 no damage, or the reactors were operating as
13 designed at Fukushima.

14 I would request that you submit
15 something for the record that would back that
16 up. It would be most appreciated if you could
17 back up that statement.

18 Would you be willing to submit
19 information for the record that the 9.0
20 earthquake did not damage the operational
21 ability of the reactors prior to the tsunami?

22 MR. WALTER: It has already been

1 documented, and it is available. I don't
2 personally have --

3 MR. CLEMENTS: No, I am asking,
4 would you submit that for the record?

5 MR. WALTER: I don't have to
6 personally submit it, sir, because it's
7 already been documented by the individuals who
8 were involved specifically with that.

9 MR. CLEMENTS: So, you will not
10 submit anything for the record to back up your
11 statement?

12 MR. WALTER: I am telling you what
13 I have read from the individuals.

14 MR. CLEMENTS: Okay, I understand,
15 I understand that you won't submit it for the
16 record. Ms. Patterson, South Carolina has
17 seven operating reactors. Only one of them
18 does not have a dry cask facility, which is
19 V.C. Summer and that is in process.

20 The two Vogtle reactors in Georgia
21 across the river, they have got a dry cask
22 facility in process, but it's not developed

1 yet.

2 I am just curious what your
3 position is about removal of the fuel from the
4 spent fuel pools, and South Carolina has more
5 reactors than all the other states put
6 together up here because Georgia isn't here.

7 There's no GE Mark 1 or 2 reactors
8 in South Carolina, but I am just curious to
9 know your position about that, and I was a
10 little bit surprised that the BRC did not take
11 a stronger position about getting the fuel out
12 of the pools, particularly the vulnerable
13 pools of the GE Mark 1s and 2s, and into dry
14 cask, so I am just -- I am curious. Thank
15 you.

16 MS. PATTERSON: I am no expert on
17 dry cask storage, and I think the NRC is
18 correctly re-looking at dry cask storage after
19 Fukushima.

20 My -- this is just Karen Patterson
21 talking -- my personal reason for wanting to
22 get it out of the pools is because the pools

1 were designed for five years of storage, and
2 the theory being that it would all go off-site
3 at that point.

4 That's not going to happen. We
5 need to keep -- those nuclear reactors provide
6 necessary, absolutely necessary baseload
7 power.

8 We have to keep them operating.
9 In order to keep them operating we have to
10 have enough room in the pools to off-load the
11 core.

12 We can't do that unless we put it
13 in dry -- put the old fuel in dry cask
14 storage, and once -- I believe that dry cask
15 storage on site is a perfectly safe,
16 acceptable way to store used nuclear fuel.

17 MR. USREY: Dry cask storage is a
18 safe method of doing it, but it's a very --
19 it's expensive to the utility that's doing it.
20 We need a repository to put the stuff in.

21 Dry cask storage is an interim
22 thing and -- but it's turning into a de facto

1 storage location. We need to focus on moving
2 it.

3 MR. BRYAN: We've got one more
4 question.

5 MR. CARSON: My name is Joe
6 Carson. I am a nuclear professional, nuclear
7 navy, commercial nuclear power, Department of
8 Energy, and I am a whistleblower in DOE, and
9 I think DOE has got a broken safety culture.
10 I can elaborate on it.

11 But what I want to ask you is, I'm
12 a professional engineer, and one reason I am
13 still employed is I could point to my rules of
14 professional conduct and my state licensing
15 board saying my whistleblowing is mandated
16 because it involves public health and safety.

17 I guess my question to you as
18 representatives of the state is have you
19 thought about asking DOE to require its
20 engineers and contract engineers to become
21 licensed? Do you make the same request of the
22 utilities that operate the nuclear power

1 facilities?

2 Because relatively few engineers
3 are licensed because of various exemptions,
4 but the profession is moving to try to get rid
5 of the industrial exemption, which would apply
6 at commercial facilities.

7 And the federal exemption, if DOE
8 were to say our engineers must be licensed,
9 then they would become licensed and be under
10 the jurisdictions of the state boards.

11 So I just want to know if there's
12 anybody -- because PE license is all about
13 public health safety welfare. The reason the
14 state licenses the practice of engineering is
15 pursuant to its constitutional duties to
16 protect public health safety welfare which is
17 why I had a mandated duty to blow whistles
18 about safety issues in DOE.

19 I see a lot of blank stares. I
20 guess I am -- adding something to the
21 conversation.

22 MR. WALTER: Again, the states

1 don't regulate the operation of nuclear power
2 plants. We are not allowed to. And so when
3 it comes to the operators and engineers
4 involved in the building of a plant and the
5 operating of a plant, that is a federal agency
6 only.

7 MR. CARSON: Well, I'd have to
8 disagree. If that engineer is licensed by your
9 state, and if he or she doesn't follow the
10 safety requirements, then the state
11 engineering board can sanction that engineer.

12 You know, it would be more of an
13 individual thing, you know, between the state
14 board and that engineer, even though the
15 engineer is an employee of the utility or the
16 Department of Energy.

17 So it's more indirect, but it's
18 still, still there.

19 MR. WALTER: Again, our agreements
20 don't allow us to be involved in those.

21 MR. CARSON: Okay.

22 MR. BRYAN: Okay, that's all the

1 time we have for questions this morning. I
2 want to thank the panel for giving us
3 information and for standing here and
4 responding to some of the questions that we
5 have had before us.

6 I want to thank you in audience
7 for providing your questions and for engaging
8 in the conversation. We are going to take a
9 break now. We are supposed to come back at
10 11:15.

11 We will get started promptly at
12 11:15, and I believe Susan Corbett and Bobbie
13 Paul are going to give some perspectives from
14 the environmental NGO community.

15 Thank you very much, we will get
16 going again in about 15 minutes.

17 (Whereupon the above-entitled
18 matter went off the record at 11:03 a.m. and
19 resumed at 11:20 a.m.)

20 MR. BRYAN: Hello everyone. Are
21 we ready to get going again?

22 Okay, we are going to get started

1 now. If we could have, I think there's -- I
2 know I have two over here, two here, there may
3 be one more person who is speaking. Okay, so
4 we have a seat for you here as well.

5 So what we are going to do with
6 this next session, I know that in the agenda
7 we have a number of speakers. What we are
8 going to do is allow each of those speakers to
9 go forward. We are going to have them
10 speaking and then we are going to come back
11 and ask questions.

12 We ask you to hold your questions
13 that you have for each of the speakers until
14 the end of the session and then we will
15 provide about 30 minutes for you all to ask --
16 to do a Q&A towards the end. Okay?

17 So with that, let me turn the
18 table over to Susan Corbett from the Sierra
19 Club and take it away. We are going to load
20 up your presentation.

21 MS. CORBETT: Thank you. Good
22 morning. I want to thank Mary Woollen and the

1 Commission for inviting me and allowing me to
2 come and make this presentation.

3 Driving over here last night from
4 Columbia I had forgotten, coming from the
5 small town of Columbia, South Carolina, what
6 an amazingly huge and beautiful city Atlanta
7 is, so close.

8 My name is Susan Corbett. I am
9 the Chair of the South Carolina Sierra Club,
10 but I am not here today just to represent the
11 Sierra Club.

12 The national Sierra Club, which
13 has over a million members, will be making
14 their comments at Thursday's meeting in
15 Washington, D.C.

16 I am here today representing and
17 to express the views of the conservation
18 community of South Carolina.

19 So we are a coalition of groups
20 representing more than 50,000 members around
21 the state. Right now I have a sign-on letter
22 that has over 17 organizations on it. We are

1 still collecting signatures on this statement.

2 The Sierra Club alone has over
3 5,400 members. So we represent a lot of the
4 citizens of South Carolina and you can see
5 some of the largest organizations that have
6 signed this letter and who I represent in this
7 presentation.

8 And I want to point out, before I
9 go any further, that most of these groups are
10 not anti-nuclear groups. Most of these groups
11 will agree, or have consented there is some
12 place for nuclear power in our energy future.
13 We don't all agree what that is. But I want
14 you to know, as we start out, it's not an
15 anti-nuclear coalition.

16 Here's a picture of us at the
17 statehouse last year on our lobby day, and
18 like I say, we have a diverse, represent a
19 diverse cross-section of the state of South
20 Carolina.

21 So I am here today representing
22 South Carolina because we feel like we have a

1 particular role to play in America's -- we
2 have played a significant role in the past and
3 we will play a role in the future. But we
4 have some concerns about what that role is and
5 what it will be.

6 The overwhelming consensus -- and
7 this is a large coalition, and we don't always
8 agree on things. We work hard to come to
9 consensus on issues, but overwhelmingly we
10 have consent that we cannot support the
11 recommendations by the BRC for consolidated
12 storage.

13 Now we are not getting -- we
14 didn't get into all the other points,
15 recommendations, because we are so focused on
16 the idea of consolidated interim storage
17 because all states that have DOE sites are
18 likely going to be considered for any
19 consolidation of waste and we know that.

20 So we are very concerned about --
21 this is the main issue that we are concerned
22 about, and we have a long history of getting

1 waste -- as Ms. Patterson said earlier -- we
2 have a long history of waste coming into our
3 state, sometimes with no exit strategy,
4 sometimes with an exit strategy.

5 But our governor in the 1980s,
6 Governor Dick Riley, once said that the first
7 law of nuclear waste is that it tends to stay
8 where it is first put, and that certainly has
9 been the case in South Carolina.

10 Starting with Barnwell --
11 certainly Savannah River started before
12 Barnwell -- but Barnwell was, and you heard
13 people talking about the low-level waste
14 before, originally there were five or six
15 different low-level waste sites.

16 They all pretty immediately closed
17 down, places like Sheffield, Illinois, Beatty,
18 Nevada, and Barnwell was the only one left
19 open except maybe at Richland, Washington, to
20 take the Class C waste, low-level waste.

21 So for many, many years we were
22 the only place that took all that Class C

1 waste. It was scheduled to close -- we were
2 supposed to be in a compact. The compact fell
3 apart.

4 When we talk about having
5 contracts and suing people, we have to think
6 about all the contracts and things that we
7 have been engaged in in the past that have
8 been broken in our state around nuclear waste.

9 The compact deal fell through.
10 Another company bought the site, tried to keep
11 it open to the whole country, and it's been
12 leaking.

13 Here are some pictures of the
14 site. We challenged the relicensing of it
15 four years ago. We wanted them to at least
16 line the trenches. This is shallow land
17 burial. I think that might be the Maine
18 Yankee, I can't remember.

19 But whole reactor vessels are
20 buried there, whole reactor vessels, once they
21 take the internals out they are brought down -
22 - I think there are seven whole reactor

1 vessels buried in shallow land burial at
2 Barnwell.

3 And lest you think that low-level
4 means low-risk, I have seen the manifests --
5 you can look at the manifests of the curies
6 coming in and the isotopes. There's a lot of
7 plutonium there, 24,000 years, that is the
8 half life.

9 So these are just some pictures of
10 our disposal method at Barnwell. There's a
11 tritium plume. It has been leaking for a long
12 time. They actually contaminated the African
13 American church that was beside the facility,
14 they had to dig up the soil and cart it away.
15 So this site has a long history of having
16 problems. So this is one area where we have
17 been kind of dumped on.

18 Now fortunately what happened is,
19 we're going to talk about that a little bit
20 later, we are only taking waste from two other
21 states now.

22 And of course Ms. Patterson talked

1 about Savannah River Site. We still have
2 millions of gallons of high-level waste in the
3 tank farm. Those are the results of
4 reprocessing.

5 Reprocessing creates large volumes
6 of liquid waste that have to be dealt with,
7 and we are still trying to deal with that.
8 You know, they are still trying to clean out
9 those tanks.

10 We also have a lot of the nation's
11 stockpile of weapons-grade plutonium that was
12 brought there. I remember talking to
13 Governor Sanford's office about this because
14 there is supposed to be an exit strategy for
15 this. There is a dual-track exit strategy.
16 One strategy is to vitrify it and take it to
17 Yucca Mountain. Well. The other strategy is
18 to put it in MOX fuel and burn it in a
19 reactor, but right now there's no reactors
20 that are willing to take it.

21 So we also have waste incidental
22 to reprocessing which will be basically -- end

1 up staying in South Carolina. Originally this
2 was considered high-level waste but in an
3 interesting stroke of the pen, in two states
4 in the United States now, WIR is no longer
5 considered high-level waste. In South
6 Carolina and Idaho it is considered WIR.

7 So it can be left in our state,
8 nowhere else. If this waste was in another
9 state it would have to go to a geologic
10 repository, but going back to these broken
11 promises, broken contracts, changed laws, we
12 know how fast things can change when the
13 situation changes.

14 We are also receiving research
15 fuel, foreign fuel and there's low-level waste
16 buried also at Savannah River.

17 This is a map showing some of the
18 contaminated sites. A lot of it is chemical
19 contamination, but there's been large releases
20 of tritium.

21 When you say that no one has been
22 harmed by the public, if you go back and look

1 at the amount of tritium that was released in
2 the air in Savannah River in the '50s and
3 '60s, it's astounding, I mean huge areas had
4 got to be affected by the tritium release
5 there. Now I know it has a short half-life,
6 but no one has done any real studies on the
7 effects of tritium on human health. It's been
8 a suspected teratogenic and other things, so.

9 But there's a lot of contamination
10 there from the things that have been going on
11 there and they are trying to clean these
12 things up, we know.

13 There's a -- this is a picture of
14 the tank farm, one of the tanks. They are
15 buried under the ground. Currently they still
16 hold 38.4 million gallons, about 340 million
17 curies in the sludge and the salt, a lot of
18 waste just in the tank farm.

19 This was a quote that was made by
20 someone from the National Academy of Sciences,
21 and we believe this. We know that we have a
22 lot of environmental problems in our state,

1 but the radioactive waste in those tanks is
2 very dangerous and very long-lived and we
3 don't -- we got stuck with it. We got stuck
4 with the plutonium.

5 I remember Governor Hodges saying
6 he was going to lay down in the highway and
7 stop the trucks from coming in. Well, he
8 tried, he tried taking it to court, the state
9 tried to say no and the state was denied. We
10 got -- we had the plutonium brought there
11 anyway, over the objections of our governor.

12 So, we, once again -- here's some
13 of the WIR waste. That is what it looks like,
14 there. It is being put into these tanks. I
15 understand that Tank 2B has had some water
16 issues, they've had to take it out, clean the
17 edges, it's been leaking a little bit.

18 So this is going to hold the WIR
19 waste, which is deadly for a couple of hundred
20 years I think, so -- and currently about two
21 million curies of radiation in the WIR waste
22 there.

1 So our concerns are that this
2 interim idea could very easily become
3 permanent because we have seen it before. We
4 are very familiar with how plans change,
5 political things change. The economy changes.
6 We are very skeptical that any waste coming in
7 now will ever leave.

8 We are unsuited geologically for
9 any long-term storage, permanent storage. We
10 are worried that when you put it all in one
11 place, there is this out of sight, out of mind
12 mentality. Oh, it's okay, we sent it over
13 there, it's somebody's dealing with it.

14 No, we are worried about that. We
15 are worried that any time you put this waste
16 in one location, you are automatically opening
17 the door, the temptation, to reprocess it.

18 Now I heard someone say earlier
19 that they want to leave the options open for
20 spent fuel. You can leave the options open by
21 leaving it where it is. Just because you
22 leave it at the site doesn't mean you can't

1 consider reprocessing later on.

2 But if you move it in one location
3 like Savannah River Site, you have
4 automatically tilted the scales in favor of
5 doing something else with it, and it doesn't
6 mean going to the geologic repository.

7 MR. BRYAN: Let me interrupt you.
8 We need to move on.

9 MS. CORBETT: Okay. We have no
10 guarantees it will ever leave. We have seen -
11 - and we have a booster community that
12 obviously wants to do new missions because
13 there's a lot of jobs and money there.

14 We are very concerned about
15 statements like this -- I can't read it from
16 here -- something about being a replacement
17 for Yucca Mountain, basically South Carolina
18 would become the replacement for Yucca
19 Mountain.

20 So we unanimously oppose any more
21 waste. We think that keeping it in different
22 congressional districts will keep the issue in

1 the forefront of these congressional elected
2 officials.

3 If they know there's waste in
4 their state, they are more likely to get
5 something done. If you put it all in one
6 state that might or might not have any
7 political clout, chances are, nothing is going
8 to ever get done.

9 So, basically -- and when we
10 fought Barnwell, we took Barnwell to the
11 statehouse, the committee that dealt with it
12 voted 16-0 to keep -- to close that site, so
13 there -- and those representatives from all
14 over the state.

15 There is a large consensus in our
16 state by legislators and citizens that we no
17 longer want waste being brought in our state.
18 We support keeping the waste in hardened
19 on-site storage or some other dry cask storage
20 at the site, and get busy building these
21 geologic repositories.

22 There's no sense in moving this

1 stuff twice. It just opens up all kinds of
2 problems and possibilities. So in conclusion,
3 we support hardened on-site storage, building
4 geologic repositories and we are not going --
5 the conservation community will oppose any
6 plans to bring all of that waste to Savannah
7 River Site. Thank you.

8 (Applause.)

9 MS. PAUL: Hello, welcome. Ooh,
10 I'm going to need these. Thank you for
11 inviting me to speak, Mary, and to respond to
12 the Blue Ribbon Commission's draft report
13 dated July 29th.

14 And welcome to Atlanta,
15 Commissioner Ayers and Commissioner Bailey.
16 Hey, how are you? I saw you over in Augusta
17 before, in January.

18 I hope to present views shared by
19 our members and colleagues here in the Atlanta
20 metro area and across Georgia and by our
21 southeast partners whose communities are
22 concerned about, one, a possible return to

1 reprocessing; two, the threat of nuclear power
2 expansion; three, the failure of our nation to
3 find a safe and secure means of isolating
4 irradiated, high-level waste and returning it
5 to a deep geological repository.

6 I am very glad to read that most
7 of us seem to agree on the desire to find a
8 suitable burial ground for spent nuclear and
9 high-level nuclear waste. It's great to have
10 some agreement.

11 And I am sorry that I -- I do
12 remember somewhat ironically that I believe it
13 was our native ancestors who tried to warn us
14 years ago that we should never take uranium
15 out of the earth.

16 And I heard that I missed this
17 morning's discussion and it looks like I might
18 have some military people here in the room,
19 any military or former military people here in
20 the room?

21 Great. Okay. Because I just
22 wanted to quote Admiral Rickover, the father

1 of the U.S. nuclear navy and in charge of
2 construction of the first nuclear power plant
3 in the nation in Shippingport, Pennsylvania,
4 which happens to be my home state.

5 Before a Committee of Congress as
6 he retired from the Navy in 1982, Rickover
7 warned of the inherent lethality -- lethality,
8 lethal -- of nuclear power and urged that we
9 outlaw nuclear reactors.

10 The basic problem? Radioactivity.
11 And I want to make note that not once in the
12 executive summary, and I must admit that I
13 didn't go through every page of the full
14 report but the executive summary, I never once
15 saw the term radiation used.

16 A little information about me. I
17 am Bobbie Paul, I am the Executive Director of
18 Georgia WAND and just to know where I am
19 coming from, I have lived in Georgia for 30
20 years, have served for 8 years as Executive
21 Director of Georgia Women's Action for New
22 Directions, the oldest and largest national

1 WAND chapter, founded 30 years ago as Women's
2 Action for Nuclear Disarmament.

3 So I think you know where I am
4 coming from. Our volunteer board of directors
5 oversees a professional staff of four
6 including myself. We work on environmental
7 justice, empowerment of women, and also work
8 towards a nuclear weapons-free world.

9 Our focuses are on reducing
10 militarism, violence and injustice in our
11 community and in our country. We maintain
12 international partnerships with colleagues in
13 Great Britain, Russia, France, Germany and
14 Japan, and our website is www.gawand.org.

15 We have watchdog activities at the
16 Savannah River Site and its neighboring South
17 Carolina for almost 20 years. For the past 12
18 years we have concentrated on getting to know
19 and building lasting relationships with
20 residents in rural and urban, some urban
21 communities, as you know Augusta, Waynesboro,
22 Allendale, North Augusta over there.

1 Georgia WAND is an active member
2 of the Alliance for Nuclear Accountability, a
3 national network of grassroots organizations
4 working across the nation to address issues of
5 nuclear weapons production and waste cleanup.

6 We look at these issues through a
7 lens that celebrates people, community,
8 health, children and a safe and secure working
9 and home environment.

10 We advocate for precaution and
11 challenge the nuclear industry's reliance on
12 risk assessment models that assure short-term
13 economic gain but which often lead to long-
14 term pain for residents in communities where
15 nuclear facilities are sited.

16 We understand that the real back
17 end of the nuclear fuel cycle does not always
18 lead to the rods, but to the people whose
19 homes back up to these nuclear reactor sites,
20 some of whom are often afraid to speak of the
21 terror they feel living in close proximity to
22 the reactors and the highly radioactive waste

1 that accumulates at each site.

2 Shell Bluff, we have some people
3 here from Shell Bluff today, is such a site,
4 where nuclear plant Vogtle sits, where it is
5 extremely difficult to speak up, living in a
6 community that depends on blind allegiance to
7 the public utility and its parent company, the
8 major contributor to the tax base in the area.

9 The people at Shell Bluff in Park
10 County were never told in 1950 and 1960s that
11 there might be harmful, radioactive emissions
12 coming from the newly-constructed Savannah
13 River Site, aka the bomb plant, located
14 directly across the narrow river from their
15 homes in Burke County.

16 The same could be said about not
17 knowing that by accepting nuclear reactors
18 into their community, they were also accepting
19 nuclear waste without their consent, waste
20 that had no place to go.

21 This reactor and the other one
22 that we claim in Georgia, Plant Hatch in

1 southeast Georgia, also a Southern Company
2 facility, they knew that they were going to
3 sit with -- had they known that they were
4 going to sit with radioactive parking lots of
5 nuclear waste long beyond the operating
6 decades of the nuclear plant, they may not
7 have accepted them.

8 What is it about waste and
9 cleanup? Surely nobody likes to clean up.
10 But our people in our government and that had
11 to deal with this were smart, forward-
12 thinking, engineers, businessmen, politicians,
13 what were they thinking when they proposed the
14 construction of nuclear reactors next to life-
15 supporting waterways and rural farmland?

16 Where was their cleanup plan,
17 their disposal plan, their care for creation
18 plan, any plan to deal with elements that
19 would live hundreds of thousands of years?

20 Perhaps they just wanted to cook
21 and avoid doing the dishes, which is what
22 someone told me at DOE in Washington once,

1 that he would much rather do that.

2 I have often wondered, did they
3 actually realize that the job was going to be
4 so hard that they would rather not look at it
5 and risk failure.

6 Well, failure does not seem an
7 option now and I do thank the administration
8 for realizing that this nuclear waste issue is
9 not to be ignored any further, no more kicking
10 the can down the road.

11 So, here we are today, and they,
12 the industry, our government agencies and our
13 policymakers, failed to identify the problems
14 of cleanup and stewardship associated with the
15 large outlay of expense and financial profits
16 of nuclear energy.

17 And sadly the industry continues
18 to run these reactors and continues to make
19 more and more waste, expecting our government
20 to take care of it.

21 Now they of days gone by are the
22 we of 2011 and all of us are stakeholders, and

1 we have got to get this right. So the
2 question is, and what I think this -- the
3 report poses, is can we really keep to the
4 honorable task of cleaning up and resist the
5 allure of making yet one more nuclear mess?

6 Can we isolate the waste issue and
7 hopefully the waste itself, and stop punting
8 the problem or part of the problem onto future
9 generations, and finally finish the job, or
10 will the nuclear industry keep flexing its
11 economic muscle to make more deals to
12 perpetuate a plutonium economy and, in the
13 process, give us more waste to manage?

14 Living with an ongoing Fukushima
15 disaster, are we willing to risk the nuclear
16 terror that could be caused from, say, an
17 earthquake happening here in this region,
18 where a 7.3 earthquake hit on September 1st
19 1886, causing \$5-\$6 million damage back then.

20 That famous Charleston earthquake
21 was the largest one to occur in the southeast
22 and was felt from Boston to Bermuda. So we

1 wonder if Japan could happen here, Fukushima.

2 The unthinkable happened in Japan,
3 out of the park, out of the bounds, a perfect
4 storm, but nah, it couldn't happen here. But
5 that's what we said in Japan. Do we really
6 believe that?

7 A fundamental dilemma outlined in
8 the BRC draft report seems clear: some minds
9 on the Commission clearly see nuclear waste as
10 a financial commodity that provides
11 opportunities for research and development for
12 more nuclear ventures such as reprocessing,
13 which would keep multiplying new nuclear waste
14 streams.

15 There's also a BRC recommendation
16 for the movement of irradiated fuel to
17 consolidated interim storage facilities, a
18 middle ground between on-site and the
19 repository.

20 And I think there are others whose
21 voices I heard coming through loud and clear
22 that recognize that the no-solution, 25-year

1 problem is a management failure and a
2 challenge that must be faced head-on if we are
3 to protect public health and safety.

4 I say take action immediately to
5 secure everything that can possibly be
6 secured, learn the lessons of Fukushima, thin
7 out the stacking of the fuel rods and the
8 cooling pools to avoid fires, use a low-
9 density, open-frame arrangement within the
10 pools to allow for air to circulate, remove
11 the rods -- and that's not an easy task, I've
12 seen it done in Idaho -- that have been in the
13 cooling pools for at least five years and
14 immediately begin putting them into hardened,
15 on-site storage, commonly referred to as HOSS.
16 Just think of Bonanza, keeping the waste close
17 to the reactor site and avoiding
18 transportation for safety reasons.

19 If the reactor site is unsuitable
20 for placing fuel rods into hardened on-site
21 storage, which may be the case at Turkey Point
22 down in Florida, which is down at sea level,

1 move it once, but only move it once to another
2 location, a suitable site.

3 Make sure that hardened on-site
4 storage is retrievable and institute real-time
5 monitoring, very important, to make sure that
6 radiation releases that may be escaping are
7 detected, should they occur.

8 Okay, I'm wrapping. This is an
9 immediate action plan that can assure a public
10 that is still reeling from the unfolding
11 Fukushima disaster that our government is
12 taking strong measures to harden spent fuel,
13 and make it less vulnerable to fires,
14 meltdowns or explosions, and is in keeping
15 with the health and safety of the people not
16 the corporations in the forefront.

17 All right, I'll skip. Although
18 not without dangers, HOSS is an available
19 technology that should be utilized, okay? If
20 I have left time than I will go on.

21 The other thing that I was going
22 to say is that we have principles for

1 safeguarding nuclear waste that I will submit
2 about HOSS and the other recommendation is we
3 heartily reject the establishment of any
4 consolidated interim storage facilities which
5 could delay the primary need, the
6 establishment of a scientifically-based,
7 federally-regulated solution.

8 Again, we do not advocate for the
9 construction -- I'm finishing -- of any
10 consolidated interim storage facilities.
11 Leave the waste in current interim storage
12 situations since the BRC claims that these
13 arrangements are currently safe.

14 Do not transport waste unless
15 absolutely necessary. Consolidated interim
16 storage could be easily seen as an invitation
17 to the nuclear industry to begin thinking
18 about reprocessing. Don't do it. This is
19 about cleanup, not building up more waste
20 streams to deal with, no matter what the
21 financial allure.

22 Please be lean and mean. People

1 are watching and deserve results. No new
2 nuclear missions should be coming out of
3 cleanup. No more buildups.

4 The task at hand is not to make
5 more waste but to deal with the current waste
6 that has accumulated. Reprocessing increases
7 waste streams and has been reported to
8 increase six times the volume of waste.

9 Get us down to zero if possible.
10 Make it a campaign and the only option. Get
11 the public behind you. No more new waste. We
12 have enough to deal with now.

13 I firmly believe that the true
14 cleanup will reveal amazing and, as yet to be
15 revealed, lucrative ventures, once it has been
16 accomplished.

17 This slow dance, I firmly believe
18 can bring everyone to the floor.

19 (Applause.)

20 MR. BRYAN: Thank you. Next Paula
21 Marino, and I please just want to remind you
22 that we want to keep these to eight minutes.

1 We want to make certain that we have plenty of
2 time for a Q&A at the end.

3 MS. MARINO: Good morning. My
4 name is Paula Marino, and I am the vice
5 president of Engineering for Southern Nuclear
6 Operating Company, a subsidiary of Southern
7 Company.

8 First, I will briefly describe my
9 company. Southern Nuclear is the licensed
10 operator of six units at three locations: the
11 Vogtle Electric Generating Company located
12 approximately 30 miles south of Augusta; the
13 Hatch Nuclear Plant near Baxley, Georgia; and
14 the Farley Nuclear Plant near Dothan,
15 Alabama.

16 These six nuclear units comprise
17 over 6,000 megawatts of generating capacity
18 and represent approximately 17 percent of the
19 total annual generation of the Southern
20 Company system.

21 In addition to our operating
22 facilities, Southern Nuclear is an applicant

1 for a Combined License to construct and
2 operate two new nuclear energy facilities at
3 Plant Vogtle, the first new nuclear energy
4 facilities constructed in the last 25 years.

5 On behalf of Southern Company and
6 Georgia Power Company, allow me to welcome the
7 Commission staff, Commissioners Mark Ayers and
8 Vicky Bailey, and all of you to Georgia, and
9 to express our appreciation for the
10 significant work undertaken by this Commission
11 for a national nuclear used fuel management
12 program.

13 I will go over Southern Company's
14 position on the recent Blue Ribbon Commission
15 recommendations. While the Blue Ribbon
16 Commission does not take a position on Yucca
17 Mountain, Southern Company believes that the
18 Yucca Mountain program should continue to be
19 developed and the existing standards for the
20 site are appropriate and achievable.

21 With respect to the Blue Ribbon
22 Commission's recommendations that the facility

1 siting process be adaptive, staged, consent-
2 based, transparent and standards and
3 science-based, Southern Company supports all
4 of these principles. The transparency and
5 standards and science-based nature of the
6 process are especially critical.

7 Southern Company believes that any
8 new initiative relative to repository siting
9 should be a part of an integrated strategy
10 that includes the Blue Ribbon Commission's
11 other recommendations regarding interim
12 storage and reform of the radioactive waste
13 disposal funding and management.

14 While our company supports a
15 process that uses the consent of a potential
16 host locality for siting purposes, the consent
17 of the locality, or lack thereof, should not
18 override the technical suitability of the site
19 or be used to void or nullify the United
20 States' obligations under the Nuclear Waste
21 Policy Act to develop a repository and take
22 possession of stakeholders' used nuclear fuel

1 and high-level radioactive waste.

2 Southern Company also supports the
3 establishment of a federal corporation with
4 responsibility for nuclear waste storage and
5 disposal that would have access to the Nuclear
6 Waste Fund without the necessity of
7 appropriations.

8 Safeguards must be taken to
9 de-politicize the entity, including the
10 implementation of mandatory standards that
11 require the constitution of the board to be
12 bipartisan and to include representatives of
13 each interested stakeholder group, including
14 representatives of the industry.

15 We wish to underscore our belief,
16 however, that merely shifting responsibility
17 will be ineffectual unless the funding process
18 is de-politicized and the new entity is
19 provided with access to all nuclear waste
20 funds to be expended as necessary to achieve
21 the purposes of the Nuclear Waste Policy Act
22 without subjecting the funds to the budgetary

1 restrictions generally applicable to
2 congressional appropriations.

3 Reliance on appropriations for
4 access to funding necessary to develop and
5 implement the nuclear waste program threatens
6 the viability of the program.

7 All fees paid under the contracts
8 authorized by the Nuclear Waste Policy Act
9 should be made available to the radioactive
10 waste program and should not be diverted to
11 other uses.

12 Southern Company agrees with the
13 Blue Ribbon Commission that funds collected
14 from utility ratepayers for disposal of
15 nuclear waste should be available for that
16 purpose without subjecting the funds to the
17 budgetary restrictions generally applicable to
18 congressional appropriations.

19 Regardless of whether the Yucca
20 Mountain licensing proceeds, we believe that
21 the technical knowledge developed about Yucca
22 Mountain and long-term storage and disposal

1 reflected in the Department of Energy's
2 application for a repository construction
3 authorization should be preserved.

4 To allow for technological
5 investments in fuel recycling, shielding,
6 storage and disposal technologies before the
7 first casks become inaccessible, Southern
8 Company believes that long-term centralized
9 storage should be considered prior to
10 commencing permanent disposal of spent fuel.

11 Southern Company also believes
12 that licensing reform to permit a storage-only
13 license for a repository with limited,
14 retrievable storage would also enhance the
15 ability of the federal government to satisfy
16 its obligations under the Nuclear Waste Policy
17 Act.

18 Southern Company also agrees with
19 the Blue Ribbon Commission recommendation to
20 create dedicated storage facilities as a way
21 to begin to transfer of used fuel to federal
22 control pending its ultimate disposition.

1 Southern Company supports the Blue
2 Ribbon Commission's efforts to remove
3 impediments to the creation and operation of
4 interim storage facilities, including for
5 example, the National Environmental Policy Act
6 review and the co-location restrictions in the
7 Nuclear Waste Policy Act that prohibit the
8 siting of storage facilities and repositories
9 in the same state.

10 Licensing reform is necessary so
11 as to permit a storage-only license for a
12 repository with limited, retrievable storage.

13 Southern Company supports the
14 research, design and development to either
15 improve upon existing technologies, or to
16 identify new technologies while advocating for
17 the development of workforce needs and skills.

18 Given the task of the Blue Ribbon
19 Commission, Southern believes the focus of the
20 Blue Ribbon Commission should remain primarily
21 on recommendations relating to the storage and
22 disposal of nuclear waste in designated areas

1 of research, development and demonstration.

2 Southern Company does not oppose
3 the Blue Ribbon Commission's efforts to make
4 U.S.-based storage and disposal facilities
5 available to the international community,
6 provided that resources are not restricted to
7 the industry in the United States, resulting
8 from use of the storage and disposal
9 facilities by the international community.

10 To the extent the siting process
11 must be reopened and the development and
12 construction of additional repositories are
13 considered, Southern Company believes it is
14 appropriate to develop new generic,
15 site-independent standards prior to site
16 selection.

17 Southern Company believes that it
18 is appropriate for the Nuclear Regulatory
19 Commission to consult with the Environmental
20 Protection Agency in the formulation of
21 standards and agrees with the Blue Ribbon
22 Commission that one entity should be

1 designated as the lead agency for the
2 development of safety standards.

3 Jurisdiction over the promulgation
4 of safety and performance standards should be
5 consolidated at the Nuclear Regulatory
6 Commission.

7 I appreciate the opportunity to
8 share these thoughts with the Commission
9 today. The United States' leadership in the
10 nuclear industry depends on the adoption and
11 implementation of a sound nuclear waste
12 policy. Thank you.

13 MR. BRYAN: Thank you very much.
14 Stan Wise and then Glenn Sjoden. You are
15 going to be the last person.

16 MR. WISE: Well, barely good
17 morning to everyone. I am Stan Wise. I am
18 the current Chair of the Georgia Public
19 Service Commission and I am speaking today
20 individually for myself and perhaps most of my
21 commission would agree with the positions that
22 I take, but in addition, too, I am speaking in

1 behalf of NARUC, our National Association of
2 Regulatory Utility Commissioners, of which all
3 of public utility commissioners are members.

4 I thank the Commission for having
5 the opportunity to speak today and evaluate
6 the ways to get the nuclear waste program back
7 on track, and for holding these meetings on
8 the subcommittee reports in June and preparing
9 comments on the draft Commission report.

10 I'll summarize our reactions and
11 then focus on a specific course of action.
12 While we understand the Commission's adherence
13 to the guidance given to you by the Secretary
14 of Energy, and the statement in your report
15 that all your recommendations can and should
16 be implemented regardless of what happens with
17 Yucca, we believe that the Commission should
18 have recommended that the NRC be required to
19 fulfill its obligations to complete Yucca
20 Mountain license review, in the interests of
21 science and to inform policymakers.

22 We agree with the reports that

1 finding that the nuclear waste program is at
2 an impasse, and I won't attempt to address the
3 history of how we came to that point, but
4 certainly the heavy-handed policy decisions in
5 '87 imposed on Nevada, however supported by
6 technical merit, was undone when Nevada's
7 political influence was on the ascent in 2009.

8 During the intervening years,
9 upwards of \$7 billion collected from the
10 reactor owners and their customers was spent,
11 along with \$4 billion from the Defense budget,
12 and all we have to show for it is an 8,000-
13 page license application that the NRC will not
14 review and a tunnel with a site approved by
15 Congress in 2002 that is now padlocked.

16 On consolidated storage, we
17 disagree that all elements of the plan are not
18 new. Consolidated central storage is new, and
19 although we have urged that since 1994, we
20 seek more proof that building and operating a
21 consolidated storage facility would pay for
22 itself in savings, as the draft report

1 asserts.

2 It seems unfair to pay for storage
3 with the Nuclear Waste Fund to save money that
4 comes from the Judgment Fund. We can't tell
5 how much spent fuel will be stored for how
6 long, and at what cost.

7 So, if it comes out of the Fund,
8 we can't tell what the effect on the fee might
9 be. We do agree that the spent fuel from
10 decommissioned sites should be first in line.

11 As to permanent disposal, we agree
12 that a new repository site is needed
13 regardless of what happens with Yucca. We can
14 support a consent-based siting approach, a new
15 approach that will require patience and
16 certainly take time.

17 We would like to see state --
18 state vetoes should not be needed under a
19 respectful, opt-out basis.

20 We agree that appropriate use of
21 the waste fund should be used to provide some
22 benefits as incentives.

1 We also agree, under the
2 organizational issues, that reality is that a
3 new organization is needed since the former
4 program management organization within DOE has
5 been disbanded.

6 We support the concept and reasons
7 for setting up a federal corporation. We are
8 interested in having the representation on any
9 fee-setting oversight board, and we also agree
10 with a stakeholder advisory committee within
11 the NARUC organization be included.

12 And as to the funding, I would
13 like to go ahead and state that financing is
14 essential to a successful nuclear waste
15 strategy, and the present functioning of the
16 Nuclear Waste Fund will not get the job done.

17 The draft report recognizes in
18 Section 8 that the success of a revitalized
19 waste management program depends on a
20 functioning full cost-recovery user fee like
21 the Waste Fund was designed to be, and that
22 provides access to fees collected as well as

1 the supposed corpus of that prior year
2 accumulated surplus and interest that was
3 credited to the Fund.

4 We are skeptical of the
5 Commission's statement that overall, we are
6 confident that a recommendation can be
7 implemented using revenue streams already
8 dedicated for this purpose, and that the draft
9 report apparently assumes that such a storage
10 can be financed from the Nuclear Waste Fund,
11 because it is incidental to disposal.

12 Finally, the Commission's
13 confidence presumably included the assumption
14 that the \$25 billion or more that is no longer
15 regularly reported upon by the DOE as the
16 balance in the Nuclear Waste Fund is going to
17 be fully transferred at some future point to
18 the new waste management organization.

19 We fully agree with the proposed
20 near-term non-legislative action to reclassify
21 and change the timing of the Nuclear Waste
22 Fund fee collections as outlined, and should

1 have the state utility commissions already
2 familiar with the decommissioning trust funds,
3 can work with utilities and DOE as a successor
4 waste management organization, set up the
5 irrevocable trust accounts, if approved, for
6 third-party financial institutions in their
7 states.

8 We also feel that if there is to
9 be a major new initiative to build
10 consolidated central storage for up to a 100
11 years and the desire is to use the Nuclear
12 Waste Fund for it, that it warrants amending
13 the waste fund and the policy act which the
14 draft report says is needed anyhow.

15 On advanced reactor and fuel cycle
16 technologies, we find that the Commission's
17 conclusion that it is premature to seek
18 consensus on closing the fuel cycle to be
19 understandable.

20 A lot depends on the expansion of
21 nuclear power. We do not support the use of
22 the Fund for either research or the

1 development of reprocessing, understanding
2 that this has not yet been proposed. We just
3 wanted to make sure that that was clear.

4 As to regulatory matters, we
5 disagree with the recommendation that the EPA
6 and the NRC continue to share responsibility
7 for radiation standards.

8 The NRC has the expertise and a
9 risk-based regulatory regime that is capable
10 of protecting public health and safety.

11 And during transition, we
12 recommend that the final report contain some
13 recommendations on transition to the new
14 organization.

15 If the DOE is "getting out of the
16 business, who will secure support for the new
17 strategy from Congress and the public and help
18 launch the new organization?

19 Thank you so much.

20 MR. BRYAN: Glenn, I'm going to
21 let you go and then we'll have questions after
22 that.

1 MR. SJODEN: My name is Glenn
2 Sjoden. I am a Professor of Nuclear
3 Engineering at Georgia Institute of
4 Technology, a couple of metro, MARTA stops
5 down the road here.

6 I am not your typical academic. I
7 spent 20 years in the United States Air Force
8 serving my country to do the mission that has
9 to be done.

10 And I was an nuclear expert, I was
11 a nuclear engineering expert for the Air
12 Force. There are fewer than about 100 of
13 those in the United States Air Force.

14 The Air Force has the
15 responsibility of monitoring the limited test
16 ban treaty among other things and I did that
17 mission along with learning how to reprocess
18 nuclear fuel at Idaho, making fuel rods.

19 I was involved in the entire
20 mission of various parts of DOE. I worked on
21 dispatching aircraft to look at issues
22 regarding nuclear testing and other things.

1 So I am not your typical academic.
2 I am an expert in radiation transport theory
3 and I am working hard to train folks on how to
4 design more efficient and better nuclear
5 reactors.

6 But this is basically comments on
7 the Blue Ribbon Commission from an academic
8 perspective, and I coordinated these comments
9 through my fellow faculty members.

10 And so I am here to present those
11 today. Next slide. I won't be going through
12 all my slides because I was told I have 15
13 minutes and now I have 8.

14 So this is not going to meet that
15 criteria if I go through everything. I wanted
16 to briefly talk about Georgia Tech's nuclear
17 engineering program just a little more.

18 And I am going to skip through a
19 lot of this and get down to the Blue Ribbon
20 Commission report and feedback from our
21 perspective on what that report said, what the
22 report did do and what the report, we feel,

1 did not do, talk briefly about the true cost
2 of energy, and then I'll talk about our
3 viewpoint on long-term needs.

4 Next slide. Our current program,
5 we have close to 300 undergraduate and
6 graduate students, and we are all about trying
7 to train the next generation of folks because
8 I don't know if you know it or not, but half
9 of the nuclear workforce is going to retire in
10 the next eight years and we have a huge gap of
11 folks with expertise that needs to be filled,
12 even to just keep what we have got going, and
13 that is what I am all about as far as training
14 those folks.

15 We held a nuclear fuel symposium
16 on sustainable nuclear fuel management at
17 Georgia Tech a couple of months ago. It was
18 extremely well attended by government,
19 industry and academia and brought out a lot of
20 the issues on nuclear waste and reprocessing
21 and nuclear waste policy, and there's a
22 website on there and you just look up SSNFM

1 2011, you will see that on the internet.

2 Next slide please. So we are
3 going to have to meet the growing energy
4 needs, and there is no free lunch. Every
5 energy production method has a cost, and it
6 has impact to the environment. You have to
7 just manage it and take care of it.

8 And what is the best energy mix?
9 Well there isn't one unique thing. We need to
10 investigate all the different energies, but
11 nuclear has been determined to be -- it's
12 going to have to be one of those pieces of
13 that energy mix in order to meet the needs of
14 the future, and it's just very difficult to
15 get around unless you want to continue putting
16 all the CO2 in the atmosphere.

17 Next slide. I'll skip most of
18 this, but basically a lot of folks that used
19 to be anti-nuc are now promoting nuclear
20 energy, including Patrick Moore et cetera, on
21 that list, because of the fact that they
22 realized there is no free lunch and we have

1 got to manage this stuff.

2 Next slide. So, is it
3 sustainable? It is sustainable if we make the
4 right decisions, and that's what our view is
5 in academia. Yes, it's sustainable.

6 On the order of 70 years only,
7 though, if we do this once-through current
8 policy, if we don't recycle the uranium and
9 get the plutonium out that we are going to
10 need to burn to keep the lights on folks, if
11 we don't recycle that, it's all going to be
12 over in 70 years because the costs of the fuel
13 go up as demand goes up, and if you don't
14 recycle it, you are going to be -- you are
15 going to be done.

16 So the back end of the fuel cycle
17 has to be managed and it has to be done very
18 quickly. Next slide.

19 So, the proposed approach really
20 needs to be -- our traditional approach was
21 look at reactors, fuel and then worry about
22 the waste.

1 What we need to do is re-
2 prioritize that list and say what waste do we
3 want to manage, which leads to what fuel cycle
4 we want to have, which leads to what nuclear
5 system we need to use and design for, and so
6 we need to flip this around.

7 Next slide. So what the Blue
8 Ribbon Commission report did do, it
9 acknowledged further inaction is damaging to
10 the U.S. We acknowledge that.

11 Siting nuclear waste facilities
12 and establishing some organization needs to be
13 done, however that's done.

14 Access past and current nuclear
15 waste funding. That needs to be done because
16 of the folks who have paid into this waste
17 fund for years and years.

18 Promoted education and R&D for the
19 workforce development, develop these geologic
20 facilities and interim storage facilities,
21 yes, all this stuff needs to be done.

22 Next slide. But what -- what the

1 Blue Ribbon Commission report did not do but
2 probably needed to do is there's no strong
3 push for closing the U.S. nuclear fuel cycle.

4 The Blue Ribbon Commission stated
5 this was premature and needed more evaluation.
6 Well, we have been evaluating it for about 30
7 years now.

8 There's a 50-year backlog of U.S.
9 nuclear fuel currently racked around the
10 country and this needs to be addressed right
11 away.

12 France, as -- I spent a month -- I
13 have been dealing with the French for a while.
14 As I said I consult for them. I worked at
15 Electricite de France for an entire month this
16 past summer on improving nuclear designs with
17 them.

18 They reprocess 85 percent of their
19 fuel. They have closed the nuclear fuel
20 cycle. They have minimal high-level waste.
21 It's taken care of. It's a done deal.

22 You go there and they say yes, we

1 do nuclear, get out of our way. We are busy.
2 That's the way it needs to be done here. If
3 you want to have an organized place go to
4 France.

5 If you go to Paris, 80 percent of
6 their electricity, 80 percent of the lights on
7 in Paris, the city of lights, are powered by
8 nuclear energy. So that's something that I
9 think a lot of people had forgotten.

10 Next slide. There's no comment on
11 U.S. government regulations, EPA and
12 otherwise. We have passed so many regulations
13 to limit how the reprocessing can be applied
14 in the United States, particularly with regard
15 to fission gases and other things that have to
16 be dealt with, that we have made it very
17 difficult to actually close the fuel cycle.
18 So that needs to be addressed.

19 Also, the BRC noted that they
20 purposely avoided any opinion on Yucca
21 Mountain, and we believe that's a mistake, and
22 that is a very large elephant in the room that

1 needs to be addressed.

2 The push for multi-national fuel
3 cycles internationally, with the U.S. as a key
4 entity, that's not going to go over too well
5 with the international community.

6 We don't have credibility, given
7 our current waste policy. So to propose that
8 we are going to be in charge of multi-national
9 fuel cycle solutions is really not -- doesn't
10 really have merit.

11 Next slide. The draft proposal
12 stated we know what we have to do. We know we
13 have to do it. And we even know how to do it.
14 We actually invented reprocessing in this
15 country, and by the way all that -- all those
16 millions of gallons of waste that were
17 referred to earlier, are all because of the
18 arms race in the Cold War and developing
19 weapons to meet that need.

20 We know how to do it. We invented
21 the technology. We need to have -- yes,
22 negotiations need to be conducted with

1 communities. We need to get community buy-in.

2 We have to do it right. We have
3 to do it smart. But we need a decision and we
4 need a solution. We can't wait for 25 more
5 years to go by. It's just not viable.

6 So, also, workforce shortfalls --
7 this is where I come in -- workforce
8 shortfalls predict dire consequences for the
9 nuclear industry in order to meet the human
10 capital gap that is going to happen if we
11 don't take care of this problem, and train
12 people and allocate the funding to train the
13 people that are needed.

14 And there's no comment on recent
15 private enterprise efforts to basically build
16 a U.S. pilot plant facility to address closing
17 the fuel cycle and recycling nuclear fuel.

18 By the way, if you recycle the
19 fuel, 95 percent of the fuel goes back in the
20 reactor. Only five percent becomes high-level
21 waste and your football field of waste 20 feet
22 high becomes the end zone, and Yucca Mountain

1 would last for 100 years, so you have got to
2 put it in perspective.

3 Next slide. The true cost of
4 generating electricity, a study was done in
5 Europe and they found that actually nuclear
6 was the cheapest overall alternative, if you
7 consider all the costs of electricity.

8 Next slide. If you are going to
9 build a geologic repository and bury
10 everything, you are going to have to have five
11 or six of those, pretty fast. We have to
12 recycle the fuel. You can reduce the volume
13 by 90 percent if you recycle. Next slide.

14 So long-term view, we need an
15 energy policy to close the fuel cycle. We
16 need to reprocess. We need to do it right.
17 We need to do it smart, but we need to do it
18 and take care of it similar to the way the
19 French have done.

20 And next slide. Basically, the
21 BRC report had many good suggestions.
22 However, there were several issues that didn't

1 -- weren't addressed and we feel that the
2 aspect of closing the fuel cycle needs to be
3 made.

4 Overall we would prefer to see the
5 Commission taking a firm stand on the key
6 issues. And that's all I have. I know I'm
7 out of time. Thank you very much.

8 MR. BRYAN: Thank you very much
9 Glenn. We appreciate that. Thank you to all
10 of our panelists for coming and really giving
11 us a lot of good information in that process.

12 So thank you for that. What we
13 want to do now is provide an opportunity, we
14 have got about 15 minutes. We want to give an
15 opportunity to those of you in the audience
16 who want to ask questions of the panelists,
17 pertaining to their presentations.

18 We probably have time for about
19 five questions. So let's start here in the
20 back and then we have got a question -- Tom
21 Clements -- and then we have a question --
22 okay. So one, two, three, four, five, six,

1 seven -- I'm going to -- what I am going to --
2 let me do this.

3 Let me do this. I really want to
4 make certain that we ask -- that we get people
5 who have not spoken before. We want to give
6 them an opportunity to speak here as well.

7 So I am going to lean towards
8 folks who we haven't heard but we are going to
9 try to get everyone.

10 MR. BENNETT: Thank you. My name
11 is Bryan Bennett, I am with FLiBe energy, F-L-
12 I-B-E, and for those of you who are
13 technicians or chemically enhanced, that's
14 fluoride, lithium and beryllium, which as a
15 political scientist I did not know, until I
16 came to this company.

17 My question is, how many of you
18 all have heard of thorium or specifically --

19 (Show of hands)

20 MR. BENNETT: Good. Specifically
21 liquid fluoride thorium reactor. It's one of
22 the molten salt reactors. We say that we can

1 consume all the way down to 99 percent of the
2 material, of thorium, and that the reactor in
3 a two-fluid situation, two-fluid design,
4 consumes our materials.

5 My mother -- I am going to say
6 this later today -- my mother told me an ounce
7 of prevention is worth a pound of cure, but
8 I'm having a hard time finding the political
9 will out there to look beyond 6 months, 12
10 months, you know, November of 2012, to look
11 out 3 years, 5 years, et cetera.

12 We are talking 5 to 10 years from
13 now, but I would ask that you look either on
14 our website, flibe-energy.com or energy from
15 thorium.

16 But only a few people have heard
17 of thorium or understand it or are looking at
18 thorium in a liquid state, not the solid
19 state. But please do, because I think a lot
20 of your concerns -- we are talking about
21 hundreds of years in the radiation life cycle,
22 not tens of thousands of years.

1 So there's a lot of reason for you
2 to look into it and get educated on it. Thank
3 you.

4 MR. BRYAN: Thank you. I think we
5 had Tom Clements, yes.

6 MR. CLEMENTS: Thank you. Tom
7 Clements, Friends of the Earth, Columbia,
8 South Carolina. Excuse me, Professor Sjoden -
9 - excuse me? Sjoden. Sorry, sorry.

10 I was a little bit surprised that
11 you didn't give a measured, academic
12 presentation and were just advocating for
13 reprocessing.

14 And in your presentation, you
15 said, regarding the French, they have closed
16 the nuclear fuel cycle and, quote, we need to
17 do it similar to the way the French have done.

18 Given that the French fast
19 reactors are closed, and that the MOX fuel is
20 not reprocessed, it's only used once in the
21 reactors and stored, I was curious as to how
22 you could make a claim that the French have

1 closed the nuclear fuel cycle, when they are
2 faced with exactly the same nuclear waste
3 dilemma that we are in the United States.

4 They don't have a repository and
5 they don't have a breeder reactor program that
6 is active now. So I am just curious about
7 your claim and if you could back it up that
8 they have, quote, closed the nuclear fuel
9 cycle. Thank you.

10 MR. SJODEN: I am basing that on
11 data from the French themselves. They gave a
12 presentation at our sustainable nuclear fuel
13 symposium, where the French sent a person to
14 come and give a presentation and they -- I am
15 quoting numbers that they gave at that
16 presentation.

17 And they are reprocessing 85
18 percent of their Pressurized Water Reactor
19 fuel and therefore five percent of that is
20 going into a high-level waste repository, and
21 95 percent is being recirculated back into
22 their reactor system.

1 MR. CLEMENTS: The MOX fuel is
2 stored, and there is no repository, so I just
3 -- if you --

4 MR. SJODEN: I am going by the
5 data that they gave at our presentation. They
6 sent someone over from Paris. So I am not
7 sure about your data. I am going by what
8 their government person said.

9 MS. LEWIS: Okay, folks, we have a
10 whole bunch of hands up, so let's try to get
11 around to as many people as we can.

12 Who was next Kevin?

13 MR. BRYAN: Right here.

14 MS. CARROLL: Well, I'll try and
15 be quick so everybody can get involved. My
16 name is Glenn Carroll, hello Glenn. And one
17 of our greatest, high adventures was shutting
18 the research reactor at Georgia Tech, when the
19 Olympics came to town.

20 It was really great and I am
21 impressed you have 300 students and I just
22 really think you would like to balance your

1 thoughts about reprocessing and the future of
2 nuclear power with this study from 2007, and
3 I think everybody but you has one.

4 And so I hope you will enjoy it,
5 and here's the little shorty. And I would
6 just ask that rather than emphasizing with
7 your students reprocessing, which will never
8 be quick, I mean, even GNEP was going to be 20
9 years, and 20 billion -- and you can respond -
10 - but I would ask that you focus on --

11 MR. SJODEN: I didn't say it was
12 going to be quick.

13 MS. CARROLL: Just one last
14 sentence and then it's yours. We have tank
15 waste at Savannah River Site. It's 60 years
16 old. It's leaking. The progress is
17 minuscule. It's twisted. We need chemists.
18 We need chemistry --

19 MR. SJODEN: You are absolutely
20 right. We need chemists and physicists to
21 take care of the problem. That waste that you
22 are talking about, and I defer to my

1 colleagues at DOE who can comment on that, but
2 that was from the nuclear weapons production
3 program, and that's where most of that waste
4 came from.

5 And it was reprocessing on fuel
6 that was burned to around 4,000 megawatt-days
7 per ton. You don't want to hear all the
8 technical stuff, but basically it was done for
9 plutonium production, which is part of the
10 weapons program, which maximizes the waste
11 stream by the way.

12 So if you made -- the decision was
13 made during the Cold War, and again I defer to
14 my DOE colleagues who can answer this better,
15 but basically this was decided to tank it
16 because production of weapons was placed ahead
17 of dealing with the waste.

18 And that's the way the decision
19 was made in the United States government, so
20 I can't answer for defense waste. That's up
21 to the Department of Energy to handle.

22 MS. CARROLL: As an academic I

1 just was encouraging you to encourage your
2 students to groom themselves to help us out
3 with this unresolved waste problem.

4 MR. BRYAN: Okay, so we are going
5 to move to the next question now. Thank you.

6 MS. ANTONOPOLUS: I am Barbara
7 Antonopolus. I am simply a concerned citizen
8 who has a grave concern about the effects of
9 radiation on human health.

10 And I have a question for Bobbie
11 Paul. One of the things that I heard pop out
12 of your presentation was the importance of
13 real-time monitoring.

14 And as I have listened to the
15 presentations this morning by various people,
16 you know, we haven't talked much about the
17 devastating health effects of radiation, and
18 that is what we are dealing with when we are
19 talking about nuclear waste.

20 And so I know that in Georgia
21 there's not a real representative from Georgia
22 in terms of anyone who can talk about the

1 health issues, but I think we are having a
2 problem already having waste -- radioactive
3 waste monitoring going on in this state, and
4 I think that with regard to the waste issue,
5 I want to hear something from someone that
6 that is a critical component to anything that
7 is done with waste, that is part of the
8 education that everyone says is so important,
9 that we get facts.

10 And so I'd like to know what is
11 going on about monitoring the radiation that
12 we have being emitted in our state right now,
13 and is that going to be part of any plan for
14 dealing with waste?

15 MS. PAUL: Okay, do you want me to
16 answer that?

17 Yes. Okay. There was agreement
18 in principle between DOE and the State of
19 Georgia in '89 and we have been working on
20 restoring the monitoring for eight years.

21 It was cut off in 2003 and
22 essentially all along the Savannah River,

1 across, I mean, across from the Savannah River
2 in Burke, Screvin and Richmond Counties, other
3 than a few wells, we do not have the robust
4 monitoring that our Georgia EPD had in place.

5 I have been working with the
6 Department of Energy, with Allen Barnes of
7 Georgia EPD and now it's in the White House
8 and we are trying to get it restored.

9 It was going to be a \$12.5 million
10 program over 10 years. It was cut down to
11 \$700,000 and then it was cut down to \$300,000
12 and it was supposed to arrive last February.

13 It's still not here. It was
14 promised by Assistant Secretary Ines Triay who
15 is now no longer assistant secretary. So it's
16 a crime that our state does not have this
17 monitoring and we should, and it was robust
18 and it did not align with a lot of the South
19 Carolina figures.

20 And so it is truly an
21 environmental justice issue, collards, deer,
22 the river itself, the vadose, the rain, which

1 is all important.

2 And I do think in regards to the
3 Blue Ribbon Commission, the point that it goes
4 back to, is that they suggest to put a whole
5 other structure in place.

6 And as much as I am very upset
7 with DOE, I would not advocate for such a
8 private entity. Thanks.

9 MR. BRYAN: Okay. One more
10 question and then we will try to come back.
11 Here, let's go here and -- go ahead.

12 MR. DOMBY: Thank you. Is this
13 on? Okay. My name is Art Domby. I have been
14 an environmental lawyer for over 30 years. I
15 am a former chair of the environmental law
16 section of the State of Georgia bar.

17 Relative to the last speaker -- I
18 wasn't going to say this -- but in reference
19 to your question and in reaction to Bobbie's
20 response, Bobbie has told you part of the
21 answer.

22 She has focused on the DOE waste

1 over at Savannah River. Realize that the
2 state of South Carolina monitors air, water,
3 food, at Savannah River.

4 Each nuclear power plant also has
5 obligations as part of its environmental
6 monitoring to take samples, okay? In addition
7 to -- DOE also self-reports and self-monitors.

8 If you go on the web, DOE has many
9 publicly-available reports. They will tell
10 you exactly about how much radiation, how much
11 dose and what is in the food chain.

12 You have to learn a little bit,
13 okay? All radiation is not the same, and for
14 instance, when they talk about tritium, it has
15 a very short half-life. It is true that it
16 has been emitted for years and years and
17 years. It has a very short half-life and as
18 the professor from Georgia Tech could school
19 us probably much better than me as a lawyer,
20 it basically dissipates very quickly, okay,
21 and in terms of what it emits, it is less
22 dangerous than other forms of radiation.

1 Get educated, DOE environmental
2 reports are on the site. In terms of my
3 question -- sorry --

4 MS. PAUL: Yes, I can respond to
5 that but go ahead.

6 MR. DOMBY: Well Bobbie, it's
7 absolutely true that every nuclear plant
8 monitors. Your response was we need more
9 monitoring at Georgia. I don't dispute your
10 desire for that --

11 MR. BRYAN: Let me ask you to ask
12 your question because we want to --

13 MR. DOMBY: She interrupted me
14 sir.

15 MR. BRYAN: I am sorry to --

16 MR. DOMBY: Okay. Yes, okay.

17 MR. BRYAN: I am sorry but we need
18 to ask the question. Thank you.

19 MR. DOMBY: All right, my question
20 goes substantively, as a lawyer, to the
21 professor, and I'm sorry if I mispronounce
22 your name, Sjoden? Dr. Sjoden.

1 You nibbled at the issue of
2 standards for repository and as a lawyer this
3 is where some of the problems surfaced as you
4 know, in the Yucca Mountain licensing.

5 Do you think a panel of experts
6 such as yourself, people that are learned and
7 know geology for example, and know radiation,
8 could come together and develop consensus
9 standards early?

10 Right now down at the Savannah
11 River Site we have some waste incidental to
12 reprocessing issues and even though we have
13 two very competent, knowledgeable agencies,
14 the NRC and DOE, it has taken a long, long
15 time for them to agree on modeling and for
16 instance performance assessment standards in
17 terms of the duration that you are going to go
18 look ahead.

19 Do you think that that would be a
20 good thing, consensus standards developed by
21 some sort of -- I hate to say it -- but
22 another Blue Ribbon Commission?

1 MR. SJODEN: I can comment that
2 much of what you are talking about has already
3 been done as part of this intensive Yucca
4 Mountain analysis on mitigation of fuel and
5 preservation of fuel for many, many, many
6 hundreds of years.

7 These studies have been done, an
8 analysis has been done and the top experts
9 have been brought in much -- billions of
10 dollars have been spent on this, on these
11 issues and the data is there.

12 They were ready to push forward
13 with Yucca Mountain and it was a -- became a
14 political football, but technically it's not,
15 it's not a problem. It's been done. The
16 reports are there. DOE could give them to
17 you.

18 MR. BRYAN: Okay, we have time for
19 one question and we need to do this quickly so
20 that we can go through the -- so we only have
21 time for one more so that we can do a quick
22 run-through about the breakouts. Yes.

1 MS. POSEY: Are you aware of the
2 massive demonstrations that have taken place
3 in France opposing nuclear power?

4 MR. SJODEN: I am aware of some
5 but I work with the utility folks over there
6 who are making that happen and keeping the
7 lights on for those folks.

8 MS. POSEY: And you know, Germany
9 is phasing out nuclear power. Why's that?

10 MR. SJODEN: Yes, do you know
11 where Germany is getting their power that they
12 can't make up from solar? They are buying it
13 from the French, which is nuclear-produced.

14 MR. BRYAN: Okay, let me thank all
15 of our presenters for your contributions this
16 morning once again. We appreciate you taking
17 the time to speak.

18 (Applause.)

19 Again, thank you for your
20 participation and engagement in the
21 discussion. Let me run through very quickly
22 what we are going to do this afternoon.

1 We are going to come back after
2 lunch at 1:30 and we are going to go through
3 our breakout sessions. Before we get to the
4 breakout sessions, I want to make certain that
5 you all have time to sign up for public
6 comment and that will conclude at one o'clock,
7 so make certain before, when you go out of the
8 room, if you want to participate in the public
9 comment segment of the report of the
10 afternoon, please be certain to sign up before
11 one o'clock, okay?

12 PARTICIPANT: If we pre-registered
13 are we already signed up for public comment?

14 MR. BRYAN: No, you are not. You
15 need to sign up individually at the front desk
16 if you want to participate in it. Thank you
17 for that clarification.

18 Let's go and talk a little bit
19 about the breakout sessions. Keep in mind,
20 the purpose of the breakout sessions is to
21 have a very clear conversation, a detailed
22 conversation about the questions that are

1 listed on this sheet of paper and I'll walk
2 through those in just a second.

3 You want to make certain that we
4 articulate ideas and thoughts that each of you
5 may have, and also really listen to what other
6 people's thoughts are in the room.

7 We want to make certain that we
8 have that discussion. We are going to take
9 about two hours for that conversation to take
10 place.

11 There are three questions, there
12 are three specific questions dealing with
13 policy implications for consolidated versus
14 on-site waste.

15 We are thinking about this
16 consent-based siting process and we are
17 thinking about the transportation issues and
18 all of those have been referenced at some
19 point this morning.

20 So we will be continuing that
21 conversation in the rooms, in the breakout
22 rooms. We will also have a section towards

1 the end of that discussion to kind of -- to
2 just hear from you about other issues that are
3 not included under those three sections.

4 We will do that, like I said, for
5 about -- we will do that for about an hour and
6 a half, about an hour and 45 minutes, and then
7 we will conclude with a quick run-through of
8 what are the key issues that each group
9 identifies, that need to be included in the
10 summary of these breakout sessions.

11 Now the summary is a
12 non-attributional summary that we will write
13 for -- that we will write that provides the
14 high-level thoughts that come out of the
15 breakout sessions.

16 That will be a summary that covers
17 all off the breakout groups. We want to make
18 certain about what are the key elements that
19 come from each one and we are sure that there
20 is going to be some overlap between groups.
21 There will be some differences between groups.
22 And we will try to highlight those as best we

1 can in that summary. Okay?

2 The facilitators for each group
3 are going to come in and they are going to be
4 taking notes, there will be individuals in the
5 rooms that are going to be taking notes.

6 We will have flip charts up and
7 like I said, those comments periods at the end
8 where we go through and list out the key
9 issues that each group says these are the
10 things that need to be part of the discussion.
11 That will be -- that's what you will see in
12 the summary, okay?

13 Let me tell you a little bit about
14 where these groups are going to take place.
15 Red. If you have got a red button on your
16 name tag, you will meet over on this side of
17 the main room.

18 If you have a green button on your
19 tag you will meet here. This will be your
20 breakout section.

21 If you have a yellow button, you
22 will be in the room next door, okay? And if

1 you have a blue button, you will be in room
2 702, which is just out the front door, to the
3 left and you will see it maybe just about 50
4 feet down the hallway right here okay?

5 So those are where the rooms are
6 going to be -- red, green, yellow, blue. Any
7 questions about where those are set up. We
8 will have, you know, we will have the -- on
9 the easels we will have the colors listed so
10 that you will know what rooms that you are
11 coming into, and we will be out front to be
12 able to steer you towards rooms if you forget
13 where they are. Okay?

14 Any other questions about this
15 afternoon's breakout sessions? Yes?

16 (Off-mic comment.)

17 MR. BRYAN: Yes, you will discuss
18 all three topics, and you will have the
19 conversations about other issues that are key,
20 okay?

21 MS. LEWIS: Kevin, I was just
22 going to add, if for some reason you didn't

1 get a name tag ahead of time that has a color-
2 coded on it, check in with the front desk
3 please and we will make sure that you do get
4 an assignment to one of the groups.

5 And I would just also add that we
6 worked as hard as we could to make sure that
7 the groups are diverse, so as we assign people
8 we are trying to mix it up a little bit so you
9 will have a chance to interact with people who
10 have some perspectives other than your own.

11 The Commissioners, BRC staff are
12 going to be scattered through the groups as
13 well.

14 MR. BRYAN: Any further questions
15 about this afternoon's breakout sessions?

16 (No response.)

17 Once we get done -- so when you go
18 to lunch, when you come back you will go
19 straight into those breakouts. When you get
20 done with the breakout sessions you will come
21 back into this room and we will begin the
22 public comment period I believe at 3:45. Yes?

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You have an hour for lunch. I am
going to get out of your way so that you can
go eat.

(Whereupon the above-entitled
matter recessed at 12:34 p.m. and resumed at
3:23 p.m.)

1 you have got about a minute left, and then
2 when it turns red and makes an obnoxious
3 beeping noise, please stop so that we can get
4 to the next person.

5 And we will ask you, when your
6 turn is up, to come on up to the microphone
7 and speak from the podium and so that you are
8 speaking into a mic.

9 So we are going to start with
10 Ernie and I apologize in advance for messing
11 up people's names -- Chaput. Close enough,
12 and next in line is going to be Betsy Rivard
13 and that will be followed by Tom Sanders so
14 know that you will be up shortly.

15 So, and look to Kevin to kind of
16 cue to start.

17 MR. CHAPUT: Thank you for the
18 opportunity to comment on the -

19 MS. LEWIS: Please start over with
20 the mic.

21 MR. CHAPUT: And start over with
22 the timing. Are we ready? Okay.

1 Thank you for the opportunity to
2 comment on the draft Blue Ribbon Commission
3 report. My name is Ernest Chaput and I am
4 here today on behalf of Aiken County
5 government, South Carolina.

6 My remarks will summarize Aiken
7 County's concerns and recommendations, and a
8 full copy of the county statement is attached
9 and submitted for your consideration.

10 Aiken County is a major
11 stakeholder in the work of this Commission.
12 Being host to one of the nation's largest
13 concentrations of defense high-level
14 radioactive waste and being a leader in
15 challenging the illegal action of ignoring the
16 requirements of the Nuclear Waste Policy Act.

17 Comments on the draft report are
18 in two broad areas: the Nuclear Waste Policy
19 Act and Yucca Mountain and secondly,
20 disposition of research reactor used nuclear
21 fuel stored at the Savannah River Site.

22 Regarding the policy act and Yucca

1 Mountain, we are disappointed that this
2 Commission: one, takes no position -- that's
3 a quote -- in the current controversy about
4 the supremacy of the Nuclear Waste Policy Act
5 in the disposal of high-level nuclear waste,
6 and as a result, secondly, has not considered
7 Yucca Mountain in your deliberations.

8 Your inaction ignores the legally-
9 designated, quickest, surest and least costly
10 method to begin addressing this imperative
11 national need and unnecessarily increases the
12 risk to many millions of U.S. citizens.

13 And let me digress. It sure would
14 be nice if somewhere in the Commission's
15 report, if you would do an analysis of the
16 change in health effects resulting from delays
17 and from the interim storage recommendations
18 that you present, versus immediate disposal in
19 Yucca Mountain.

20 The Commission's acceding to the
21 artificial Yucca Mountain constraint is
22 already affecting the credibility of your

1 hard work and deliberations and will seriously
2 harm and limit the impact and usefulness of
3 your final report.

4 Aiken County recommends that the
5 following recommendation be included, quote,
6 the Department of Energy and the NRC comply
7 with the Nuclear Waste Policy Act, complete
8 your Yucca Mountain review, authorization,
9 construction activities and begin repository
10 operations in an expedited manner for its
11 early availability as the nation's first
12 geologic repository for used nuclear fuels and
13 defense high-level waste.

14 Our second recommendation is
15 regarding the disposition of radioactive
16 research reactor used nuclear fuel. For
17 decades we have hosted and supported non-
18 proliferation activities. These fuels have
19 been promptly processed in H Canyon,
20 fulfilling DOE's commitment for disposition.
21 Starting in the '90s, DOE has not processed
22 these fuels. There's a lot of fuel at

1 Savannah River now, there's more scheduled to
2 come in. It's stored in water basins not
3 suitable for long-term storage. H Canyon is
4 the only available disposition tool for these
5 vulnerable fuels.

6 DOE was planning to process them
7 but has suspended plans. I am quoting the
8 DOE, pending issuance of your Commission
9 report, your report does not address
10 disposition of research reactor fuel and
11 indeed some portions of your report could be
12 interpreted as discouraging the use of H
13 Canyon.

14 MS. LEWIS: Okay. Thank you.

15 MR. CHAPUT: This needs to be
16 corrected. For aluminum fuel, the fastest way
17 is immediate disposition in H Canyon and
18 disposal at an off-site repository. Thank
19 you.

20 MS. LEWIS: Thank you. And
21 certainly folks, if you don't get through your
22 whole statements, those can be -- if you want

1 to leave them on the table here, we will make
2 sure they get delivered to the Commission.

3 Thank you.

4 Next up is Tom Sanders and to be
5 followed by Cash -- I'm not even going to try
6 this last name --

7 MR. SANDERS: I thought there was
8 somebody before me.

9 MS. LEWIS: I'm sorry. Betsy and
10 then Tom and then Cash. Thank you.

11 MS. RIVARD: Hi, I'm Betsy Rivard.
12 I live in Atlanta and I am a member of the
13 board of Georgia WAND, Women's Action for New
14 Directions, and I actually spent my first five
15 years in Oak Ridge, Tennessee. My father was
16 a nuclear engineer and a metallurgist, worked
17 on the thorium reactor for the nuclear
18 airplane which thank goodness, never got off
19 the ground, pardon the pun, but it never did.

20 So I don't have prepared remarks
21 but I would like to say that I hope that the
22 Blue Ribbon Commission does not emphasize

1 reprocessing. I think that reprocessing is a
2 messy process. We need to work with the
3 wastes that are already created, the ones at
4 the Savannah River Site and other places
5 around the country, but specifically Savannah
6 River Site, because there are millions of
7 gallons of liquid waste there.

8 Centralized storage, I think,
9 transporting the waste endangers communities
10 and workers, and workers are exposed to more.
11 And I would say the less exposure the better.

12 So minimizing exposure to
13 communities and to workers would be best, and
14 creating another organization, I don't know.
15 I would hope that all communities and all
16 stakeholders would be included in this new
17 organization, that they would have a voice,
18 although there is a problem with the very
19 local communities, because they are -- their
20 jobs depend on these places, their livelihood
21 and they get lots of benefits, like school
22 playgrounds, et cetera, so that they have a

1 warm, fuzzy feeling for the power plants, and
2 that's -- you know, way kind of fears are kind
3 of blocked out by nice playgrounds and things
4 like that.

5 So, and I just think we should
6 consider what's happened at Fukushima, the
7 storage of the spent fuel has to be not so
8 concentrated and it has to be removed from the
9 pools into dry cask storage, hardened, on-site
10 storage. Thank you.

11 MS. LEWIS: Thanks Betsy. Tom
12 Sanders next followed by Cash, and then we
13 will have Joe Carson after that.

14 MR. SANDERS: Thank you again for
15 the opportunity to speak on behalf of the
16 American Nuclear Society and offer my response
17 to your draft report.

18 As you are aware I first testified
19 on May 19th at your first meeting, 2010, on
20 behalf of the 11,000 men and women of the ANS.

21 At that time I had created a
22 special committee on used nuclear fuel

1 management options. That committee completed
2 its work and delivered its final report to you
3 this year, and I applaud the work of the
4 Commission, and am pleased to see that many of
5 the recommendations in that report were
6 included in your findings.

7 As such I will only comment on a
8 couple of recommendations that came out of the
9 report. The BRC recommends that the U.S.
10 support multi-national industrial scale fuel
11 cycle facilities to lead and improve security
12 and accountability technologies, protocols for
13 nuclear materials management and framework
14 improvements.

15 Later, the Commission notes
16 correctly that the U.S. has had a very
17 successful initiative to ship used fuel,
18 high-risk used fuel, by that I mean highly
19 enriched uranium fuels, from other countries
20 to U.S. facilities for storage and disposal.

21 I would encourage you to continue
22 that as a primary national security objective,

1 that has to be met with adequate resources
2 here at home in terms of people, technology
3 and infrastructure.

4 To me, it would be a real
5 disservice to ourselves and our national
6 security if we again have an opportunity to
7 disarm North Korea, but because we have no
8 place to bring the fuel, we don't take it
9 back.

10 Imagine if we had taken that fuel
11 back from North Korea in the early '90s.
12 North Korea would not now be sitting on the
13 potential for five nuclear weapons.

14 To do that you have got to have an
15 infrastructure capable of doing that. With
16 that I would like to point out that our
17 defense infrastructure, which is managing
18 basically a cradle-to-grave nuclear enterprise
19 from beginning to end, including WIPP, has a
20 lot of drawbacks possibly that need to be
21 investigated and articulated, but it is also
22 critical to the national security management

1 of proliferation risks around the world.

2 You can't think about nuclear
3 energy without thinking about it in the
4 context of nuclear security, nuclear
5 non-proliferation and nuclear energy.

6 It's whenever we separate those
7 concerns, we end up arguing about the energy
8 aspects only and not recognizing that it's
9 through all those things nuclear that one
10 manages the nuclear postures of other
11 countries, manages the nuclear enterprise
12 offshore, and manages the growth of nuclear
13 power globally.

14 Finally, the BRC report needs to
15 address the non-commercial nuclear materials
16 enterprise as near-term opportunities for
17 regional consolidation of defense high-level
18 waste. You are going to hear in Denver from
19 the Carlsbad, New Mexico community that is
20 very enthused about accepting defense high-
21 level waste and placing it in above-ground
22 storage.

1 Why not take that opportunity, in
2 our national interest, such that you can
3 illustrate everything from transportation to
4 storage to loading to monitoring and all the
5 processes that go on up until adequate, above-
6 ground storage. Thank you for the time and I
7 appreciate it.

8 MS. LEWIS: Thank you Tom. Cash
9 followed by Joe Carson and then David Jameson,
10 and just to help folks with their own
11 timekeeping, let's see, it turns -- it will be
12 green until two minutes and then it will turn
13 flashing green for a minute and then it turns
14 -- when it turns yellow you have one minute
15 left.

16 MR. JASZCZAK: I am Cash Jaszczak.
17 I work for Nye County, Nevada. I am here
18 representing the board of county commissioners
19 of Nye County.

20 Nye County is the site county for
21 Yucca Mountain, and the primary purpose of my
22 speaking to you today is to let all of you

1 that already don't know this, which we asked
2 the question earlier, that there is in fact
3 local support and local support for spent
4 nuclear fuel in a geologic repository in Nye
5 County, and also completion of the license
6 application process as endorsed by Nye County,
7 Esmeralda, Mineral, Lander, Churchill and
8 Lincoln Counties.

9 It is not a monolith by any
10 stretch of the imagination, but there is
11 support, local support, in part of the
12 consent-based process, and we have provided
13 these comments in the past.

14 In addition to that, probably the
15 most important recommendation we would like to
16 add and expound on is this, is the hope that
17 the Blue Ribbon Commission will be able to
18 make a recommendation that includes completion
19 of the Nuclear Regulatory Commission's review
20 of the license application, and that's
21 important regardless of what happens with
22 Yucca Mountain. Thank you very much.

1 MS. LEWIS: Thanks Cash. Joe
2 Carson and then followed by David Jameson and
3 Jackie Posey.

4 MR. CARSON: Good afternoon. I
5 appreciate this opportunity to address the
6 Commission. My name is Joe Carson. I am here
7 representing myself, not my employer, the
8 Department of Energy, nor am I representing
9 the societies to which I belong, which include
10 the American Nuclear Society.

11 This is my statement. I have got
12 plenty of copies if anyone wants a copy after
13 I am done. I am just going to summarize it.

14 I am a deeply concerned engineer
15 employed by the federal government, and my
16 comments I think are relevant to the Blue
17 Ribbon Commission for two reasons.

18 I believe the Blue Ribbon
19 Commission draft report makes questionable, if
20 not invalid, presumptions based upon my
21 experience, one of the presumptions being that
22 engineering ethics is more than so much

1 eyewash, and another presumption being that
2 federal employees can do their jobs in a
3 trustworthy fashion while being adequately
4 protected from reprisal or other types of what
5 are termed prohibited personnel practices.

6 Now if I am correct with my
7 statements about deficiencies in engineering
8 ethics, and what are termed the merits and the
9 principles of the federal civil services, they
10 would combine and amplify I think to preclude
11 any acceptable long-term future for our high-
12 level nuclear waste.

13 The draft BRC report uses the term
14 engineer about 50 times, uses some form of the
15 word design about 100 times but it never
16 mentions engineering ethics.

17 This is an engineered program.
18 And if engineers cannot or will not do their
19 jobs in an acceptable fashion, which requires
20 them to hold public health and safety
21 paramount, we just -- it ain't going to get
22 there.

1 With respect to the merits and the
2 principles of the federal civil service, they
3 are the bedrock values, since 1978, and I am
4 claiming this to the President, the President
5 cannot tell any federal employee that he or
6 she is adequately protected from prohibited
7 personnel practices which includes reprisal,
8 discrimination, cronyism, personal favoritism,
9 so they can do their jobs for the America
10 people in a trustworthy fashion.

11 And I am saying this, I have been
12 at this for 20 years, I am not just -- and I
13 want to make very clear, I stamped this as a
14 PE. If anyone wants to take issue with the
15 truthfulness or objectivity of my claims,
16 please file a complaint. I want to prove my
17 case to anybody that has ears to hear.

18 So I would challenge here the Blue
19 Ribbon Commission to assign a staff member or
20 a member to actually hear me out. I went to
21 the 9/11 Commission several times with my
22 concerns, ignored, subsequently found out a

1 number of other whistleblowers were ignored by
2 the 9/11 Commission.

3 So the 9/11 Commission does not
4 mention engineering ethics, even though the
5 mastermind was a degreed engineer, two of the
6 four pilots were degreed engineers, other key
7 plotters were degreed engineers, and my
8 profession has yet to condemn terrorist
9 engineers. This is one indication of some of
10 the issues in engineering ethics.

11 So I hope that the Blue Ribbon
12 Commission will choose to, you know, to hear
13 me out and see if what I am saying has
14 validity.

15 And my -- so I'll wrap it up but
16 my concerns are valid and they also have
17 explanatory power for space shuttles out of
18 the sky, levees failing in New Orleans, an
19 economic meltdown and a lot of the other
20 things that have eroded trust in the federal
21 civil service. Thank you.

22 MS. LEWIS: Thank you Joe. David

1 Jameson followed by Jackie Posey and then
2 Barbara Crow.

3 MR. JAMESON: Good afternoon. I am
4 David Jameson. I am the President and CEO of
5 the Greater Aiken, South Carolina Chamber of
6 Commerce.

7 I am here today in my role as
8 Chairman of the SRS Community Reuse
9 Organization. The SRSCRO is a non-profit
10 regional supporting -- organization supporting
11 economic diversification and job creation in
12 the five-county area in Georgia and South
13 Carolina near the Department of Energy's
14 Savannah River Site.

15 First I want to reiterate our
16 region's continuing belief that the
17 administration's decision to halt work on
18 Yucca Mountain is wrong-headed and counter to
19 the nation's long-standing best interests.

20 We continue to urge DOE to
21 reconsider its position and allow science and
22 engineering, not politics, to establish the

1 most appropriate means for disposal of
2 high-level defense nuclear waste.

3 And we applaud the congressional
4 efforts to restart Yucca Mountain's program.
5 These efforts should continue until they are
6 successful.

7 On this point, we want to be
8 extremely clear. In its final report, the Blue
9 Ribbon Commission should de-couple high-level
10 defense waste, including the vitrified waste
11 and used nuclear fuel from foreign and
12 domestic research reactors, from the
13 commercial spent fuel.

14 Specific recommendations are
15 needed for disposition of these types of
16 high-level defense waste.

17 Secondly, we believe that DOE's
18 decision to place H Canyon at the Savannah
19 River Site in modified operational status is
20 short-sighted.

21 H Canyon is a one-of-a-kind
22 facility of immense importance to DOE and the

1 nation. It is the only DOE facility that can
2 stabilize and separate DOE's inventory of
3 complex plutonium materials into a form
4 suitable for disposition.

5 It is the only facility that can
6 prepare the large and growing inventory of
7 research reactor fuel at the Savannah River
8 Site for disposition for disposition, while
9 recovering valuable highly enriched uranium,
10 and it is the only facility that can support
11 engineering development and hot testing of
12 alternate nuclear fuel cycles and advanced
13 small nuclear reactors.

14 We fear that DOE's decision to
15 place H Canyon in a modified operational mode
16 puts this valuable resource on a slippery
17 slope towards permanent shutdown, denying the
18 nation an essential, one of a kind resource.

19 It is imperative to reinstate H
20 Canyon to operational status, fully funded and
21 fully staffed. Thank you.

22 MS. LEWIS: Thank you. We go to

1 Jackie Posey and she will be followed by
2 Barbara Crow.

3 MS. POSEY: Hello. I am a retired
4 elementary schoolteacher. Oh, Jackie Posey,
5 excuse me. But I am a retired elementary
6 schoolteacher. I live on the Tennessee River
7 right outside of the 10-mile radius from
8 Browns Ferry that just got a five recently.

9 And my son's name is Rivers. He
10 could swim before he could walk and when I
11 read all of these things and hear all of these
12 things, I think about the children and I think
13 about the future.

14 And I have a question. Do we have
15 any of the Commission Board members here now?
16 Are any of them? You all are here?

17 (Show of hands)

18 I have a form -- not a form, it's
19 information that I have already given for you
20 all, and it is from the Bellefonte Efficiency
21 and Sustainability team, and Gretel Johnston
22 put this together.

1 She is the founder Mothers Against
2 Tennessee River Radiation and she was not able
3 to be here but Gretel does a tremendous amount
4 of work.

5 And to me, that's what it all
6 boils down to. It doesn't have anything to me
7 or you. It has to do with the children, what
8 we are leaving the children.

9 Everybody keeps talking about
10 nuclear and like this is something that we
11 have to have. This is something that we have
12 to not have, because there is no place that is
13 safe.

14 And the price tag on it, the
15 subsidies that are going to nuclear power
16 right now, without something to do with the
17 waste, we can't do that.

18 And the attitude that we can't
19 live without nuclear, yes we can. We can live
20 without nuclear. And the ideas that Browns
21 Ferry would be able to come out okay if it had
22 gotten hit by that tornado, and some of you

1 all have already heard me tell that story, I
2 mean, just right across the river from Browns
3 Ferry, one of the -- not one, it's a whole
4 neighborhood that were knocked out -- but I
5 mean, there was nothing left of one of the
6 buildings except the concrete foundation,
7 right after that tornado came through.

8 And I can't believe, and I wish I
9 could, because this is something that I really
10 worry about, but I can't believe that it would
11 not have done something really bad to Browns
12 Ferry.

13 But when you all are making your
14 decisions, and making your changes, please
15 think about the children. Please.

16 MS. LEWIS: Thank you Jackie. Can
17 we go to Barbara Crow next please, followed by
18 Glenn Carroll.

19 MS. CROW: I am Barbara Crow from
20 Moulton, Alabama, a concerned citizen. This
21 morning during the first session I heard three
22 quotes that concerned me: one being that there

1 need to be benefits for hosting repository
2 sites; two, that states and tribes should have
3 authority over aspects of regulation; and
4 three, someone named David said high-level
5 waste is always going to be there regardless.

6 I suggest that if the honest truth
7 is told to the public, in the education
8 process that is in the planning stages
9 apparently, about the eternal dangers of
10 nuclear energy from start to so-called safe
11 storage, and take the incentives -- we are
12 talking money here and warm, fuzzy feelings
13 about playgrounds -- out of the efforts to
14 convert the public acceptance of nuclear waste
15 in their neighborhood, the Commission would
16 receive a resounding not in my neighborhood.

17 Nuclear energy is introducing into
18 our environment very toxic and dangerous
19 elements that never existed in these forms
20 during human occupation on earth.

21 Nuclear energy is not safe and it
22 is not clean. The informed public knows this.

1 I submit to you, as a concerned citizen, that
2 further development of nuclear energy should
3 be abandoned.

4 To do otherwise is to thoroughly
5 trash this one beautiful earth while
6 endangering ourselves and other inhabitants
7 for future generations.

8 Drop the plans for future nuclear
9 reactors and I read a report that there are
10 300 new reactors planned before 2050, and we
11 don't know what to do with the waste we have
12 now.

13 Nuclear energy is not worth
14 trashing our health and our environment.
15 Thank you very much.

16 (Applause.)

17 MS. LEWIS: Thank you. Can we go
18 to Glenn Carroll followed by Barbara
19 Antonopolus. MS. CARROLL: It's dark
20 over here. Where are these lights that tell
21 us where we are on time? There it is.

22 My name is Glenn Carroll and I

1 work for Nuclear Watch South. We were founded
2 in 1977. We rocked on for decades with around
3 1,000 members. Suddenly we have 6,000
4 members, largely because they want our
5 sticker.

6 And I invite you to see the close
7 resemblance between the ancient Native
8 American thunderbird and the nuclear waste
9 symbol. They are out there on the table.
10 Please take one home and may it inspire us.
11 I want to thank everybody. This meeting was
12 far more interesting and productive and
13 healing than I ever would have dreamed.

14 And I want to affirm to everybody
15 here, and from every perspective you come
16 from, this is worthy work. This is important.
17 Good for us.

18 We were disappointed in the Blue
19 Ribbon Commission complexion. After calling
20 for 25 years to stop Yucca Mountain, stop the
21 MRS, don't move it, give us a Blue Ribbon
22 Commission and a do-over.

1 And when the Commission was
2 largely industry we were disappointed, and any
3 future body needs to not do this again. And
4 I have said this a lot today, and I am going
5 to emphasize it again. What did we learn at
6 Fukushima?

7 Well, for everything that was
8 exploding, burning and melting down, it was
9 not the fuel in the dry casks. And so what
10 did we find?

11 Oh, golly, golly, that cladding
12 catches fire. And now we have got plutonium
13 a mile away from the burning spent fuel pool.

14 And so now we realize how really
15 vulnerable we are but, hallelujah, we have got
16 a Blue Ribbon Commission already in place
17 looking at this.

18 And so what we do is we think and
19 we go oh my gosh, you know, this hardened on-
20 site storage that 170 NGOs put forward to the
21 Blue Ribbon Commission is a really timely
22 idea. We can do this right away.

1 The numbers started coming down.
2 EPRI, the Electric Policy Research Institute,
3 a trade organization for the nuclear industry
4 and the coal industry, said hey, we can do all
5 the nation's spent nuclear fuel for \$3.5
6 billion.

7 Bob Alvarez, who used to work for
8 DOE and has written many reports on nuclear
9 waste, estimated \$7 billion. Both of those
10 figures look pretty attractive when we are
11 talking about taxpayer loans to Southern
12 Company, the biggest and richest utility on
13 earth at present, to build reactors that we
14 don't even need. We are having downturns in
15 electricity.

16 And I want to quote from the
17 Physicians for Social Responsibility comments,
18 which were excellent -- we echo that emotion -
19 - immediately thinning out the spent fuel
20 pools and safeguarding the waste at reactor
21 sites would go much further to restore trust
22 and confidence in the government's waste

1 management program.

2 I hope that's the selling point.
3 I hope the price is a selling point. We have
4 agreed, in the NGO community, to agree to use
5 the Nuclear Waste Fund for hardened on-site
6 storage, and discussions are under way, an
7 increasing number of voices are saying let DOE
8 take title to the waste on the sites.

9 We will answer the industry's
10 concerns about funding and liability. We need
11 to get this show on the road. And so in case
12 you didn't get it, the report is deficient and
13 not bringing the hardened on-site storage,
14 which the Commission has heard from I think
15 every single NGO and public person that has
16 spoken.

17 I am so sorry I ran out of time
18 before you get to hear the 12-step program.

19 MS. LEWIS: Yes, I want to
20 encourage people, please, to, if you have
21 copies of your remarks, whether you get
22 through them all or not, we will definitely

1 take those. Thanks.

2 Glenn and next Barbara, please,
3 and then Bryan Bennett will come next.

4 MS. ANTONOPOLUS: Yes, I am
5 Barbara Antonopolus, whoever said that did it
6 perfectly correctly. Thank you. I am --
7 let's see, I got here a little late this
8 morning so I just want to know who the
9 Commission members are that are in the room.

10 Okay. Thank you. I just wanted
11 to know who exactly I was speaking to. I
12 appreciate you all being here. I am a
13 lifelong resident of Georgia, and my family's
14 presence in this beautiful state goes back
15 multiple generations.

16 I have literally hundreds of
17 cousins spread out across this whole state,
18 and so with two reactor sites and Georgia's
19 proximity to the Savannah River Site, I have
20 concern about nuclear issues and I have made
21 it my business to educate myself about them.

22 I know that harmful effects from

1 radiation are real. Concern about the fact
2 that the substance is used for and produced
3 from, use of nuclear energy and nuclear
4 weapons, is not a matter of public perception.

5 It is a fact that these are some
6 of the most catastrophically dangerous
7 substances on earth and as long as human
8 beings continue to mess around with them, we
9 are creating enormous risks which impact us
10 all.

11 So I do appreciate the complex
12 challenge this Commission is facing. But
13 having read the document, which I did do, not
14 just the summary, there are aspects of it that
15 keep me from being confident that you are
16 thoroughly committed to solving the problem
17 once and for all, which is what we really must
18 do and we really must do now.

19 In your summary, you say there are
20 a few things you are not doing, and you say,
21 quote, we have not offered a judgment about
22 the appropriate role of nuclear power in the

1 nation's or the world's future energy supply
2 mix.

3 However you have an entire section
4 of the document, section 10, pages 112 to 123,
5 which is devoted to promoting the expenditure
6 of large sums of money for research and
7 development for new nuclear technologies among
8 other things.

9 Other than those things that would
10 exclusively undergird the ultimate permanent
11 isolation of the waste that has been generated
12 and is being generated by the power plants
13 that are operating today, you seem to find it
14 acceptable to pave the way for new ways to
15 create more radioactive waste, and I need to
16 say to you this is not acceptable to me, and
17 there is an extent to which it undermines my
18 confidence in your effort. I just have to let
19 you know that.

20 The flow of waste has got to be
21 stopped. Research and development money has
22 got to be devoted to truly ending, not

1 perpetuating, the use of these substances to
2 boil water.

3 And this brings me to my second
4 point, which I will make briefly, and that is
5 that I object to the use of the word recycling
6 in this document when it is associated with
7 the term -- with the endeavor of reprocessing.

8 It implies clean green and no
9 waste and nuclear engineers and physicists
10 have made it clear that reprocessing is
11 nothing of the sort and I would appreciate you
12 not confusing the matter by using that term
13 for reprocessing. Thank you.

14 (Applause.)

15 MS. LEWIS: Thank you Barbara.
16 Next we will have Bryan Bennett and Bryan will
17 be followed by Carlyn Greene.

18 MR. BENNETT: Thank you. My name
19 is Bryan Bennett. I am with FliBe Energy over
20 in Huntsville, Alabama. We are a new company,
21 a start-up company in April.

22 We are dedicated to designing a

1 new nuclear reactor, new technologies,
2 everyone who has stood for public office,
3 whether it was local, state or federal, talked
4 about new technologies out there.

5 The Department of Energy has also
6 said that it is looking for new technologies.
7 I need to ask the Commissioners, and I realize
8 how difficult your task is, and that's not
9 just a throw-away statement, I truly mean that
10 -- one of my divisions at the Pentagon was
11 Bases and Units, and I said in my subcommittee
12 group that I was singularly unsuccessful at
13 closing any Air Force bases. That was because
14 it was before the Nichols-Goldwater Act that
15 made the Congress vote it up or vote it down,
16 the whole thing.

17 I would encourage you all, because
18 I know there is so much misinformation out
19 there, about current technologies for that
20 matter, light water reactors and
21 transportations and things, so much studying
22 and things have been done and you

1 Commissioners are privy to that.

2 I would encourage you to go
3 forward with whatever recommendations that you
4 do see forward. I know it's tough. There's
5 a lot of misinformation and frankly, a lack of
6 knowledge out there about nuclear materials,
7 however well intentioned.

8 But I do caution you there are the
9 kind of statements that hurt us as new
10 technologies and I ask that you look not just
11 at the near term of what your task is.

12 Remember your title is America's
13 Nuclear Future, and 5 years, 10 years from
14 now, some legislator or administrator can pull
15 up statements that are in this report that
16 might preclude companies like us from being
17 able to put forward a safer technology.

18 For instance, ours is walk-away
19 safe. It's not under high pressure. It's
20 under -- it's one atmospheric pressure, and so
21 you don't have a Fukushima situation.

22 The freeze plugs would simply melt

1 out, the fluid -- this is a liquid fluoride
2 thorium reactor, it's in a liquid state -- and
3 the liquid would just go into a molten -- into
4 a salt vessel and be contained. It would cool
5 off and solidify. That's it. There's no
6 pressure. There's nothing to blow up.

7 It's also -- we consume our
8 materials. Instead of having 99.8 percent of
9 those fuel rods left over that you are now
10 having to deal with, we consume it as we go
11 through. We can even consume some of the
12 nuclear weapon material that is out there in
13 ours.

14 My mother used to say an ounce of
15 prevention -- you are going to love this -- an
16 ounce of prevention is worth a pound of cure.
17 She said that at some very interesting times
18 in my own life.

19 I ask the Commissioners to also,
20 in addition to looking at the issues that you
21 have in transportation and siting of these
22 materials, also to have an idea toward the out

1 years, 5 years, 10 years from now.

2 There is a statement that we have
3 a particular thing, and it says that there is
4 no current available or reasonably foreseeable
5 reactor and fuel cycle technologies that are
6 out there that are available. That's a wrong
7 statement.

8 I have provided copies of this to
9 the committee directors and we have sent
10 official copies in. There's 16 pages of these
11 things. We mean this in a helpful way please,
12 but don't lock us out to where we don't even
13 have an opportunity to come forward with new
14 technologies with closeout statements. Thank
15 you.

16 MS. LEWIS: Thank you. Next is
17 Carlyn Greene, to be followed by Courtney
18 Hanson.

19 MS. GREENE: Thank you. My name is
20 Carlyn Greene but -- it's okay I'm used to it
21 -- and thank you to the Commissioners for
22 coming. You all have done a great job in

1 reaching out to the country and getting input
2 from a lot of different areas and a lot of
3 different people.

4 And most of my comments are -- my
5 comments are brief and you have heard them
6 before. But I just want to point out -- and I
7 am speaking as a private citizen, not as part
8 of my job, because I haven't been authorized
9 to say anything officially with my company --
10 but is that I also believe that your
11 recommendations to the Secretary of Energy
12 should include finishing the licensing process
13 of Yucca Mountain.

14 That's not to say that you are
15 recommending that Yucca Mountain be the site,
16 and I know that you have said in the past that
17 you are not a siting commission and that's why
18 you didn't include it in there, but this is
19 not asking you to recommend a site.

20 It's just asking that you include
21 in your recommendations, with the other ones,
22 that the process be finished. We are so close

1 and we have spent so much time and so much
2 money that I just feel like it ought to be
3 completed.

4 Secondly, I have either -- as part
5 of my job I have either listened to or
6 attended or had somebody attend every meeting
7 -- every public meeting that you have had, and
8 at every one, there's been people from the
9 local community around Yucca Mountain who have
10 expressed their support, and I don't feel like
11 that was appropriately addressed in the draft
12 report.

13 I think it needs to be emphasized
14 that there is local support. The opposition to
15 Yucca Mountain comes from the state level, not
16 the local level, and the state level, as we
17 all know in Nevada, they have a very powerful
18 state senator.

19 Also in the final report, I would
20 avoid the use of interim storage. I think
21 maybe the consolidated facility, a better term
22 for it would be consolidated, very, very, very

1 long-term storage facility, because it's
2 doubtful that interim means -- or else to
3 define what you mean by interim.

4 Is that 25 years or is that until
5 a repository is opened and that facility is
6 going to be decommissioned and that space be
7 allowed to return to green space? Or what
8 exactly does interim mean?

9 In terms of nuclear issues, there
10 really is no interim. And the same with your
11 use of the word expeditiously proceed. I don't
12 think that is a possibility when you are
13 talking about nuclear issues. There's really
14 no such thing as proceeding expeditiously.

15 And thank you again for coming.
16 That's my comments.

17 MS. LEWIS: Thank you Carlyn.
18 Courtney Hanson please, followed by Peggy
19 Hendrix.

20 MS. HANSON: Hi, I am Courtney
21 Hanson with Georgia Women's Action for New
22 Directions. And among the many things that

1 Georgia WAND does is advocate for those
2 communities living downwind and downstream
3 from nuclear reactors including those near
4 nuclear Plant Vogtle in Georgia.

5 And I think one of the most
6 important things for the BRC to consider while
7 formulating a recommendation for the problem
8 of nuclear waste, is that it is irresponsible
9 to recommend that the U.S. continue to rely on
10 nuclear power.

11 Clearly, the first step in
12 managing nuclear waste is to stop creating
13 nuclear waste, and the best way to do this is
14 to decommission current reactors as their
15 licenses expire, and of course to stop
16 building new reactors like the two proposed
17 here in Georgia at Plant Vogtle.

18 We know that Georgia Power has
19 already begun charging ratepayers to pay for
20 these reactors, despite strong concerns about
21 the safety of the design, and despite the fact
22 that Georgians don't want or need more nuclear

1 power in our state.

2 That said, to manage the current
3 waste problem, I hope the BRC will consider
4 hardened on-site storage as a better
5 alternative to consolidated storage.

6 Shipping nuclear waste across the
7 country is extremely expensive and it adds
8 unnecessary environmental, and health, and
9 safety risks to the already dirty and
10 dangerous nuclear fuel cycle.

11 Nuclear waste should not be moved
12 unless it is bound for a permanent disposal
13 site, and HOSS can provide a safe and secure
14 interim storage without transportation risks
15 or expenses.

16 Operating reactors already have
17 the level of security that HOSS would require
18 so it is not really clear why consolidating
19 storage of fuels at operating reactors might
20 be more cost-effective. Moreover, communities
21 that produce nuclear waste should be held
22 accountable to managing that waste, and

1 communities -- and they shouldn't burden other
2 communities with it.

3 So, it's clear that HOSS is the
4 best choice safety-wise, it's the best choice
5 financially, and it's the best choice for
6 distributing the burden of nuclear waste.
7 Thanks.

8 MS. LEWIS: Thank you Courtney.
9 Peggy Hendrix please, followed by Annie Laura
10 Stephens.

11 MS. HENDRIX: I am Peggy Hendrix
12 from Atlanta. I am also a member of Georgia
13 WAND and also speaking as a citizen.

14 First I would like to thank the
15 members of the Commission. Nuclear waste is a
16 critical issue for our country and the world.
17 I appreciate your work on this.

18 Let me just say, this is something
19 we have got to get it right because we are
20 living with it and we will be living with it
21 for eons, and we need to deal with that.

22 I want to confirm some of the

1 things that Courtney just said, particularly
2 the issue of people living near nuclear waste.
3 My understanding is in Georgia there has been
4 no monitoring of any of the surrounding area
5 of the Savannah River plant on the Georgia
6 side for nine years because there was no money
7 for it, and we understand now there's going to
8 -- we want you to help us push to get money
9 from EPA to the Georgia department of -- the
10 Georgia Environmental Protection Division.

11 This is critical because there has
12 been a high rate of cancer in those areas of
13 Burke and Screven county.

14 Also, personally, I think the way
15 to deal with the waste is not to create any
16 more, and I agree that we have got to move
17 away from nuclear.

18 There are now other options and we
19 need to quit subsidizing the nuclear and start
20 subsidizing more with wind and solar to get
21 something that does not create this kind of
22 ongoing threat to the planet.

1 I also agree with what people have
2 said about the hardened on-site storage. It
3 seems like the best thing was to get rid of
4 these pools and get that stuff hardened as has
5 already been mentioned, so that we can have a
6 better chance of surviving some kind of
7 natural disaster.

8 We have actually had part of an
9 earthquake in Georgia this year, and of course
10 we are in the path of having hurricanes and
11 tornadoes as has already happened this year.

12 The idea of consolidated storage,
13 I think the bottom line has got to be what's
14 the safest thing to do for the people living
15 there, for the workers, and people that might
16 be transporting.

17 If a site doesn't have any place
18 to put it, there might be a reason to
19 transport to another site that does. But
20 basically I think moving it around the country
21 is dangerous and risky.

22 And finally, I agree with the

1 comments that have been made about
2 reprocessing. My understanding is reprocessing
3 is not recycling as has just been mentioned,
4 and it creates just another stream of toxic
5 waste, so there is still more to deal with.

6 Again, thanks for the opportunity
7 to speak to the public who have been working
8 on this on this committee, and remember, we
9 have got to get this right. Thank you.

10 MS. LEWIS: Thank you Betsy. Annie
11 Laura Stephens please, and that will be
12 followed by -- she will be followed by Yomi
13 Noibi.

14 MS. STEPHENS: Good evening. I
15 would like to thank everyone for their
16 knowledge that has been shared here with us
17 this evening, and the knowledge that I have
18 gotten from the group that I was with, is that
19 they don't trust what's going on with nuclear
20 energy, and from me, and my family living in
21 that area, what I've gotten as a whole from
22 this session is that the people don't trust

1 you, and as a human being, I believe you could
2 care less as to what happened to us.

3 And having lived and suffered
4 through it, I understand. But my prayer is
5 that the God of heaven will have mercy upon us
6 all through Jesus Christ and his blood.

7 MS. LEWIS: Thank you, Annie Laura.
8 Can we have Yomi Noibi and then Don Safer will
9 be next.

10 MR. NOIBI: It is so dark here I
11 can't see what I have written. My name is Yomi
12 Noibi. I live here in Atlanta, Georgia, and I
13 am the Executive Director of Environmental
14 Community Action.

15 As a statewide, non-profit,
16 organization, we help communities all over
17 Georgia to prevent pollution and to address
18 environmental health challenges.

19 Radiation and toxic waste from
20 nuclear power plants is a challenge to
21 residents of Georgia.

22 ECO-Action, as we are popularly

1 known, is opposed to the development of
2 nuclear power plants in the United States,
3 particularly the one that is being proposed
4 for Plant Vogtle in Burke County.

5 The recommendations of the Blue
6 Ribbon Commission on America's Nuclear Future
7 fall short of solving America's nuclear waste
8 dilemma.

9 You cannot solve the nuclear waste
10 without stopping it from the source. Let's
11 stop producing the waste first.

12 I acknowledge that some of the
13 recommendations are useful and could fix some
14 of the symptoms but not the cause of the
15 symptoms.

16 Those recommendations are directed
17 to help resolve some of the symptoms. We need
18 recommendations from the Blue Ribbon
19 Commission that will address the root cause of
20 nuclear energy problems in the United States.

21 We also need recommendations that
22 will result in systemic reform to ensure

1 protection of human health and the
2 environment.

3 Nuclear power is a dangerous
4 technology that provides high-cost electricity
5 that is unnecessary given the availability of
6 clean and low-cost energy efficiencies.

7 This is very important.
8 ECO-Action, we have been here for 20 years,
9 and we advocate the concept of the
10 precautionary principle.

11 What is the precautionary
12 principle? It states that when an activity
13 raises threats of harm to human health or the
14 environment, precautionary measures should be
15 taken to prevent further -- even if you don't
16 have proof.

17 So it requires that the Blue
18 Ribbon Commission consider the precautionary
19 principle in its recommendations.

20 It's not that way right now.
21 Radiation is cancer-causing. Radiation kills.
22 These are facts. And based on our knowledge of

1 these facts, we need to heed to early
2 warnings.

3 We need to shift the burden of
4 proof. We need to explore a wide range of
5 alternatives and we need to increase public
6 participation. And I thank you for this
7 opportunity that we have been participating
8 in- but beyond that, what do you do with the
9 comments we make? Because-- you know, public
10 hearing, public hearing. We especially want to
11 emphasize the BRC to think outside the box in
12 its recommendations.

13 How one frames a problem, and the
14 types of questions we ask, have a great impact
15 on the way the problem is addressed.

16 MS. LEWIS: Thank you very much.

17 MR. NOIBI: Just three questions.

18 We have to ask questions like this. Is the
19 proposed nuclear plants needed? Are there
20 safer and less expensive alternatives? Can
21 risks be prevented rather than be managed?

22 We don't want to keep managing the

1 waste. There are better ways. There are
2 alternatives. And in my comments here, I have
3 challenged the Blue Ribbon Commission to look
4 beyond just the symptoms but to help us solve
5 this problem once and for all. Thank you.

6 MS. LEWIS: Thank you. Don Safer
7 next followed by Dianne Valentin.

8 MR. SAFER: Hi, I am Don Safer from
9 the Tennessee Environmental Council in
10 Nashville, Tennessee.

11 Today's discussion is extremely
12 important. Thank you for the opportunity to
13 speak and for a worthwhile meeting, also for
14 the work of the Blue Ribbon Commission.

15 America's nuclear future should be
16 to stop making more radioactive waste. No new
17 reactors should be built, and existing ones
18 need to be shut down as soon as possible.

19 Some of the smartest people in the
20 world have unsuccessfully tried to solve this
21 problem for over half a century. It is past
22 time to abandon this technology.

1 Nuclear fission manufactures large
2 amounts of highly-radioactive waste that will
3 last virtually forever. We should do our best
4 to isolate the waste from the biosphere as
5 securely as possible for amounts of time that
6 are unimaginable.

7 We should learn from the
8 disastrous reprocessing experience at West
9 Valley, New York, and abandon reprocessing
10 permanently.

11 We should move the irradiated fuel
12 as little as possible and in the short term,
13 hardened on-site storage seems to be the best
14 solution.

15 As a Tennessean I would ask that
16 the issue of low-level radioactive waste
17 disposal be considered in a comprehensive
18 analysis similar to this one.

19 The current patchwork system has
20 resulted in Tennessee becoming the default
21 destination for processing at least 75 percent
22 of the nation's low-level radioactive waste,

1 and that's not low-risk.

2 Fifty-five million pounds in 2010
3 came to Tennessee waste processors. With
4 approval of the import of 1,000 tons of German
5 radioactive waste to be burned in Oak Ridge,
6 Tennessee is increasingly becoming the world's
7 destination for this waste.

8 In Tennessee, it is burned,
9 melted, compacted and four million pounds a
10 year is buried in four Tennessee municipal
11 landfills under a program called Bulk Survey
12 for Release.

13 The deficit of authorized, safe
14 landfill options for this waste has created
15 many questionable practices and needs to be
16 addressed.

17 It is crucial that we think long
18 term and of our responsibilities to future
19 generations. The legacy we need to leave is
20 one of a truly sustainable energy future, not
21 increasing quantities of toxic, mutagenic
22 waste.

1 MS. LEWIS: Thank you Don. Dianne
2 Valentin, and then Tom Clements.

3 MS. VALENTIN: Greetings. My name
4 is Dianne Valentin. I am a citizen of the
5 United States. I am a political scientist
6 trained in international affairs and national
7 defense.

8 I am an entrepreneur with a
9 business degree in finance and corporate
10 affairs. I am trained in biological research
11 science. I am a peace and environmental
12 activist, and I have been that since I was 15
13 years old and first concerned about nuclear
14 fallout, and us being able to produce our food
15 after a nuclear event.

16 I hope that the Blue Ribbon
17 Commission understands that we will not have
18 a future if we continue down the path of
19 nuclear issues.

20 I take issue with the fact that it
21 is considered necessary to have nuclear on the
22 table. As we all know, renewables have been

1 outpacing nuclear over the past two to three
2 years.

3 Given an opportunity there will be
4 no need for even consideration of nuclear
5 anything, whether it's power, weapons,
6 anything.

7 This is my future. These are two
8 of my grandchildren. They did want to speak
9 but I don't think we have time. So we will
10 move on.

11 Also, I understand that people
12 think that those of us who oppose nuclear
13 industries don't have the background or the
14 training.

15 We do. A lot of us do. But we are
16 also compassionate human beings who consider
17 all of the people that are affected by his
18 industry.

19 When you look at the intellect and
20 the science, you would know that we don't need
21 this, nor should we have ever engaged in it.

22 Someone referenced their mother's

1 old saying. Well, there is an old saying that
2 we have from the Native American Elders, and
3 that there were two things that should never
4 have been taken out of the earth, and one of
5 them was uranium.

6 So no matter what technology you
7 come up with, you should never, ever consider
8 using something that comes from uranium.

9 Thank you.

10 MS. LEWIS: Thank you Dianne. Tom
11 Clements and then Marilyn Karwoski and then
12 that will be followed by John Kotek with some
13 closing remarks. I didn't see John in the
14 room, so just want to get that -- there he is.
15 He's hiding right in front of me.

16 MR. CLEMENTS: Hi my name is Tom
17 Clements. I am representing the environmental
18 organization Friends of the Earth based in
19 Washington, though I live in Columbia, South
20 Carolina.

21 Thanks very much for the
22 opportunity to say a few words. My written

1 comments have focused on consolidated interim
2 storage and consent-based approach to siting
3 and I will summarize a few things here.

4 But first I would like to be clear
5 that I believe that the draft recommendations
6 by the Commission do not place appropriate
7 emphasis on the removal of spent fuel from
8 cooling pools, for placement into dry cask.

9 The vulnerability of spent fuel in
10 pools, especially in Boiling Water Reactors,
11 to Station Blackout, seismic events or
12 terrorist attacks mandates a top focus by the
13 Commission on getting the fuel out of the
14 pools and into on-site facilities with
15 increased protection and security such as
16 hardened on-site storage.

17 Second, I want to applaud the
18 Commission for using the term consistently
19 throughout the report spent nuclear fuel. The
20 Department of Energy is attempting to use a
21 new term called used nuclear fuel, which is
22 not defined in the Nuclear Waste Policy Act,

1 and I have submitted a letter that I got from
2 the DOE's Office of General Counsel which
3 clarifies that they understand that the term
4 is not a legal term.

5 We opposed consolidated interim
6 storage and believe that the emphasis must
7 remain on securing spent fuel at operating
8 reactor sites and that spent fuel should be
9 moved only once.

10 Interim sites will result in more
11 worker exposure risk during spent fuel
12 handling and transfer, an unnecessary increase
13 in transportation risks, an increase in the
14 number of storage sites as long as reactors
15 are operating, and increased handling and
16 storage costs.

17 The draft report overlooks a
18 critical aspect of potential motivation by
19 special interest groups to site an interim
20 facility, that such a facility could well be
21 a foot in the door for locating a reprocessing
22 facility in the future.

1 This issue is of concern regarding
2 DOE sites such as Savannah River Site. A
3 recently released strategic plan by Savannah
4 River Site clearly indicates a long-term
5 interest in the reprocessing of spent fuel.

6 In sum, the BRC recommendations
7 must not end up being the vehicle for
8 reprocessing when the intent is not that.

9 And just a couple of comments in
10 closing on siting requirements. I don't think
11 that the draft report focuses enough on the
12 criteria for siting radioactive --
13 consolidated interim storage facility. It
14 focused mainly on the geologic repository
15 aspects.

16 Part of the criteria for siting an
17 interim facility must be the guarantee that
18 all the waste will leave the interim site,
19 which would preclude reprocessing of the fuel
20 taken to the interim site.

21 And finally, DOE sites with
22 existing high-level waste and which are being

1 cleaned up, like Savannah River Site, should
2 be excluded for receipt of more high-level
3 waste of any sort, including spent fuel and
4 Department of Energy high-level waste.

5 This is a very sensitive point in
6 the state of South Carolina. We have done our
7 share. We don't want any more high-level waste
8 brought into the site. Thank you.

9 MS. LEWIS: Thank you Tom. So, let
10 me take the last person, Marilyn, and then --
11 people have been really good about staying
12 within their time limits. I was going to -- if
13 the audience is amenable, I am going to take
14 advantage of the fact that people have been
15 really good about their time and some people
16 have spoken shortly, to maybe invite the
17 children who are here to make a short comment
18 before we close.

19 And then we will get to you John.

20 MS. KARWOSKI: I am just in favor
21 of the hardened on-site storage because of the
22 safety aspect. I don't wish to offend anybody,

1 but recently here in Georgia, we got the
2 Sunday alcohol sales, I assume other states
3 have gotten the same thing, and it makes me a
4 nervous wreck on account of I had my kids so
5 late, and they are all the time driving, and
6 people assume that I had a certain -- assume
7 that everybody that was against Sunday alcohol
8 sales had a certain type of religion, and so
9 no offense to anybody here, but if -- but if
10 you know anybody that assumes politics on the
11 -- you know, the person has a certain type of
12 politics on account of they are in favor of
13 hardened on-site storage, I hope you would
14 discourage them.

15 Because God in heaven forbid, if
16 there is ever an accident, I think we all have
17 witnessed how politics can take advantage of
18 something like that, and if I am not
19 frightened to death about my kids being on the
20 road with a whole lot more people that can get
21 alcohol a lot easier, I am frightened about
22 9/11, and about what happened in Japan. Thank

1 you.

2 MS. LEWIS: Thank you. So do the
3 kids want to just take a moment also? And I
4 don't have your names written down so why
5 don't we make sure you introduce yourselves
6 please.

7 MR. REID: My name is Soloman.
8 Soloman James Mustafa Reid, and I just want to
9 say just one thing, one sentence. It's, the
10 sentence is: no more nuclear power.

11 MS. LEWIS: Thank you.

12 MS. REID: Hi, my name is Anisa
13 Belle Mustafa Reid and what I would like to
14 say is about this. Now these people could not
15 imagine about the future. It might look
16 horrible or better.

17 But if we do not use nuclear power
18 and keep on producing it and producing it,
19 what will happen is that this world will look
20 horrible than it looks. It will not look like
21 a better future than you think about ahead.

22 And this is very important if you

1 all think that all these bombs would cause a
2 horrible problem, it would be horrible than
3 you will see right before your eyes.

4 MS. LEWIS: Thank you.

5 MS. REID: Thank you very much.

6 MS. LEWIS: Thank you, and thanks
7 to everybody who has taken the time to offer
8 their comments this afternoon. I would like to
9 turn it over to John Kotek for some closing
10 remarks.

11 MR. KOTEK: I'd like to thank
12 everyone for coming today. Commissioner Ayers
13 asked that I extend his regrets. He had to run
14 and catch an airplane. He had to leave a
15 couple of minutes ago.

16 But Commissioner Bailey, thank you
17 for being here today. As was mentioned
18 earlier, the Commissioners directed the staff
19 to arrange these meetings to get feedback on
20 the draft report.

21 Again, just to reiterate, comments
22 are due in by the end of October. Please send

1 us your thoughts by then if you can so the
2 Commissioners have time to consider those as
3 they work through the process of finalizing
4 the subcommittee reports and then the report
5 of the full Commission, which is due, again,
6 to the Secretary of Energy at the end of July,
7 July 29th of next year.

8 Submit your comments to the
9 Commission website. Again the Commission
10 website is www.brc.gov. Thanks again for your
11 time today. We will make sure that the
12 Commissioners get the comments that were
13 delivered today, the summary of the breakout
14 sessions. I hope those sessions were all as
15 productive as the one I was in. I thought it
16 was a really interesting conversation. We will
17 make sure that they get that information and
18 have that available, again, as they consider
19 what to put in their final report.

20 So thanks again for being here.

21 MR. BRYAN: Thank you, John. We
22 just want to thank everybody for participating

1 today, being a part of the conversation,
2 engaging in the discussion.

3 As John just mentioned there is
4 going to be, and we have told you a few times
5 before, there will be a summary of the
6 breakout sessions. We will make certain that
7 that is prepared. You should see that some
8 time you know, quickly, we are going to try to
9 turn that around as quickly as we possibly
10 can.

11 So that will be part of -- that
12 will be on the website. We hope that all you
13 will have an opportunity to take a look at
14 that and provide any comments about the
15 summary.

16 That will be a high-level summary
17 that cuts across all of the groups, but we
18 will make certain that we are clear to catch
19 those things that were overlapping issues in
20 groups as well as some of the things that were
21 peculiar to each individual breakout session.

22 Once again, thank you very, very

1 much for your participation today. We want to
2 thank our staff, want to thank the BRC staff
3 and Commissioners for participating today, and
4 if there are any other -- if there aren't any
5 other questions, please -- oh, you have got a
6 question. Yes.

7 MS. THOMAS: (off-mic comment.)

8 MR. BRYAN: Well, do you have a
9 question about --

10 MS. THOMAS: I have a comment
11 about today.

12 MR. BRYAN: Okay. Go ahead.

13 MS. THOMAS: I was going to speak
14 today and then I decided not to because there
15 were so many people who wanted to speak but I
16 just wanted to say that I have been -- this is
17 the fourth time that I have been to a BRC
18 meeting, and I feel, like what happened today
19 was really significantly better than the other
20 ones. I really, really appreciated the
21 opportunity that people had this morning to
22 engage with the speakers and then the

1 roundtable was wonderful because people who
2 were coming from different directions got a
3 chance to actually talk to each other, and I
4 think that that's the only way that we are
5 going to be able to solve this problem, is if
6 we stop being adversarial and we start working
7 together to make -- to get these problems
8 solved.

9 And so I was encouraged to tell
10 the Commissioners that I -- that I thought
11 that this session was really good and that I
12 hope that you will continue to use this kind
13 of a less formal format for future meetings.

14 MR. BRYAN: Thank you very much. I
15 am sure the BRC staff is very happy to hear
16 that. All right. Thank you very much everyone.
17 We will look forward to talking with you again
18 soon, and hope that you will look at the
19 website and check out all the information
20 that's coming to you.

21 (Whereupon the above-entitled
22 matter was adjourned at 4:31 p.m.)

A				
abandon 69:2 73:19 295:22 296:9	147:15 196:5,19 197:4 205:22 214:14	146:22	administration's 262:17	109:11 110:4,9 116:1 117:10
abandoned 68:5 100:12,13 269:3	accident 57:7 99:2 99:5 305:16	activist 298:12	administrator 279:14	140:4,13 142:4,5 163:5 200:20 201:1
ability 72:4 149:22 157:21 198:15	accidents 97:17	activities 70:4 75:18 182:15 248:9,18	Admiral 180:22	agenda 5:9 10:2 38:12 46:15 47:6 165:6
able 56:17 65:20 92:10 102:6 103:4 110:5 115:22 117:20 118:9 139:19 156:4 241:12 257:17 266:2,21 279:17 298:14 311:5	accomplished 192:16	activity 127:8 293:12	admit 181:12	agendas 80:20
above-entitled 164:17 243:4 311:21	account 305:4,12	actual 57:15 141:5	adoption 201:10	Aging 138:2
above-ground 255:21	accountability 183:2 253:12	adaptive 27:10 195:1	advance 55:5 245:10	agitators 100:18
abroad 25:7 27:18	accountable 286:22	add 241:22 242:5 257:16	advanced 207:15 264:12	ago 99:6 152:18 155:10 170:15 180:14 182:1 211:17 307:15
absent 69:8 74:7	accounts 207:5	added 77:21 89:4	advancing 38:17	agree 69:11,19,21 70:13 71:5,8,20 72:22 74:21 99:10 112:6 113:15 117:17 119:1 121:13 125:1 143:11,12 144:8 167:11,13 168:8 180:7 201:21 202:22 204:9,11 204:20 205:1,9 206:19 234:15 273:4 288:16 289:1,22
absolutely 116:12 147:13 160:6 191:15 226:19 233:7	accumulated 192:6 206:2	adding 162:20	advantage 101:13 101:22 127:22 304:14 305:17	agreed 57:6 59:6 106:9 113:10 273:4
above-ground 255:21	accumulates 34:3 184:1	addition 193:21 201:22 232:6 257:14 280:20	advantages 64:7	agreements 29:15 70:6 97:18 115:11 115:14 163:19
abroad 25:7 27:18	achievable 194:20	additional 67:10 130:5 200:12	adventures 225:17	agrees 197:12 198:18 200:21
absent 69:8 74:7	achieve 77:8 196:20	address 73:5 85:2,3 93:22 99:21 108:3 183:4 203:2 218:16 249:9 255:15 258:5 291:17 292:19	adversarial 311:6	ahead 205:13 227:16 231:11 233:5 234:18 242:1 306:21 310:12
absolutely 116:12 147:13 160:6 191:15 226:19 233:7	acknowledge 74:14 214:10 292:12	addressed 63:5 109:14 137:16 215:10 216:18 217:1 220:1 283:11 294:15 297:16	advertized 101:7	
academia 211:19 213:5	acknowledged 214:9	addresses 74:20 102:4	Adviser 17:3	
academic 4:17 11:22 209:6 210:1 210:7 223:11 227:22	acknowledges 75:2 75:5	addressing 39:11 247:10	advisory 1:24 3:16 66:5 205:10	
Academy 44:9,13 141:12 174:20	act 33:14 39:18 41:18 69:2 74:11 82:16 128:10 130:8 138:17 195:21 196:21 197:8 198:17 199:5,7 207:13 246:16,19,22 247:4 248:7 278:14 301:22	adds 286:7	advocate 183:10 191:8 231:7 285:1 293:9	
Academy's 55:11	action 2:1 4:9 181:21 182:2 189:4 190:9 202:11 206:20 246:15 250:13 284:21 291:14	adequate 254:1 256:5	advocating 199:16 223:12	
acceding 247:20	actions 77:11	adequately 259:3 260:6	affairs 298:6,10	
acceptable 71:11 160:16 259:11,19 276:14,16	active 43:18 91:22 123:21 183:1 224:6	adhere 244:17	affect 109:17	
acceptance 268:14	actively 128:19	adherence 202:12	affirm 270:14	
accepted 185:7		adjacent 76:9	afraid 98:13 183:20	
accepting 184:17 184:18 255:20		adjourned 311:22	African 171:12	
access 33:7 34:22 35:5 59:20 71:4 81:12 90:9,10		Adjournment 4:23	afternoon 12:9,11 12:13,18 13:1,19 16:1 236:22 237:10 258:4 262:3 307:8	

aid 53:3 57:3,12	alongside 42:12	answers 65:18	310:20	armed 88:15
Aiken 66:9 67:11	alternate 68:10	anticipatory 47:14	appreciates 66:2	arms 96:2 217:18
69:4 99:4 126:15	264:12	anti-nuc 212:19	appreciation 194:9	arrange 307:19
126:19 131:18,21	alternative 53:1	anti-nuclear	approach 26:10	arrangement 189:9
132:6,13,13	219:6 286:5	167:10,15	86:16,19 204:14	arrangements
135:14 246:4,6,10	alternatives 294:5	Antonopolus 2:10	204:15 213:19,20	191:13
248:4 262:5	294:20 295:2	228:6,7 269:19	301:2	arrive 230:12
aim 47:15	aluminum 249:16	274:4,5	approaching 147:3	Art 2:14 231:13
ain't 259:21	Alvarez 272:7	anybody 99:3,3	appropriate 40:1	article 155:11
air 132:10 174:2	amazing 192:14	121:8 134:10	47:18 81:6 155:9	articulate 70:8
189:10 209:7,11	amazingly 166:6	145:9 162:12	194:20 200:14,18	238:4
209:13,14 232:2	amenable 304:13	260:17 304:22	204:20 263:1	articulated 254:21
278:13	amend 74:14	305:9,10	275:22 301:6	artificial 247:21
aircraft 209:21	amended 138:18	anymore 92:9	appropriately	ASAP 77:12
airplane 250:18	amending 207:12	anyway 175:11	283:11	ascent 203:7
307:14	America 67:21	apart 103:12,14	appropriations	asked 25:2 26:16
aka 184:13	260:9	106:3 170:3	139:12 196:7	26:21 35:12
Alabama 2:5 3:13	American 171:13	apiece 11:9 61:4	197:2,3,18	110:20 141:11
3:13 60:17 64:16	252:16 258:10	Apologies 244:15	approval 297:4	257:1 307:13
107:11 116:3,6	270:8 300:2	apologize 7:5	approve 118:3	asking 12:19 154:1
121:21 133:7,12	America's 1:1 5:14	245:10	approved 203:14	158:3 161:19
134:12 136:9	6:5 15:16 168:1	apparently 206:9	207:5	282:19,20
193:15 267:20	279:12 292:6,7	268:9	approximately	aspect 42:8 89:19
277:20	295:15	applaud 253:3	67:15 193:12,18	131:5 144:11
alcohol 305:2,7,21	amount 90:19	263:3 301:17	April 277:21	220:2 302:18
align 230:18	126:10 144:20	Applause 179:8	aquifer 103:6	304:22
aligned 113:5	147:3 154:8 174:1	192:19 236:18	aquifers 146:12	aspects 41:8 49:7
allay 151:4	244:12 266:3	269:16 277:14	archive 49:1	52:19 255:8 268:3
allayed 135:12	amounts 33:21	applicable 197:1	area 15:7 43:21	275:14 303:15
allegiance 184:6	296:2,5	197:17	45:17 50:15 51:14	assembly 18:18
Allen 230:6	amplify 259:10	applicant 193:22	76:17,18 85:10	asserts 204:1
Allendale 182:22	analysis 69:11	application 26:20	91:10,12 100:5	assessment 183:12
Alliance 183:2	235:4,8 247:15	198:2 203:13	110:15 122:8	234:16
allocate 218:12	296:18	257:6,20	123:11 124:13	assign 242:7
allocation 52:17	ancestors 180:13	applied 216:13	131:21 148:4	260:19
allotment 244:17	ancient 270:7	apply 42:21 162:5	155:17,21 171:16	assigned 32:19
allow 81:9 163:20	anecdotal 101:11	appointed 51:7	179:20 184:8	assignment 242:4
165:8 189:10	Anisa 2:23 306:12	86:4	262:12 288:4	assistance 6:21
194:6 198:4	Annie 2:22 287:9	appointing 118:14	290:21	57:17
262:21	290:10 291:7	appreciate 16:20	areas 14:1 46:15	assistant 8:7 50:8
allowed 130:10	annual 35:5 80:9	48:5 84:22 95:22	63:21 117:1 134:8	86:2 230:14,15
163:2 284:7	193:19	103:17 201:7	174:3 199:22	associated 43:17
allowing 166:1	ANS 252:20	220:9 236:16	246:18 282:2	45:14 135:22
allows 90:17	answer 13:21 99:14	256:7 258:5	288:12	186:14 277:6
alluded 66:18	139:7 156:22	274:12 275:11	arguing 255:7	Association 6:15
123:13 124:14	227:14,20 229:16	277:11 287:17	arguments 37:3	202:1
allure 187:5 191:21	231:21 273:9	appreciated 157:16	arid 146:17	assume 305:2,6,6

assumes 206:9 305:10	automatically 176:16 177:4	202:6 213:16 218:19 220:20 224:7,21 231:4,10 237:1 242:18,21 254:9,11 274:14	bases 278:11,13 basic 66:13 181:10 basically 38:4 53:19 57:3 172:22 177:17 178:9 210:6 212:18 218:15 219:20 227:8,15 232:20 254:18 289:20	263:17 267:8,10 282:10 291:1 301:5 302:6 believes 37:1 45:10 69:1 74:10 114:5 114:5 194:17 195:7 198:8,11 199:19 200:13,17
assumption 206:13	availability 248:11	background 103:17 299:13	basing 224:10 basins 249:2 basis 87:13 109:22 204:19	Belle 306:13 Bellefonte 265:20 belong 258:9 Bend 76:11
assure 91:11 183:12 190:9	available 29:17	backlog 215:8	bathrooms 15:1 Baxley 155:13 193:13	beneficial 37:18 benefit 29:21 38:16 81:20
assured 33:7 81:12	34:6 49:8 57:22	backup 151:9	Beatty 169:17	benefits 30:1 204:22 251:21 268:1
assuring 81:22	90:18 124:22	backups 151:16	beautiful 166:6 269:5 274:14	benefitted 30:10
astounding 174:3	144:1 145:11	backyard 45:8	becoming 81:3 296:20 297:6	Bennett 2:11 221:10,11,20 274:3 277:16,18 277:19
Atlanta 1:9,10 5:7	158:1 190:18	backyards 122:6	bedrock 260:3	Bermuda 187:22
6:18 9:11 59:17	197:9,15 200:5	bad 121:17 267:11	beep 61:13	beryllium 221:14
94:17 166:6	244:10 249:4	Bailey 1:13 3:3	beeping 245:3	best 38:22 48:14 144:22 148:10 212:8 239:22 251:13 262:19 285:13 287:4,4,5 289:3 296:3,13
179:14,19 250:12	281:4,6 308:18	5:12,18,20 6:4 14:12 17:6 65:22 116:18,19 120:3,5 122:18 123:10,15 124:13 179:15 194:8 307:16	beginning 63:3 92:4 254:19	Betsy 2:20 245:12 250:9,11 252:11 290:10
287:12 291:12	Avenue 1:9	Bailey's 138:9	begun 285:19	better 7:21 10:10 14:20 42:3 63:20 63:21 77:13 80:1 99:11 135:10 146:18 210:4 227:14 232:19 251:11 283:21 286:4 289:6 295:1 306:16,21 310:19
atmosphere 212:16	avenues 85:3	balance 35:7 206:16 225:22	behalf 111:20 112:5 113:9 194:5 202:1 246:4 252:15,20	beyond 185:5 222:9 294:8 295:4
atmospheric 279:20	avoid 185:21 189:8 283:20	ball 46:12	behavior 74:2	big 33:5 45:4 76:19 122:22 123:16,17
Atoms 53:22	avoided 216:20	ban 209:16	beings 275:8 299:16	
attached 246:8	avoiding 189:17	bar 91:22 231:16	belief 196:15 262:16	
attacks 301:12	awaiting 67:17 74:4	Barbara 2:10,13 136:8 228:6 262:2 265:2 267:17,19 269:18 274:2,5 277:15	believe 13:12 15:2 28:20 54:20 62:6 62:15 63:7 64:2 64:15,15 83:7,11 84:3 85:14 96:11 123:1 160:14 164:12 174:21 180:12 188:6 192:13,17 197:20 202:17 216:21 242:22 258:18	
attempt 139:7 203:2 244:6	aware 97:22 106:8 113:2 128:15 129:2,5,7 130:18 131:9 132:16,22 236:1,4 252:18	Barely 201:16		
attempting 10:3 301:20	awful 154:20	Barnes 230:6		
attend 52:3 283:6	Ayers 1:12 6:2 7:2 7:3,7 9:15 17:6 66:1 179:15 194:7 307:12	Barnwell 169:10,12 169:12,18 171:2 171:10 178:10,10		
attended 211:18 283:6	A-F-T-E-R-N-O-... 244:1			
attendees 9:8	a.m 1:9 5:2 164:18 164:19	barrier 109:1		
attending 9:6 62:16		barriers 108:20		
attention 31:14 45:18 57:10 137:19		basalt 148:7		
attitude 30:7,9,14 266:18		base 98:11,20 184:8		
attractive 272:10		based 27:10,12,17 99:19 108:14 195:2 200:4 258:20 293:22 300:18		
audience 50:2 164:6 220:15 304:13		baseload 160:6		
Augusta 179:16 182:21,22 193:12	B B 104:5			
authority 41:8,18 69:21 70:1,4,5 91:21 114:7,12 116:14,14 268:3	back 11:5,18 14:7 15:5 16:3,8 17:13 17:17 36:20 40:9 44:12 48:8 54:12 84:8 100:2 106:18 135:17 136:3 157:15,17 158:10 164:9 165:10 173:10,22 183:16 183:19 187:19			
authorization 198:3 248:8				
authorized 197:8 282:8 297:13				

124:17 131:13 136:14 144:15 biggest 101:4 272:12 big-paying 133:15 billion 31:10 33:22 34:5 35:7 127:10 203:9,11 206:14 226:9 272:6,9 billions 144:3 235:9 biological 298:10 biosphere 296:4 bipartisan 196:12 bit 11:5 13:16 15:6 15:17 17:22 21:11 23:10,20 27:11 33:4 40:14 43:7 60:1,5 113:7 115:9 117:16 119:12 123:12,16 123:18 159:10 171:19 175:17 223:10 232:12 237:18 240:13 242:8 Blackout 301:11 blank 162:19 blasted 132:7 blind 184:6 blocked 252:3 blood 291:6 blow 162:17 280:6 blue 1:1 3:8 5:13 6:5 8:12 10:5 15:15 51:4 52:21 53:3,7 63:6 79:8 84:22 88:17 103:18 106:10 179:12 194:14,15 194:21 195:10 197:13 198:19 199:1,18,20 200:3 200:21 210:7,19 214:7 215:1,4 231:3 234:22 241:1,6 246:2	250:22 257:17 258:16,18 260:18 261:11 263:8 270:18,21 271:16 271:21 292:5,18 293:17 295:3,14 298:16 Bluff 184:2,3,9 board 2:6 3:10 6:20 8:8 11:6 32:7 50:10,19 51:8,10 65:10 85:19 86:6 118:3,15 128:9 161:15 163:11,14 182:4 196:11 205:9 250:13 256:18 265:15 boards 162:10 Bob 272:7 Bobbie 2:1 4:9 164:12 181:17 228:10 231:20 233:6 Bobbie's 231:19 body 271:3 boil 277:2 Boiling 301:10 boils 266:6 bomb 184:13 bombs 307:1 Bonanza 189:16 booster 177:11 borated 154:10 Boston 6:17 100:3 187:22 bothers 89:21 bottom 119:2 289:13 bought 170:10 bound 286:12 bounds 188:3 box 294:11 Branch 1:17 3:23 82:9 bravery 7:18 BRC 1:19 3:2,9 4:21 74:5,8,13,22	80:8 81:18 83:10 96:14,17 100:3 138:12,14,22 139:3 159:10 168:11 188:8,15 191:12 216:19 219:21 242:11 253:9 255:14 259:13 285:6 286:3 294:11 303:6 310:2,17 311:15 BRC's 66:3 81:15 82:2 brc@nuclear.ene... 48:15 break 11:17 12:6 12:14 14:5 164:9 breakout 12:18,21 12:21 13:2,14,17 237:3,4,19,20 238:21 239:10,15 239:17 240:20 241:15 242:15,20 308:13 309:6,21 breakouts 235:22 242:19 breeder 224:5 Brent 17:2 brief 11:17 14:5 79:8 87:21 282:5 briefly 193:8 210:16 211:1 277:4 bright 5:21 bring 29:1 62:11 92:5 93:21 94:5 137:19 179:6 192:18 254:8 bringing 273:13 brings 16:15 131:13 277:3 Britain 182:13 broad 246:18 broader 64:4 broad-based 150:18	Brock 1:16 3:22 60:18 82:6,7 129:9 broke 99:7 broken 19:8 161:9 170:8 173:10,11 Brooks 1:17 4:2 60:21 84:14,15 129:10 brought 54:12 68:3 73:15 74:18 170:21 172:12 175:10 178:17 211:19 235:9 304:8 Browns 107:9 108:5 109:6 110:21 148:13 151:7 265:8 266:20 267:2,11 brunt 106:2 Bryan 1:10,15 2:11 5:3,4 9:13 59:22 92:22 93:14 94:9 94:13 96:7 99:15 105:18 106:15,19 111:12 114:17 116:17 120:3,6 129:13 133:4 136:1,6 141:6 145:2 152:10 155:3 161:3 163:22 164:20 177:7 192:20 201:13 208:20 220:8 221:11 223:4 225:13 228:4 231:9 233:11,15,17 235:18 236:14 237:14 241:17 242:14 274:3 277:16,16,19 308:21 310:8,12 311:14 budget 34:9,15 203:11	budgetary 196:22 197:17 build 27:13 85:6,10 144:18 207:9 218:15 219:9 272:13 building 37:11 41:10 91:21 126:1 152:6,21 153:1 154:7,19 163:4 178:20 179:3 182:19 191:19 203:20 285:16 buildings 152:8 267:6 builds 42:3 buildups 192:3 built 24:6 295:17 Bulk 102:20 297:11 bullet 38:14 55:9 bunch 126:8 225:10 burden 287:1,6 294:3 bureaucratic 79:20 burial 170:17 171:1 180:8 buried 79:17 170:20 171:1 173:16 174:15 297:10 Burke 184:15 230:2 288:13 292:4 burn 104:1 153:13 153:20 172:18 213:10 burned 102:13 227:6 297:5,8 burning 271:8,13 bury 219:9 burying 137:9 Bush 17:4 business 208:16 274:21 298:9 businessmen 185:12
---	---	--	--	--

busy 178:20 216:1	73:12,16 74:7,10	269:18,19,22	central 67:12	173:12 176:4,5
button 240:15,18	74:15,16 248:19	carry 144:17	203:18 207:10	206:21 247:16
240:21 241:1	249:3,13,17	Carson 2:12 161:5	centralized 198:8	changed 10:12 44:5
buy 122:2 140:10	263:18,21 264:15	161:6 163:7,21	251:8	173:11
140:18	264:20	252:13 256:9	century 295:21	changes 34:9 78:19
buying 236:12	capability 151:9	258:2,4,6	CEO 262:4	173:13 176:5
buy-in 64:4,11	capable 120:14	cart 171:14	CERCLA 82:12,13	267:14
140:17 218:1	208:9 254:15	case 17:10 18:7	82:15,20 83:22	chapter 182:1
	capacity 38:2	23:8 38:3 43:20	84:4	Chaput 60:20
	193:17	57:7 169:9 189:21	certain 9:14,20	126:13,14 245:11
C	capital 218:10	260:17 273:11	10:8,13,21 11:15	245:17,21 246:3
C 104:5 169:20,22	carbon 50:15	cases 17:21 19:19	12:15 28:5 58:8	249:15
calcining 24:17	150:12	Cash 2:17 128:7	61:13 63:21 97:21	charge 181:1 217:8
calendar 58:21	care 95:14 185:17	250:5,10 252:12	112:10 117:2	charged 44:10
California 54:21	186:20 212:7	256:8,16 258:1	118:7 154:8,8	52:22 53:20 69:7
call 22:17 23:11	215:21 218:11	cask 18:2 142:2,10	193:1 221:4 237:4	charging 285:19
28:4 29:8 32:14	219:18 226:21	142:17 143:1,4,4	237:7,10 238:3,7	Charleston 54:19
35:6 37:5 82:15	291:2	144:16,17 148:12	239:18 305:6,8,11	66:21 187:20
100:17 104:7	Carlsbad 55:14	148:16 158:18,21	309:6,18	charter 16:13
110:8 120:16	56:10 255:19	159:14,17,18	certainly 169:8,11	charts 240:6
129:18 131:9	Carlyn 2:15 277:17	160:13,14,17,21	203:4 204:16	Chattanooga
133:11	281:17,20 284:17	178:19 252:9	249:21	108:14
called 16:13 18:18	Carolina 1:18,23	301:8	certify 41:20	cheapest 219:6
19:9 24:17 32:9	3:15,15 4:8 55:2	casks 20:2,3,17	cetera 25:16	check 49:9 242:2
33:10 43:20 47:1	60:19 66:1,2,5,8	37:14 87:2 143:3	212:20 222:11	311:19
54:11 94:19	67:1,12 68:14,22	143:9,15,16,20,22	251:22	checked 48:21
102:20 137:22	74:10,12 96:12	144:4,18 145:8,9	chain 232:11	checks 103:7
297:11 301:21	98:3 111:17,22	198:7 271:9	chair 17:1 86:8	chemical 121:20
calling 106:10	112:15,20 113:11	cast 18:16	131:3 166:9	173:18
270:19	114:4,6,7,15	catastrophically	201:18 231:15	chemically 221:13
calls 55:4 57:11	118:17 131:3,19	275:6	Chairman 4:14	chemistry 226:18
74:8	157:8 158:16	catch 157:3 307:14	262:8	chemists 226:17,20
campaign 45:22	159:4,8 166:5,9	309:18	chairs 129:17	Chernobyl 149:5
54:12 192:10	166:18 167:4,20	catches 271:12	challenge 21:14	150:5,7
campaigns 59:11	167:22 169:9	categories 21:19	25:2 183:11 189:2	children 149:4
cancer 134:2,7,17	173:1,6 177:17	category 28:5	260:18 275:12	183:8 265:12
134:20 141:10,13	182:17 223:8	cause 292:14,19	291:20	266:7,8 267:15
288:12	230:19 232:2	307:1	challenged 170:14	304:17
cancers 134:18,20	246:5 262:5,13	caused 187:16	295:3	chime 11:14
134:21	300:20 304:6	causing 187:19	challenges 291:18	chlorine 99:5,7
cancer-causing	Carolina's 68:11	caution 279:8	challenging 246:15	choice 287:4,4,5
293:21	Carroll 2:12 94:7	cease 106:20	Chamber 262:5	choke 90:12
candidate 71:21	94:11,15,16 95:5	celebrates 183:7	chance 242:9 289:6	choose 133:19
canister 23:13	95:9,12,22 129:16	cell 83:22 84:4	311:3	261:12
142:12	141:15 142:16,20	center 1:9 29:8	chances 178:7	chosen 64:12
canisters 67:15	225:14,16 226:13	30:5 33:17 59:18	change 35:18 44:13	Chris 5:15 9:13
137:17	227:22 267:18	108:13	44:21 80:11	11:4 49:16 50:8
Canyon 67:20 73:2				

59:22 66:18 87:5	clean-up 132:1	167:15 168:7	106:17 109:11	79:7 84:17 93:15
Christ 291:6	clear 78:9 80:17	coast 28:21 54:18	114:6 121:15	113:15 126:6
Christopher 2:6	188:8,21 208:3	54:20 55:1 146:15	122:11 124:20	128:4 132:11
3:5,11 8:6	237:21 260:13	coded 242:2	131:13 139:18	141:17 166:14
church 135:14,15	263:8 277:10	Cold 217:18 227:13	163:3 204:4,7	202:9 210:6,8
135:16 171:13	286:18 287:3	collards 230:21	244:21 283:15	240:7 246:17
Churchill 257:7	301:4 309:18	colleagues 179:19	300:8	257:13 258:16
circulate 189:10	clearly 74:16 77:15	182:12 227:1,14	comfort 45:9	272:17 282:4,5
circumstances	78:5 188:9 285:11	collected 33:18	comfortable 98:7	284:16 290:1
122:14	303:4	124:22 197:13	coming 6:4 10:16	294:9 295:2 301:1
cite 139:3	Clements 2:13	203:9 205:22	42:5 56:11 58:20	303:9 307:8,21
cited 73:9	111:14,15 157:6,7	collecting 34:13	66:1,20 69:7	308:8,12 309:14
citizen 228:7	158:3,9,14 220:21	167:1	78:11,18 84:20	Commerce 262:6
267:20 269:1	223:5,6,7 225:1	collection 33:20	88:1 89:22 95:15	commercial 19:21
282:7 287:13	298:2 300:11,16	34:10,11	102:11,12 104:6	20:7,19 21:15,18
298:4	300:17	collections 206:22	109:18 124:3	22:4 24:6,9 32:20
citizens 74:3 77:1	Clemson 114:21	color 242:1	125:7 128:2 166:4	33:10 44:17 47:17
106:8 167:4	climate 64:1 80:19	Colorado 22:16	169:2 171:6 175:7	67:4,5 70:17
178:16 247:12	117:19	colors 133:18 241:9	176:6 181:19	76:17 105:4,5,14
city 166:6 216:7	close 7:15 12:8	color-coded 12:21	182:4 184:12	127:17 150:4
civil 259:9 260:2	147:12 148:20	Columbia 111:17	188:21 192:2	161:7 162:6
261:21	166:7 170:1	157:7 166:4,5	220:10 241:11	263:13
civilian 67:2	178:12 183:21	223:7 300:19	272:1 281:22	commission 1:1,4,8
cladding 18:18	189:16 211:5	combine 259:10	284:15 307:12	1:12 2:9 3:8 4:15
153:12,19,20	216:17 219:15	Combined 194:1	311:2,20	5:14 6:5,7,22 7:13
271:11	244:20 245:11	come 5:15 7:18	commencing	9:16 10:5 15:15
Claes 28:16	270:6 282:22	8:21 10:18 11:5	198:10	15:20 16:3,6,9,17
claim 184:22	304:18	11:18 13:8 14:7	commend 79:8	16:18,21 17:2,17
223:22 224:7	closed 169:16	15:5 33:1 34:12	88:19	18:10 25:2,4
claiming 260:4	215:19 223:15,19	48:16 49:4 60:11	comment 4:19 12:8	26:15,15,17,20,21
claims 191:12	224:1,8	60:14 61:1 78:8	12:11 14:4 16:14	26:22 27:6,16
260:15	closely 52:11 64:18	87:12 91:5 92:11	66:3 74:20 117:3	28:11 30:18,22
clarification 130:6	closeout 281:14	94:2 97:2 101:20	126:16 127:2	31:15,21 32:3
237:17	closer 41:22 98:6	107:17 108:18	128:7 130:17	33:6 36:13 37:1
clarifies 302:3	153:15,15	133:2 153:19	131:4 157:8	38:9,13 39:6,9,16
clarify 62:2 112:2	closing 207:18	164:9 165:10	216:10 218:14	40:22 41:2,12
112:21 113:13	215:3 218:16	166:2 168:8 218:7	227:1 235:1 237:6	42:6,9,20 43:15
Class 169:20,22	220:2 278:13	224:14 231:10	237:9,13 241:16	43:20 44:8,12,19
clean 50:15 172:8	300:13 303:10	234:8 237:1	242:22 244:4	45:10 46:2,14,16
174:11 175:16	307:9	239:14,19 240:3	245:18 246:2	47:7,9,20 48:7,14
185:9 268:22	clout 178:7	242:18,20 245:6	253:7 304:17	48:16,17,22 49:2
277:8 293:6	Club 1:19 4:8	249:2 266:21	310:7,10	49:3,4,5 51:4
cleaned 304:1	131:4,20 165:19	270:15 274:3	COMMENTERS	52:22 53:4 63:6
cleaning 187:4	166:9,11,12 167:2	281:13 300:7	2:10	64:17 65:16 68:19
cleanup 31:4 183:5	clue 110:22	comes 11:2 17:19	comments 6:12	69:7 70:7,14
185:9,16 186:14	coal 50:15 272:4	17:22 19:5,15,18	10:8 48:8,16 49:3	71:14 72:12 73:1
191:19 192:3,14	coalition 166:19	59:13 88:4 102:10	66:7,13 69:10,14	75:10,16 77:10

79:9 88:18,19 96:11 103:18 104:11 106:11 115:12,18 116:8 126:21 127:14 131:7,8 137:2 138:8 141:11 145:6 155:6 166:1 188:9 194:7,10,14 194:16 197:13 198:19 199:19,20 200:19,22 201:6,8 201:19,21 202:4,9 202:17 210:7,20 214:8 215:1,4 220:5 231:3 234:22 246:2,11 247:2 249:8 250:2 250:22 253:4,15 257:17 258:6,17 258:19 260:19,21 261:2,3,12 263:9 265:15 268:15 270:19,22 271:1 271:16,21 273:14 274:9 275:12 282:17 287:15 292:6,19 293:18 295:3,14 298:17 301:6,13,18 308:5 308:9,9 commissioned 49:6 Commissioner 4:14 6:2 7:2,3,7 116:18 120:3 138:9 179:15,15 307:12,16 commissioners 5:13 7:10,22 17:6 25:11 35:2,12,21 37:21 48:9 128:9 194:7 202:2,3 242:11 256:18 278:7 279:1 280:19 281:21 307:18 308:2,12 310:3 311:10	commissions 207:1 Commission's 8:4 8:13 16:13 25:21 26:4,9 44:2 53:8 68:21 85:1 179:12 194:22 195:10 199:2 200:3 202:12 206:5,12 207:16 247:14,20 257:19 commitment 68:15 248:20 committed 275:16 committee 52:5,7 53:13,16,20 54:7 55:10,15 58:2,10 58:18 59:1 178:11 181:5 205:10 252:22 253:1 281:9 290:8 committees 51:16 52:1 57:9 58:22 commodity 188:10 commonly 189:15 Commonwealth 82:7 Communications 108:13 communities 29:17 30:8 91:7 100:20 101:12,20 136:20 141:2 179:21 182:21 183:14 218:1 251:9,13,15 251:19 285:2 286:20 287:1,2 291:16 community 27:21 29:20,22 43:4 66:11 72:2 90:1,4 90:6 95:15 100:11 123:21,22 124:10 125:4,7,8 128:17 130:19 131:5,14 132:17 164:14 166:18 177:11 179:5 182:11	183:7 184:6,18 200:5,9 217:5 218:1 255:19 262:8 273:4 283:9 291:14 compact 50:12 104:2 105:22 170:2,2,9 compacted 297:9 companies 81:21 279:16 company 1:23 4:13 131:10,13,17,17 170:10 184:7 185:1 193:6,7,9 193:11,20 194:5,6 194:17 195:3,7,14 196:2 197:12 198:8,11,18 199:1 199:13 200:2,13 200:17 221:16 272:12 277:20,21 282:9 Company's 194:13 comparisons 150:16,18 compassionate 299:16 compelling 80:17 Compensation 82:16 compete 34:16 competed 29:5 competent 234:13 competing 80:20 competition 29:10 29:18 complacent 133:13 complaint 260:16 complete 74:17 127:5 202:19 248:7 completed 67:8 253:1 283:3 completely 120:14 154:22 completion 61:15	257:5,18 complex 264:3 275:11 complexion 270:19 compliance 88:10 comply 248:6 component 75:6 124:17 229:6 comprehensive 80:16 82:15 105:20 106:13 296:17 comprise 193:16 concentrate 80:2 concentrated 21:2 122:8 182:18 252:8 concentrations 246:13 concept 205:6 293:9 concern 81:7 118:4 144:11 228:8 274:20 275:1 303:1 concerned 45:5 68:7 148:2 151:5 168:20,21 177:14 179:22 228:7 258:14 267:20,22 269:1 298:13 concerning 112:3 concerns 39:5 93:4 117:18 118:8 168:4 176:1 222:20 246:7 255:7 260:22 261:16 273:10 285:20 concerted 64:2 conclude 237:6 239:7 concluded 35:22 conclusion 92:11 179:2 207:17 Concord 54:21 concrete 37:13	267:6 concur 55:22 concurrently 12:3 condemn 261:8 condition 88:7 conduct 141:12 161:14 conducted 217:22 conducting 56:5 conference 6:17 55:4 confidence 27:14 41:9 42:4 47:16 75:13 117:11 124:21 206:13 272:22 276:18 confident 206:6 275:15 configuration 147:7,7 configurations 20:3 confirm 287:22 confirmed 32:8 confronts 42:14 confusing 277:12 Congress 32:13 118:2,6 130:14 138:11 139:12,21 181:5 203:15 208:17 278:15 congressional 32:6 32:11 41:15 177:22 178:1 197:2,18 263:3 Congressman 16:22 Connie 1:20 13:13 consensus 13:9 168:6,9 178:15 207:18 234:8,20 consent 27:10 128:12 168:10 184:19 195:1,15 195:16 consented 167:11 consent-based
---	---	--	---	--

63:18 69:17 123:8 123:12 129:4 204:14 238:16 257:12 301:2 consequences 218:8 conservation 1:18 4:3 84:16 103:2 139:14 166:17 179:5 consider 69:22 75:16 126:21 127:7,14 177:1 219:7 252:6 285:6 286:3 293:18 299:16 300:7 308:2,18 consideration 68:19 75:10 97:5 146:20 246:9 299:4 considerations 127:15 considered 34:11 70:16,17 75:8 91:9 113:20 124:12 146:22 168:18 173:2,5,6 198:9 200:13 247:6 296:17 298:21 considering 70:19 109:2 consistently 301:18 consolidated 71:19 81:1 112:4,16 115:19 116:15 168:11,16 188:17 191:4,10,15 201:5 203:16,18,21 207:10 238:13 283:21,22 286:5 289:12 301:1 302:5 303:13 consolidating 115:5 286:18 consolidation	115:3 168:19 255:17 constant 108:12 constantly 110:14 110:15 constituencies 40:12 constituency 96:3 constitution 196:11 constitutional 162:15 constraint 247:21 construct 35:8 67:9 194:1 constructed 194:4 construction 80:2 115:6 181:2 185:14 191:9 198:2 200:12 248:9 constructively 128:20 consult 200:19 215:14 consume 222:1 280:7,10,11 consumers 33:15 34:20 consumes 222:4 contact 108:12 153:19 156:21 contacted 9:1 54:9 contacts 9:4 57:19 59:5 contain 82:19 208:12 contained 155:14 280:4 container 94:22 95:2,10 138:2,4 containers 78:13 78:15 94:19 137:20 138:3 containing 25:22 containment 152:19 153:1,2,11 153:21 154:19	155:2 contains 77:7 contaminated 55:18 99:3 171:12 173:18 contamination 173:19 174:9 contended 22:18 contending 25:9 context 15:21 60:2 60:2 255:4 continuation 75:15 continue 37:19 43:14 46:15 55:1 65:12 73:11 81:15 85:10 122:16 125:7 127:7,9 130:13 194:18 208:6 212:15 253:21 262:20 263:5 275:8 285:9 298:18 311:12 continued 38:16 40:2 71:15 130:22 continues 43:19 186:17,18 continuing 68:16 238:20 262:16 contract 80:11 161:20 contracts 170:5,6 173:11 197:7 contribute 53:17 contributions 236:15 contributor 184:8 control 65:9 66:9 88:14 108:10 111:10 112:1 139:17 198:22 244:18 controversial 113:4 controversy 247:3 Cont'd 4:1 convened 1:8 conversation 13:4 41:17 60:9 61:7	106:20 113:18 162:21 164:8 237:21,22 238:9 238:21 308:16 309:1 conversations 241:19 convert 268:14 conviction 69:5 convinced 104:16 cook 185:20 cooked 104:7 cool 280:4 cooled 154:8 cooling 19:14 148:15 151:18 154:5 189:8,13 301:8 cools 154:19 cooperation 6:14 42:15 cooperative 49:19 coordinated 210:8 Coordinator 79:6 copies 258:12 273:21 281:8,10 copy 246:8 258:12 Corbett 1:18 4:8 131:2,3 164:12 165:18,21 166:8 177:9 core 153:3,5 160:11 corners 101:1 corporate 298:9 corporation 32:5 196:3 205:7 corporations 190:16 corpus 35:6 206:1 correct 112:9 259:6 corrected 249:16 correctly 159:18 253:16 274:6 corridor 56:13 cost 32:18,20 143:13 204:6 211:1 212:5 219:3	costly 247:9 costs 34:1 148:14 149:2 213:12 219:7 302:16 cost-effective 286:20 cost-recovery 205:20 Council 1:25 3:16 6:16 57:2 66:6 99:18 295:9 Counsel 302:2 count 143:21 counter 262:18 counterpart 125:14 counterparts 64:19 counties 109:6 230:2 257:8 countries 53:22 54:16 66:21 92:18 110:12 253:19 255:11 country 8:17 36:6 48:5 75:11 89:16 97:13 122:7 134:21 143:8 170:11 182:11 209:8 215:10 217:15 251:5 282:1 286:7 287:16 289:20 country's 73:9 county 66:9 67:11 69:4 87:17 99:5 101:5 103:5 107:19,21 110:4 126:15,19 128:8,9 128:16,17,18 132:13 137:13 184:10,15 246:4,8 246:10 248:4 256:17,18,19,20 256:20 257:5,6 288:13 292:4 County's 246:7 couple 5:9,10 11:3 29:2 51:16 56:15
--	---	--	--	---

114:22 117:1 126:17 141:17 149:14 152:11 155:10 175:19 209:4 211:17 253:8 303:9 307:15 courage 7:18 course 16:2 18:13 18:21 21:4 25:8 26:13 32:11 39:6 43:22 45:3 47:9 47:21 171:22 202:11 285:15 289:9 court 175:8 Courtney 2:15 281:17 284:18,20 287:8 288:1 court-enforceable 70:6 72:8,14 court-enforced 112:12 cousins 274:17 cover 136:13 covered 154:10 covers 239:16 Co-Chairmen 6:9 Co-Chairs 16:21 co-hosting 6:20 8:9 48:2 co-location 199:6 CO2 212:16 cradle-to-grave 254:18 create 30:12 63:9 138:13 198:20 276:15 288:15,21 created 50:12 251:3 252:21 297:14 creates 19:9 172:5 290:4 creating 77:16 79:9 251:14 275:9 285:12 creation 80:16	185:17 199:3 262:11 credibility 217:6 247:22 credited 206:3 crime 230:16 criteria 210:15 303:12,16 critical 153:18 154:12 157:4 195:6 229:6 254:22 287:16 288:11 302:18 cronyism 260:8 cross-section 167:19 Crow 2:13 136:8,8 262:2 265:2 267:17,19,19 crucial 297:17 crux 89:6 cue 245:16 culminated 25:20 culture 161:9 cure 222:7 280:16 curies 171:5 174:17 175:21 curiosity 129:21 curious 114:22 159:2,8,14 223:21 224:6 current 43:17 45:11 62:18 64:6 80:19 117:19 144:5 191:11 192:5 201:18 211:4 213:7 214:14 217:7 247:3 278:19 281:4 285:14 286:2 296:19 currently 43:11 73:15 76:9 79:15 86:7 118:5 174:15 175:20 191:13 215:9 customers 203:10	cut 29:14 229:21 230:10,11 cuts 309:17 cycle 16:4 17:9,13 36:21 38:18 183:17 207:15,18 213:16 214:3 215:3,20 216:17 217:9 218:17 219:15 220:2 222:21 223:16 224:1,9 253:11 281:5 286:10 cycles 217:3 264:12 C-O-N-T-E-N-T-S 3:1 4:1 <hr/> D <hr/> damage 157:12,20 187:19 damaging 214:9 dance 192:17 dangerous 153:17 175:2 232:22 268:18 275:6 286:10 289:21 293:3 dangers 136:22 137:4 190:18 268:9 dark 269:19 291:10 data 224:11 225:5 225:7 235:11 dated 179:13 David 2:5,18 3:13 60:17 62:7 135:18 256:9 258:2 261:22 262:4 268:4 day 14:8,14 31:14 60:2 167:17 days 133:18 186:21 de 72:18 81:3 106:5 160:22 215:15 deadly 175:19 dead-lock 122:16 122:17	deal 8:1 34:21 45:9 156:7,20 170:9 172:7 185:11,18 191:20 192:5,12 215:21 280:10 287:21 288:15 290:5 dealing 80:13,19 106:14 123:20 149:7 176:13 215:13 227:17 228:18 229:14 238:12 deals 187:11 dealt 21:17 22:6 172:6 178:11 216:16 death 305:19 debate 135:2 debating 143:6 debris 55:17 decades 19:20 81:20 185:6 248:17 270:2 December 85:14 109:19 decide 38:21 44:21 47:12 144:19,22 decided 227:15 310:14 decision 26:18 69:1 69:6 70:3 147:1 218:3 227:12,18 262:17 263:18 264:14 decisions 68:17 69:18 119:9 203:4 213:4 267:14 decision-making 79:12 123:9 decommission 285:14 decommissioned 37:10 204:10 284:6 decommissioning 207:2	dedicated 198:20 206:8 277:22 deep 10:20 13:18 28:3 148:6 156:15 180:5 deeply 258:14 deer 230:21 default 296:20 defense 22:4 23:4 32:15 66:17 67:3 67:13 70:15,16,20 71:22 73:11 97:10 118:18,22 119:1,7 119:13,22 127:17 203:11 227:20 246:13 248:13 254:17 255:17,20 263:2,10,16 298:7 defer 226:22 227:13 deficiencies 259:7 deficient 273:12 deficit 297:13 define 284:3 defined 301:22 definitely 90:9,11 91:15 116:4 125:2 147:11 273:22 definition 82:14 degree 154:15 298:9 degreed 261:5,6,7 delay 89:10 191:5 delays 247:16 deliberations 126:22 247:7 248:1 deliver 16:9 delivered 250:2 253:2 308:13 delivering 55:3 demand 213:13 demonstration 72:22 77:18 200:1 demonstrations 236:2 denied 175:9
---	--	---	---	--

Denise 1:17 4:2 60:21 84:14	designated 1:14 128:22 199:22 201:1 247:9	208:1 214:19 264:11 269:2 276:7,21 292:1	directed 6:9 292:16 307:18	157:2 180:17 236:21 238:8 239:1 240:10 295:11 309:2
Dennis 2:23 96:10 138:7 145:13 155:5	designed 157:13 160:1 205:21	develops 68:9 82:5	direction 16:7	discussions 9:21 15:21 61:3 84:4 273:6
density 189:9	designing 277:22	device 244:19	directions 2:2 4:10 181:22 250:14 284:22 311:2	dishes 185:21
Denver 6:14 255:18	designs 215:16	devoted 276:5,22	directly 70:1 108:3 139:11 142:14 184:14	disingenuous 100:15
denying 264:17	desire 180:7 207:11 233:10	de-couple 263:9	director 1:19 3:9 8:7 15:15 50:9 86:2 181:17,21 291:13	dispatching 209:21
department 2:5,7 3:13,18 21:22 22:1,3,11 30:21 34:17 54:3 56:2 59:8 66:8 82:8 83:21 103:1 109:10 111:22 118:20,20 119:3 134:15 135:20 138:11,19 161:7 163:16 198:1 227:21 230:6 248:6 258:8 262:13 278:5 288:9 301:20 304:4	desk 237:15 242:2	de-politicize 196:9	directors 32:7 182:4 281:9	disposal 28:4 29:1 31:20 32:13 33:2 33:9,19 35:20 36:5,7,17 42:20 42:22 46:22 64:6 64:10,21 67:5,18 70:12 72:11,16 75:7 82:21 83:17 83:22 87:4 114:10 138:2 146:8 152:2 171:10 185:17 195:13 196:5 197:14,22 198:6 198:10 199:22 200:4,8 204:11 206:11 247:5,18 249:18 253:20 263:1 286:12 296:17
depend 251:20	despite 285:20,21	de-politicized 196:18	dirty 286:9	disadvantages 64:7
dependent 132:18	destination 102:7 296:21 297:7	DHEC 112:5 113:9 114:1,5	disagree 62:18 149:14 163:8 203:17 208:5	disarm 254:7
depends 184:6 201:10 205:19 207:20	detail 101:18	DHEC's 114:8	disappeared 154:21	Disarmament 182:2
depleted 87:3	detailed 54:14 237:21	Dianne 2:25 295:7 298:1,4 300:10	disappointed 247:1 270:18 271:2	disaster 187:15 190:11 289:7
depository 121:21	details 10:19	Dick 169:6	disastrous 296:8	disbanding 205:5
deputy 30:5	detected 190:7	died 99:8 119:16	discourage 305:14	discouraging 249:12
DEQ 75:22	detection 87:18	difference 140:3,7 140:17 144:16	discredited 73:21	discretion 34:12
derive 30:1	determine 102:6 104:12	differences 150:20 239:21	discretionary 34:15	discrimination 260:8
derived 36:18 38:16	determined 212:11	different 11:19 12:20 14:18 20:3 24:16 27:8 47:4 57:20 62:4 85:3 89:13 94:8 99:20 124:5 155:21 169:15 177:21 212:10 282:2,3 311:2	discussed 117:15	discuss 55:5 85:15 140:21 241:17
derives 139:8	determining 147:6	diffusion 83:5,19	discussed 117:15	discussion 10:15 11:8,9 13:7,10 14:16 62:2 63:11 128:3 129:20,22
describe 193:8	detrimental 124:9	difficult 64:1 80:15 151:15 184:5 212:14 216:17 278:8	discrepancy 73:21	discrepancy 34:15
desert 148:4	devastating 228:17	differently 45:1	discrepancy 34:15	discrimination 260:8
design 137:21 147:16 150:5,6,22 151:22 152:7 199:14 210:4 214:5 222:3 259:15 285:21	develop 40:3,9 42:19 52:8,8 71:7 71:19 78:15 95:3 106:12 112:19 130:13 195:21 197:4 200:14 214:19 234:8	diffusion 83:5,19	discrepancy 34:15	discrimination 260:8
	developed 60:4 142:13 158:22 194:19 197:21 234:20	dig 171:14	discrepancy 34:15	discrimination 260:8
	developing 90:15 90:22 217:18	digging 137:8	discrepancy 34:15	discrimination 260:8
	development 35:15 36:8 38:12 39:2 41:5 46:21 72:13 72:15,21 77:17 80:13 81:14 94:20 126:15 128:20 137:20 188:11 199:14,17 200:1 200:11 201:2	digress 247:13	discrepancy 34:15	discrimination 260:8
		dilemma 188:7 224:3 292:8	discrepancy 34:15	discrimination 260:8
		diligent 8:14	discrepancy 34:15	discrimination 260:8
		diligently 109:16	discrepancy 34:15	discrimination 260:8
		diplomatic 73:21	discrepancy 34:15	discrimination 260:8
		dire 218:8	discrepancy 34:15	discrimination 260:8
		direct 61:19,21 70:3 148:21	discrepancy 34:15	discrimination 260:8

distributed 52:18	302:2	217:11 246:2,17	217:17 257:2	educated 122:12
distributing 287:6	doing 16:20,21	252:17 258:19	307:18	223:2 233:1
districts 177:22	40:12 77:20,21	259:13 283:11	early 5:22 46:4	education 64:5
dive 15:10	90:2 134:7,14,14	301:5 302:17	93:8 94:19 234:9	92:5 99:11 121:15
diverse 167:18,19	137:4 149:13	303:11 307:20	248:11 254:11	122:10 123:4
242:7	160:18,19 177:5	drawbacks 254:20	294:1	136:11 214:18
diversification	185:21 254:15	dreamed 270:13	ears 260:17	229:8 268:7
262:11	275:20	dreaming 123:15	earth 111:16 121:7	effect 80:5 204:8
diverted 197:10	dollar 133:7,14	drill 109:18	137:5,6 157:7	effective 65:20
divided 244:11	136:12,14	drilled 110:14,15	180:15 223:7	effectively 45:20
division 1:21 3:20	dollars 33:22 34:18	drills 109:5,16	268:20 269:5	effects 102:3 174:7
39:17,22 79:4	144:3 235:10	driving 166:3	272:13 275:7	228:8,17 247:16
104:15 145:4	Domby 2:14	305:5	300:4,18	274:22
288:10	231:12,13 233:6	Drop 269:8	earthquake 58:13	efficiencies 293:6
divisions 278:10	233:13,16,19	dropped 84:5	58:16 157:20	efficiency 38:19
document 57:16,18	dome 146:21	dry 18:2 20:1,17	187:17,18,20	265:20
57:21 275:13	domestic 68:1	43:17 76:11,13,21	289:9	efficient 65:20
276:4 277:6	263:12	142:2,10,17 143:1	easels 241:9	210:4
documented 158:1	Don 2:21 99:17	143:9 148:12,16	easier 35:4 305:21	effort 64:3 136:20
158:7	291:8 295:6,8	158:18,21 159:13	easiest 48:18	145:20 276:18
documents 82:12	298:1	159:17,18 160:13	easily 56:17 176:2	efforts 8:20 199:2
83:12	door 176:17 240:22	160:13,14,17,21	191:16	200:3 218:15
DOE 30:21 31:16	241:2 302:21	178:19 252:9	east 54:18,19 55:1	263:4,5 268:13
52:4 55:20 68:5,9	dose 232:11	271:9 301:8	146:15 147:8,9	eight 11:9 18:19
71:22 73:9 74:4	Dothan 193:14	dual-track 172:15	eastern 6:17 21:2	60:10 61:4 192:22
74:10 79:21 80:11	dots 12:19	due 48:8,11 307:22	145:19 146:3	211:10 229:20
86:20 87:1 88:12	double 95:9	308:5	Easton 2:14 145:3	Eisenhower 54:1
89:12 97:19	doubling 94:20	DUF 87:1	145:3 156:19,19	either 35:16 41:5
119:11,20 120:9	doubt 79:19	dump 122:5	easy 8:18 56:22	127:3 199:14
130:10,15 132:18	doubtful 284:2	dumped 171:17	189:11	207:22 222:13
135:21 140:3	download 57:22	duration 234:17	eat 15:8 144:2	283:4,5
161:8,9,19 162:7	downstream 107:6	duties 162:15	243:3	elaborate 161:10
162:18 168:17	285:2	duty 108:11 162:17	echo 272:18	Elders 300:2
185:22 205:4	downturns 272:14	dying 129:21	ecologist 135:3	elected 124:8 178:1
206:15 207:3	downwind 285:2	dynamic 133:1	ecologists 135:5	Electric 193:11
208:15 209:20	dozen 28:9 31:3	D&D 83:20	economic 126:14	272:2
227:1,14 229:18	do-over 270:22	D.C 53:10 166:15	183:13 187:11	Electricite 215:15
231:7,22 232:7,8	Dr 4:17 233:22		261:19 262:11	electricity 19:4
233:1 234:14	draft 1:4 3:8 6:8,12	E	economics 144:7	33:16 216:6 219:4
235:16 248:21	7:8 10:7 11:4	Earl 2:14 145:3	economy 176:5	219:7 272:15
249:6,8 262:20	15:18,19 16:14	156:19	187:12	293:4
263:22 264:1	25:21,22 26:4	earlier 17:5 18:11	ECO-Action	elementary 265:4,5
272:8 273:7 303:2	47:22 50:1 77:22	28:10 37:7 44:15	291:22 293:8	elements 18:5,15
303:21	83:10 179:12	46:13 50:7 87:6	Ed 2:18 137:12	19:9 32:6 55:6
DOE's 68:4 72:3	188:8 202:9	91:2 117:21	edges 175:17	103:22 185:18
86:16 248:20	203:22 205:17	145:17 147:10	educate 64:3 137:1	203:17 239:18
263:17 264:2,14	206:8 207:14	169:1 176:18	274:21	268:19

elephant 216:22	energized 120:22	engineering 4:12	104:9 111:15	estimated 272:9
Elgan 2:4 4:5 60:21	energy 1:17 2:6	4:18 162:14	112:1 156:9,12	et 25:16 212:20
86:2 123:12	3:10 4:2 6:20	163:11 193:5	164:14 174:22	222:11 251:22
Elgin 95:12	7:14 8:8 11:6	209:3,11 210:17	182:6 199:5	eternal 268:9
eliminate 35:20	16:7,10 19:8	258:22 259:7,16	200:19 230:21	ethics 258:22 259:8
eliminated 127:4	21:22 22:2,11	261:4,10 262:22	231:14,15 232:5	259:16 261:4,10
ELLEN 2:24	30:21 34:17 35:12	264:11	233:1 286:8	Europe 219:5
email 48:15	48:12 50:10,13	engineers 125:20	288:10 291:13,18	evacuate 111:5
emergency 1:21	56:2 59:8 83:21	125:22 161:20,20	295:9 298:11	evacuated 111:5
2:4 3:21 4:5	84:15 85:19 86:6	162:2,8 163:3	300:17	evacuation 107:22
52:15 57:1 76:6	118:20 135:10	185:12 259:18	envisioned 63:3	109:3,12 110:2
79:5 86:3 96:19	136:17 138:12,19	261:6,7,9 277:9	eons 287:21	111:6
108:13 109:7,8,17	141:21 142:6	enhance 198:14	EPA 39:19 79:21	evaluate 202:5
110:3,9	161:8 163:16	enhanced 221:13	118:4 208:5	evaluating 215:6
emissions 184:11	167:12 186:16	enjoy 226:4	216:11 288:9	evaluation 215:5
emits 232:21	194:2,3 202:14	enormous 275:9	EPD 230:4,7	evening 290:14,17
emitted 229:12	211:2 212:3,5,8	enormously 40:21	EPRI 272:2	event 8:10 87:21
232:16	212:13,20 216:8	enriched 24:2	EPZ 110:13 111:9	298:15
emotion 272:18	219:15 221:11	253:19 264:9	equipment 19:1	events 8:17 301:11
emphasis 79:15	222:14 227:21	enrichment 83:7	56:6 57:20 93:11	everybody 5:4 9:18
301:7 302:6	230:6 248:6 255:3	ensure 43:19 81:18	Ernest 246:3	61:14 62:10 97:19
emphasize 250:22	255:5,7 258:8	88:6 292:22	Ernie 60:19 126:14	119:9 225:15
271:5 294:11	268:10,17,21	ensuring 126:1	245:10	226:3 244:16
emphasized 79:18	269:2,13 275:3	enterprise 218:15	erode 80:7	266:9 270:11,14
283:13	276:1 277:19	254:18 255:11,16	eroded 261:20	305:7 307:7
emphasizing 226:6	278:5 282:11	enthused 255:20	Erwin 101:1,3,6	308:22
employed 47:5	290:20 292:20	entire 61:21 65:4	102:2	Everybody's 14:19
161:13 258:15	293:6 297:20	88:16 108:14	escaping 190:6	exactly 224:2
employee 163:15	301:20 304:4	209:19 215:15	escort 88:15	232:10 274:11
260:5	308:6	276:3	Esmeralda 137:13	284:8
employees 259:2	Energy's 54:4	entities 66:12 81:21	257:7	example 20:5 22:1
employer 101:4	118:21 198:1	111:21 112:6	especially 39:7	27:18 29:15 32:2
258:7	262:13	113:15 137:6	46:18 92:10 96:19	32:7 44:6 46:7
empowerment	enforce 118:7	entity 196:9,18	195:6 294:10	95:14 100:21
182:7	engage 310:22	200:22 217:4	301:10	101:1 102:14
empowerment	engaged 14:14	231:8	essential 205:14	118:1 199:5 234:7
182:7	128:20 170:7	entrepreneur	264:18	examples 28:13
encourage 14:13	299:21	298:8	essentially 229:22	exceeding 141:16
49:8 228:1 253:21	engagement 236:20	environment 36:4	establish 262:22	excellent 45:13
273:20 278:17	engaging 164:7	103:1 183:9 212:6	established 33:13	75:15 88:18
279:2	309:2	268:18 269:14	90:13	272:18
encouraged 311:9	engine 96:2 99:7	293:2,14	establishing 36:18	exception 62:21
encouraging 228:1	engineer 161:12	environmental 2:8	39:20 214:12	excess 68:2
endangering 269:6	163:8,11,14,15	3:18 4:6 11:20	establishment	exclude 115:14
endangers 251:9	250:16 258:14	50:14 54:4 66:9	79:20 191:3,6	excluded 304:2
endeavor 277:7	259:14 261:5	82:15 88:8 99:18	196:3	exclusively 276:10
ended 151:13	engineered 259:17	100:13 101:14,16	estimate 32:18	excuse 149:8
endorsed 257:6				
energies 212:10				

152:17 223:8,9 265:5 executive 181:12 181:14,17,20 291:13 exemption 162:5,7 exemptions 162:3 exercises 58:4 exist 129:3 existed 268:19 existing 46:17 73:17 194:19 199:15 295:17 303:22 exit 169:3,4 172:14 172:15 expanding 69:22 expansion 180:2 207:20 expect 135:7 expectations 74:1 141:16 expecting 186:19 expedited 248:10 expeditiously 284:11,14 expended 196:20 expenditure 34:14 276:5 expense 186:15 expenses 286:15 expensive 160:19 286:7 294:20 experience 25:5 53:2,12 68:13 100:6 118:18,19 147:20 258:21 296:8 experiences 25:7 27:17,18 40:10 55:10 experimental 22:9 expert 159:16 209:10,11 210:2 expertise 208:8 211:11 experts 234:5	235:8 expire 285:15 explain 10:18 11:2 explanatory 261:17 explicitly 75:2,5 exploding 271:8 explore 117:2 294:4 explosions 190:14 exposed 98:10,14 251:10 exposure 251:11,12 302:11 expound 117:13 257:16 express 74:19 166:17 194:9 expressed 114:22 283:10 expressly 68:3 extend 307:13 extent 63:5 200:10 276:17 extra 75:19 extracted 18:6 extremely 19:5 184:5 211:18 263:8 286:7 295:11 eyes 307:3 eyewash 259:1	98:18 100:19 105:14,15 114:4 131:12 134:9 135:7 141:14 146:8,15 162:1,6 183:15 188:17 191:4,10 193:22 194:2,4 198:20 199:4,8 200:4,9 214:11,20,20 253:11,20 301:14 facility 23:14 28:4 28:8,12,22 29:1 31:2 35:20 36:5,8 36:9 37:5 40:6 41:6,7,12,19 42:2 42:22 43:1 54:21 64:21 67:5,21 71:21 76:21 77:4 83:7 87:4 92:1 101:7 103:11 112:11 113:17,21 114:9 115:7,20 126:1,2 145:20 155:14 158:18,22 171:13 185:2 194:22 203:21 218:16 263:22 264:1,5,10 283:21 284:1,5 302:20,20 302:22 303:13,17 facing 275:12 fact 31:7 41:16 105:19 110:11 120:22 121:14 122:6 126:20 128:16,18 129:2 150:7 212:21 257:2 275:1,5 285:21 298:20 304:14 facto 72:18 81:3 106:5 160:22 factor 7:11 factored 48:10 facts 140:20,21,22 229:9 293:22	294:1 faculty 210:9 fail 140:1 141:3 failed 63:1 186:13 failing 261:18 failure 72:8 123:2 180:2 186:5,6 189:1 fair 23:20 126:10 244:16 fairly 62:13 faith 69:10 fall 121:19 292:7 fallen 106:3 fallout 298:14 false 29:3 familiar 17:9,11 50:3 82:13 112:15 113:10 176:4 207:2 families 132:8 family 132:21 290:20 family's 274:13 famous 187:20 far 6:22 8:2 49:1 53:3 83:10 97:5 102:6 105:7 108:4 148:1 151:4 155:16 156:1 211:13 270:12 Farley 193:14 farm 172:3 174:14 174:18 farmland 185:15 farther 38:1 fashion 259:3,19 260:10 fast 173:12 219:11 223:18 fastest 249:16 fate 68:8 father 180:22 250:15 fault 129:18 favor 73:22 177:4 304:20 305:12	favoritism 260:8 fear 98:12 264:14 fears 151:4 252:2 feasible 144:9 February 230:12 federal 1:14 34:18 42:12 51:6 52:10 64:17 65:1 96:1 125:11 162:7 163:5 196:3 198:15,21 205:7 258:15 259:2,9 260:2,5 261:20 278:3 federally 115:18 federally-regulat... 191:7 federal-state 40:17 fee 33:11,12,17,20 34:10 35:5 80:9 204:8 205:20 206:22 feedback 1:4 12:5 26:2 47:22 48:13 49:13 210:20 307:19 feel 59:20 62:5 79:14 80:4,12,15 81:5,16 125:2 146:2 167:22 183:21 207:8 210:22 220:1 283:2,10 310:18 feeling 252:1 feelings 268:12 feels 79:11 244:15 fees 90:9,10 197:7 205:22 feet 18:19 20:13 143:21 218:21 241:4 fee-setting 205:9 fell 170:2,9 fellow 6:1 7:22 142:7 210:9 felt 31:15 37:21 38:13 39:22 42:7
---	--	--	---	--

42:20 44:19 187:22 Ferry 107:9 108:5 109:6 110:21 148:13 151:7 265:8 266:21 267:3,12 fewer 209:12 fiction 140:22 field 20:12 218:21 Fifty-five 297:2 figures 230:19 272:10 file 260:16 filled 19:21 211:11 final 16:9 18:7 40:21 48:10 74:20 208:12 248:3 253:2 263:8 283:19 308:19 finalize 10:15 finalizing 7:12 308:3 finally 64:14 187:9 206:12 255:14 289:22 303:21 finance 298:9 financed 206:10 financial 29:21 186:15 188:10 191:21 207:6 financially 131:15 287:5 financing 4:14 11:21 205:13 find 42:16 51:9 59:21 122:15 135:21 138:6 180:3,7 207:16 271:10 276:13 finding 53:1 91:18 92:1 203:1 222:8 findings 253:6 fine 90:5 129:4 finish 187:9 finished 282:22 finishing 191:9	282:12 Finland 25:17 fire 150:11 157:4 271:12 fires 189:8 190:13 firm 220:5 firmly 192:13,17 firms 105:5 first 5:17 6:13 11:13 18:1 21:20 23:7 26:8 35:13 37:22 49:15 52:5 68:12,20 71:16 79:11 82:21 87:19 95:7 97:16 99:21 108:2,20 115:9 116:19 119:6 129:16 149:14 169:6,8 181:2 193:8 194:3 198:7 204:10 248:11 250:14 252:18,19 262:15 267:21 285:11 287:14 292:11 298:13 301:4 fission 19:6,9 216:15 296:1 fit 13:22 five 19:4 36:12 41:19 71:18 87:7 99:6 110:12 112:3 156:11 160:1 169:14 189:13 218:20 219:10 220:19,22 224:19 250:14 254:13 265:8 five-county 262:12 fix 34:7 292:13 flashing 256:13 flaw 150:7 fleet 143:2 flexibility 36:22 38:8 81:8,8 flexible 43:2 flexing 187:10	FLiBe 221:11 277:19 flibe-energy.com 222:14 flip 214:6 240:6 floating 93:19 flooding 76:20 floor 61:16 192:18 Florida 189:22 flounder 64:11 flow 107:6 151:10 276:20 fluid 280:1 fluoride 221:14,21 280:1 focus 52:7 81:18 120:21 161:1 199:19 202:11 226:10 301:12 focused 17:18 30:19 31:17 33:6 119:12 168:15 231:22 301:1 303:14 focuses 182:9 303:11 folks 17:10,12 20:9 42:5 45:4,5 47:17 48:6 49:12 93:19 122:1 210:3 211:7 211:11,14 212:18 213:10 214:16 221:8 225:9 236:5 236:7 249:21 256:10 follow 73:14 109:15 163:9 followed 245:13 250:5 252:12 256:9 258:2 262:1 265:1 267:17 269:18 277:17 281:17 284:18 287:9 290:12,12 295:7 300:12 following 61:15 248:5	food 232:3,11 298:14 foot 18:20 302:21 football 20:12 218:21 235:14 forbid 305:15 Force 209:7,12,13 209:14 278:13 forces 113:5 Ford 17:4 forefront 178:1 190:16 foreign 53:18 68:1 87:5 92:17 105:13 173:15 263:11 foreseeable 35:17 140:6 281:4 forever 83:18 296:3 forget 241:12 forgotten 166:4 216:9 form 23:9,13 24:18 32:3 70:6 72:7 140:4 259:14 264:3 265:18,18 formal 84:16 311:13 format 311:13 formation 147:14 formations 148:5,6 148:7 formed 16:6 18:18 26:21 former 16:21 180:19 205:3 231:15 forms 232:22 268:19 formulating 285:7 formulation 200:20 Fort 22:16 forth 44:14 59:15 148:8 fortunately 171:18 forum 85:13 90:7 forums 132:19	forward 8:3 9:12 60:11 61:2 82:4 100:1 117:18 120:15 130:11 141:3,4,5 165:9 185:11 235:12 271:20 279:3,4,17 281:13 311:17 fought 178:10 found 9:8 29:12 83:2 86:14 149:20 219:5 260:22 foundation 267:6 founded 141:20 182:1 270:1 founder 266:1 fount 116:9 four 11:19 13:14 35:10 48:1 67:6 71:6,17 102:17,19 103:9 170:15 182:5 220:22 261:6 297:9,10 fourth 310:17 frame 119:18 frames 294:13 framework 47:10 253:13 France 25:17 182:13 215:12,15 216:4 236:3 frankly 279:5 FRAZIER 1:14 free 59:20 62:5 212:4,22 freeze 279:22 French 215:13 219:19 223:15,17 223:18,22 224:11 224:13 236:13 fresh 16:3 18:21 freshest 154:4 friends 111:16 132:7,21 133:21 157:7 223:7 300:18 frightened 305:19
---	---	--	--	---

305:21	253:18 254:8,10	80:14 81:12,13	gates 37:15	179:20 181:18,19
front 17:12,14	257:4 263:11,13	90:13 93:9 120:11	GE 159:7,13	181:21 183:1
28:19 133:8	264:7,12 271:9,13	124:16 125:3,5,6	GEMA 59:6,18	184:22 185:1
237:15 241:2,11	272:5,19 280:9	125:11 127:8	general 9:7 17:2	193:13 194:6,8
242:2 300:15	281:5 286:10	128:11 129:20	96:13 102:5	201:18 209:3
fuel 16:4 17:9,13	296:11 301:7,9,13	130:4,5,7,9 131:1	107:13 110:19	210:16 211:17
17:16,19,22 18:10	301:19,21 302:7,8	139:9,17,17,22	121:7 302:2	225:18 228:20,21
18:13,15,15,21	302:11 303:5,19	195:13 196:17	generally 197:1,17	229:19 230:4,7
19:3,7,12,14,15	304:3	197:4 205:12	generate 19:4	231:16 232:18
19:20 20:1,7,19	fuels 22:10 53:18	214:15 218:12	generated 43:14	233:9 250:13
21:9,15,18,20	87:5 153:8 248:12	273:10	67:13 276:11,12	262:12 274:13
23:1,3 24:1,8	248:18,22 249:5	funds 52:17 68:10	generating 193:11	284:21 285:1,4,17
31:21 36:21 37:4	253:19 286:19	96:1 196:20,22	193:17 219:4	285:18 287:12
37:6,20,22 38:18	Fukushima 39:8	197:13,16 207:2	generation 92:6	288:3,5,9,10
43:8 44:6,17	44:1,21 45:2	funny 12:19 149:8	193:19 211:7	289:9 291:12,17
45:15 46:20 52:10	149:15,16 157:13	149:11	generations 38:21	291:21 305:1
53:21 54:6,12,15	159:19 187:14	further 80:7 167:9	47:12 187:9 269:7	Georgians 141:21
54:18 66:18,20	188:1 189:6	186:9 214:9	274:15 297:19	285:22
67:2,4,6 68:2 74:7	190:11 252:6	242:14 269:2	generator 151:9,16	Georgia's 274:18
74:9,11 76:12	271:6 279:21	272:21 293:15	generators 103:13	German 133:11
77:4 78:3,14	fulfill 202:19	future 1:1 5:14 6:6	103:15 149:22	297:4
79:22 85:8 87:13	fulfilling 248:20	15:16 26:11 38:20	151:14	Germany 102:12
88:14 90:20 92:17	full 83:14 181:13	45:16 47:11 64:6	generic 81:5	182:13 236:8,11
101:3 115:15	205:20 246:8	69:14 88:22	145:15 200:14	getting 17:15 28:12
143:7 145:4 154:3	308:5	167:12 168:3	gentleman 28:15	29:13 31:1 34:22
154:5,10 157:2	fully 206:17,19	187:8 206:17	29:11 30:5,6	40:19 43:10 61:4
159:3,4,11 160:13	264:20,21	212:14 226:1	gentlemen 29:7	88:17 97:2 110:7
160:16 172:18	function 118:10	259:11 265:13	30:4	119:11,12 120:1
173:15,15 176:20	functioning 45:12	269:7,8 271:3	geologic 36:5,7	140:8 143:8
183:17 188:16	205:15,20	276:1 279:13	67:18 71:8,16	159:11 168:13,22
189:7,20 190:12	fund 33:11,12 34:2	292:6 295:15	112:13 147:14	182:18 208:15
194:11 195:22	34:5,14 35:7 71:4	297:18,20 298:18	148:5 173:9 177:6	236:11 244:20
198:5,10,21 204:5	124:16 130:1	299:7 302:22	178:21 179:4	282:1 301:13
204:9 207:15,18	139:10 142:2,3	306:15,21 311:13	214:19 219:9	gist 58:6
209:18,18 211:15	196:6 204:3,4,7	fuzzy 252:1 268:12	248:12 257:4	give 5:16 13:3
211:16 213:12,16	204:21 205:16,21	F-L 221:11	303:14	20:13,17 60:11
213:21 214:3	206:3,10,16,22		geological 147:7	94:1 110:5 124:20
215:3,9,19,19	207:12,13,22	G	180:5	164:13 187:13
216:17 217:2,9	214:17 273:5	gain 7:10 183:13	geologically 146:17	220:14 221:5
218:17,17,19,19	fundamental 188:7	gallons 67:16 172:2	176:8	223:11 224:14
219:12,15 220:2	fundamentally	174:16 217:16	geology 234:7	235:16 244:8
223:16,19 224:1,8	35:18 47:3	251:7	Georgia 1:10 2:1,2	270:21
224:12,19 225:1	funded 77:19 93:7	game-changing	2:8 4:9,15,18 5:7	given 77:9 111:7
227:5 235:4,5	96:1 125:15	47:1	21:4 59:4 94:17	112:10 139:16,22
246:21 248:16,22	264:20	gap 211:10 218:10	96:10 138:8 153:6	140:20 199:18
249:10,16 252:7	funding 33:5,7	Gaseous 83:5,19	155:6,12,13 156:7	202:13 217:6
252:22 253:10,17	34:22 47:13 56:1	gases 216:15	158:20 159:6	223:18 265:19

293:5 299:3	240:8 242:17,18	148:10 160:4	258:4 262:3	great 8:1 45:9
gives 11:3 20:14	243:3 256:5	164:8,13,16,21,22	270:17 290:14	69:20 100:9
24:22 45:9	264:22 267:17	165:5,8,9,10,19	304:11,15 311:11	111:12 126:9
giving 48:3 75:19	269:17 271:19	168:18 171:19	goodness 250:18	141:16 180:9,21
77:12 116:21	272:21 279:2	173:10 174:10	gosh 271:19	182:13 225:20
164:2 220:10	280:3,10 310:12	175:6,18 177:6	gotten 266:22	281:22 294:14
glad 17:7 157:1,1	God 291:5 305:15	178:7 179:4,10	290:18,21 305:3	greater 36:21
180:6	goes 15:20 18:1	185:2,4 186:3	governing 45:12	262:5
glass 23:9,12	19:12 33:18 34:1	190:21 201:15	government 6:10	greatest 225:17
Glenn 2:2,12 4:17	83:11 105:5	206:16 208:20	21:16,21 23:19	greatly 127:4,6
94:16 201:14	121:14 125:8	210:11,14,18	32:21 33:2 34:18	green 61:8,9
208:20 209:1	138:12 213:13	211:9,12 212:3,12	40:16 41:14,22	240:18 241:6
220:9 225:16,16	218:19 231:3	213:9,11,14,15	42:13,16 45:21	256:12,13 277:8
267:18 269:18,22	233:20 274:14	217:4,8 218:10	48:3 66:10 80:7	284:7
274:2	going 5:15 10:17,20	219:8,10 221:1,1	80:18 81:22 90:2	Greene 2:15
global 39:4 73:6	11:4,7,10,11,17	221:7,8 222:5	105:15 114:3	277:17 281:17,19
96:2,5	11:18 12:2,3,7	224:20 225:4,7	121:10,13 185:10	281:20
globally 255:13	15:10,22 27:4	226:8,12 228:4	186:12,19 190:11	green-fielded 37:10
GNEP 226:8	29:22 36:2,4,11	229:3,11,13 230:9	198:15 211:18	greetings 5:16
go 11:7 12:17 14:3	36:15 38:15 42:15	231:18 234:17	216:11 225:8	298:3
15:2,7 16:16	43:14,18 44:10	236:22 237:1,2	227:19 246:5	Gretel 265:21
17:16 19:2,3 27:6	45:4,7,17,22	238:8 239:20	258:15	266:3
35:8 38:15 40:8	49:15 55:11 56:9	240:3,3,5,14	governments 6:16	groom 228:2
44:20 47:20 51:16	56:13 59:16 60:1	241:6,22 242:12	41:4 42:11 93:7	ground 17:15
57:15 59:15 78:20	60:6,11 61:3 62:6	243:2 244:3,6,17	95:19	174:15 180:8
90:7 92:12 93:18	62:7,11,13 63:14	245:9,12 250:5	government's	188:18 250:19
95:4 101:17	63:15 65:2,19	255:18 258:13	68:15 272:22	256:6
108:22 109:19	66:7,14 77:18,20	259:21 266:15	government-cha...	group 4:6 13:14
110:3 111:4 121:2	77:20 78:1 82:13	268:5 271:4	32:4	25:12 55:13 57:5
122:1 126:8,9	83:20 85:13,21	280:15 284:6	government-own...	61:21 86:8,12
127:4 128:4	86:18 87:7,12	288:7 290:19	24:8 32:14	125:11,12,20
132:13 135:17	88:13 89:12,17,17	304:12,13 309:4,8	governor 51:21	131:20 196:13
136:12,20 142:13	89:21 91:12,14	310:13 311:5	86:4 169:5,6	239:8 240:2,9
143:10,16 147:1	92:14 94:1 99:21	golly 271:11,11	172:13 175:5,11	278:12 290:18
147:17 152:15,16	102:13 105:14	good 5:3,21 8:5	governors 6:15	groups 6:10 11:21
153:18 154:12	106:19 107:4	10:11 15:13 57:21	57:5	12:21 13:3,9 48:3
157:4 160:2 165:9	108:15 109:17	62:9 69:10 73:12	Governor's 1:24	49:20 85:12,18
167:9 173:9,22	111:3 113:4,5	75:21 79:2 82:6	3:16 66:5	89:22 166:19
181:13 184:20	114:6 119:17	83:14 86:1,15	grab 60:14 61:2	167:9,10,10
190:20 194:13	120:8,14 121:18	89:18 91:18 93:12	graduate 211:6	239:17,20,21
205:13 208:21	122:16 125:5	97:15 118:1	grandchildren	240:14 242:4,7,12
210:15 213:13	126:4,7,9 127:21	119:19 126:13	299:8	302:19 309:17,20
215:22 216:3,5	128:2 133:22	131:14 147:21,22	Graniteville 99:4	growing 212:3
217:4 218:5	134:12 135:17	148:5 165:21	grassroots 183:3	264:6
231:11,11 232:8	136:3 140:10,14	193:3 201:16	grateful 6:19	grows 35:11
233:5 234:17	140:16,18,19	219:21 220:11	grave 228:8	growth 255:12
235:20 237:2,7,18	144:16,20 147:4	221:20 234:20	gray 92:4	guarantee 45:16

303:17	Hanson 2:15	hazards 100:14	203:4	23:19 46:20 63:15
guarantees 72:7	281:18 284:18,20	head 28:16	heed 294:1	66:16,17 67:3,17
177:10	284:21	headed 100:9	held 6:13 39:11	103:19,22 127:16
guards 37:14	happen 133:7	heads 154:17	118:5 130:9	152:2 172:2 173:2
gubernatorial	150:6 151:2 160:4	head-on 189:2	139:20 211:15	173:5 180:4,9
51:19	188:1,4 218:10	healing 270:13	286:21	196:1 215:20
guess 29:9 49:15	236:6 306:19	health 1:17 2:5	hello 164:20 179:9	218:20 224:20
161:17 162:20	happened 35:14	3:14,22 65:8 66:8	225:16 265:3	239:14 246:13
guidance 202:13	39:8 44:1,4,6,11	79:13,16 82:8,9	help 30:13 34:7	247:5 248:13
guidelines 155:18	45:1 108:4,10	93:4 102:2 104:15	35:4 42:13 43:5	255:17 263:2,9,16
gung-ho 142:4	138:16,18,19	109:10,13 111:22	49:6 52:8 91:17	268:4 303:22
guns 37:14	139:1 150:19	134:15 135:20	101:20,21 121:10	304:2,4,7 309:16
guys 146:2	151:1 171:18	155:8,19 161:16	151:4 208:17	high-risk 253:18
	188:2 252:6	162:13,16 174:7	228:2 256:10	history 3:10 168:22
	289:11 291:2	183:8 189:3	288:8 291:16	169:2 171:15
	305:22 310:18	190:15 208:10	292:17 295:4	203:3
H	happening 122:7	228:9,17 229:1	helped 30:12	hit 58:13 148:21
H 67:19 73:2,12,16	187:17	247:16 259:20	helpful 281:11	149:17 187:18
74:7,9,15,16	happens 131:11	269:14 286:8	helping 5:5 53:20	266:22
248:19 249:3,12	181:4 202:16	291:18 293:1,13	Hendrix 2:16	hitting 84:9
249:17 263:18,21	204:13 257:21	hear 6:11 7:8,20,21	284:19 287:9,11	Hodges 175:5
264:15,19	happy 82:2 311:15	10:13 13:6 14:20	287:11	hold 61:18 147:4
half 171:8 211:8	hard 39:17 91:18	15:22 20:11 27:5	hey 179:16 272:4	165:12 174:16
239:6 295:21	131:16 132:17	49:12,16 76:4	HFIR 87:14	175:18 259:20
half-life 154:21	136:16 146:7	99:17 113:8	Hi 84:14 114:20	holding 202:7
174:5 232:15,17	168:8 186:4 210:3	117:14 123:18	145:3 250:11	holes 137:8
hall 15:3 37:12	222:8 242:6 248:1	135:16 153:12	284:20 295:8	hollow 18:17
hallelujah 271:15	harden 190:12	227:7 229:5 239:2	300:16 306:12	home 111:10 181:4
hallway 241:4	hardened 142:10	255:18 260:17,20	hiatus 52:13	183:9 254:2
halt 262:17	143:1 178:18	261:12 265:11	hiding 300:15	270:10
Hamilton 16:22	179:3 189:14,20	273:18 311:15	high 20:13 62:20	Homeland 1:21
hand 9:18 94:5	190:3 252:9	heard 30:4 41:12	63:13 81:19 146:9	3:21 79:4
116:4 192:4	271:19 273:5,13	55:13 96:22	148:3,4 153:20	homes 183:19
handful 21:3	286:4 289:2,4	112:19 134:11	218:22 225:17	184:15
handheld 93:20	296:13 301:16	152:17 169:12	255:20 259:11	honest 136:16
handle 32:13	304:21 305:13	176:18 180:16	279:19 288:12	268:6
227:21	harder 70:21	188:21 221:8,18	higher 134:20	honestly 123:1
handled 18:22	harm 102:1 248:2	222:16 228:11	highlight 239:22	honor 8:9 102:22
handling 64:9	293:13	267:1,21 273:14	highly 24:2 76:16	honorable 187:4
302:12,15	harmed 173:22	282:5	76:17 85:19	hope 9:11 63:19
hands 120:13 126:8	harmful 184:11	hearing 8:3 40:19	183:22 253:18	179:18 226:4
126:10 127:19	274:22	136:10 294:10,10	264:9	250:21 251:15
143:21 221:19	Hatch 156:2,7	heartily 191:3	highly-radioactive	257:16 261:11
225:10 265:17	184:22 193:13	heaven 291:5	97:14 296:2	273:2,3 286:3
Hanford 22:12	hate 234:21	305:15	highway 88:6 175:6	298:16 305:13
23:21 24:13 25:15	hazard 109:13	heavy 84:9 145:1	high-cost 293:4	308:14 309:12
31:5	hazardous 45:7	heavy-handed	high-level 22:18,22	311:12,18
hang 105:18				
126:11				

hopefully 187:7	idea 10:7 14:19	implementation	incineration	60:10 106:22
horizon 35:17 36:1	45:7 60:5 80:12	196:10 201:11	104:19	117:3 158:7,13
horrible 306:16,20	95:6 100:12	implemented	incinerator 102:13	240:4
307:2,2	124:16 125:1	202:16 206:7	include 43:2 64:5	industrial 135:7
horrors 100:5	132:1 168:16	implications	71:15 196:12	162:5 253:10
hospitals 110:15	176:2 271:22	238:13	258:9 282:12,18	industries 93:5
HOSS 189:15	280:22 289:12	implies 277:8	282:20	101:13,22 299:13
190:18 191:2	ideal 95:6 144:8	imply 114:14	included 205:11	industry 4:11
286:13,17 287:3	ideas 10:14 83:15	import 297:4	206:13 239:3,9	11:21 91:17 93:4
host 29:5 30:8 59:6	238:4 266:20	importance 228:12	248:5 251:16	100:19 186:12,17
195:16 246:12	identified 54:5,17	263:22	253:6	187:10 191:17
hostage 118:5	59:3	important 5:22 6:1	includes 195:10	196:14 200:7
130:10 139:20	identifies 68:9	7:17 9:9 14:19	257:18 260:7	201:10 211:19
hosted 248:17	239:9	21:12 31:3 32:5	including 78:19	218:9 271:2 272:3
hosting 8:17 27:21	identify 186:13	35:2 40:21 41:9	85:3 111:21 182:6	272:4 299:18
30:1 268:1	199:16	41:13 42:7 46:14	196:9,13 199:4	industry's 183:11
hot 19:15,17	ignorant 133:19	47:9 63:13 77:5	212:20 254:19	273:9
264:11	ignore 69:1	81:14 84:2,11	263:10 285:3	ineffectual 196:17
hour 14:6 239:5,6	ignored 186:9	131:6 146:11	304:3	Ines 230:14
243:1	260:22 261:1	190:5 229:8 231:1	incorporate 10:14	infinitely 143:8
hours 238:9	ignores 247:8	257:15,21 270:16	incorrect 112:9	influence 92:9
House 50:20 51:13	ignoring 246:15	285:6 293:7	increase 144:19	95:18 203:7
230:7	illegal 69:3 246:15	295:12 306:22	192:8 294:5	inform 40:21
household 111:8	Illinois 169:17	imposed 203:5	302:12,13	202:21
housing 84:12	illustrate 256:3	impressed 225:21	increased 82:3	information 50:4
huge 40:18 118:21	imagination 257:10	improve 10:10	115:2 301:15	53:5 57:19 59:20
166:6 174:3	imagine 8:18	145:8 199:15	302:15	64:8 88:21 92:21
211:10	254:10 306:15	253:11	increases 192:6	93:16 101:11
human 174:7 218:9	immediate 66:15	improvements	247:11	107:22 110:6,8,19
228:9 268:20	74:8 190:9 247:18	253:14	increasing 47:16	110:20 134:10
275:7 291:1 293:1	249:17	improving 215:16	273:7 297:21	137:14 140:9
293:13 299:16	immediately 54:13	inability 72:5	increasingly 297:6	156:5,6 157:19
hundred 175:19	142:22 143:7	136:17	incumbent 101:19	164:3 181:16
hundreds 185:19	169:16 189:4,14	inaccessible 198:7	indefinitely 74:12	220:11 265:19
222:21 235:6	272:19	inaction 214:9	independent 40:10	308:17 311:19
274:16	immense 263:22	247:8	Indian 100:10	informed 85:20
Huntsville 277:20	impact 54:4 104:10	incentive 29:16	indicate 64:15	268:22
hurricanes 289:10	212:6 248:2 275:9	43:3	indicates 303:4	infrastructure
hurt 279:9	294:14	incentives 136:11	indication 261:9	119:8 254:3,15,17
hydro 147:14 148:6	impacted 56:20	204:22 268:11	indirect 163:17	inhabitants 269:6
148:6	141:2	inches 18:20	individual 56:3,4	inherent 136:17
<hr/>	impacts 131:14	incident 43:22	61:20 111:8	148:5 181:7
I	impasse 203:2	57:10 87:4,8	163:13 309:21	initial 154:18
Idaho 22:15 23:22	impediments 199:3	108:3,8,15	individually 201:20	initially 54:11
24:15,18 25:15	imperative 247:10	incidental 172:21	237:15	initiative 195:8
31:5 173:6 189:12	264:19	206:11 234:11	individuals 9:1	207:9 253:17
209:18	implement 197:5	incidents 110:17	13:6 51:18 52:2,2	injustice 182:10

input 8:2 10:9,22 40:11 81:21 282:1	72:17,18 78:3,12 81:2 90:22 112:4 112:11,16 113:17 113:20 114:3,9,13 114:15 115:1 127:3 160:21 168:16 176:2 188:17 191:4,10 191:11,15 195:11 199:4 214:20 247:17 283:20 284:2,3,8,10 286:14 301:1 302:5,10,19 303:13,17,18,20	investments 198:5 invitation 191:16 invite 270:6 304:16 invited 48:4 inviting 166:1 179:11 invoking 58:5 involved 17:14 29:10 30:15 43:10 54:2 62:16 85:20 86:9 87:6 108:21 110:10,13 122:14 125:5 144:8 148:11 158:8 163:4,20 209:19 225:15 involvement 41:15 involves 161:16 involving 58:18 ironically 180:12 irradiated 180:4 188:16 296:11 irresponsible 285:8 irrevocable 207:5 Island 103:12 Islands 51:1 isolate 187:6 296:4 isolating 180:3 isolation 25:14 27:19 28:2 36:3 276:11 isotopes 18:5 171:6 issuance 249:8 issue 14:22 33:6 40:18 42:14 45:4 56:2 101:15 106:11 112:14 113:3 117:5 124:15,16 127:8 146:10,11 168:21 177:22 186:8 187:6 229:4 230:21 234:1 260:14 287:16 288:2 296:16 298:20 303:1 issued 6:8 67:8	issues 13:5,6 25:9 25:18 39:11 73:6 76:20 80:14 85:16 85:21 101:16 131:22 133:3 162:18 168:9 175:16 183:4,6 205:2 209:21 211:20 219:22 220:6 229:1 234:12 235:11 238:17 239:2,8 240:9 241:19 261:10 274:20 280:20 284:9,13 298:19 309:19 item 39:3 items 147:16 I-B-E 221:12	281:22 282:8 283:5 jobs 91:8 131:13 132:9 133:15 177:13 251:20 259:2,19 260:9 Joe 2:12 161:5 252:13 256:9 258:1,6 261:22 John 1:19 3:9 4:21 10:17 11:2 14:6 15:12,14 49:17 55:13 69:19 119:1 124:18 300:12,13 304:19 307:9 308:21 309:3 Johnston 265:21 joining 56:12 joke 121:11 judge 98:21 judgment 204:4 275:21 July 6:8 16:15 25:22 129:1 179:13 308:6,7 June 202:8 jurisdiction 51:2 59:13 115:17 201:3 jurisdictions 162:10 justice 101:14,16 182:7 230:21 Justin 13:12
instance 232:14 234:16 279:18 instantly 99:8 institute 1:15,20 2:2 4:18 5:5 13:12 190:4 209:3 272:2 institutions 207:6 instrumentation 87:19 integrated 195:9 intellect 299:19 intend 54:15 intensely 19:10 intensive 235:3 intent 73:7 303:8 intentioned 279:7 interact 242:9 interactive 11:16 interest 34:3 38:22 48:5 206:2 256:2 302:19 303:5 interested 48:4,22 51:9 119:21 196:13 205:8 interesting 30:3 83:14 173:3 270:12 280:17 308:16 Interestingly 29:15 interests 202:20 262:19 interim 16:12 18:1 36:13,19 37:4 38:2 41:6 70:21 71:19,21 72:9,13	internals 170:21 international 73:5 92:7 182:12 200:5 200:9 217:5 298:6 internationally 217:3 internet 138:5 212:1 interpreted 249:12 interrupt 177:7 interrupted 233:13 interstate 50:12 56:10 intervening 203:8 interview 107:17 intimidation 132:10 introduce 9:20 94:9,14 306:5 introducing 268:17 introductions 3:2 5:11 invalid 258:20 invented 217:14,20 inventory 23:20 264:2,6 invest 127:11 invested 127:10 investigate 49:6 212:10 investigated 254:21 investment 47:17	Jackie 2:19 107:1 258:3 262:1 265:1 265:4 267:16 James 306:8 Jameson 2:18 256:9 258:2 262:1 262:3,4 January 16:8,11 48:12 122:22 179:17 Japan 25:17 39:8 46:19 57:10 107:17 149:3 182:14 188:1,2,5 305:22 Jaszczak 2:17 128:6,7 129:12 256:16,16 Jesus 291:6 JiYoung 2:7 3:18 60:19 75:22 94:12 94:18 job 69:20 83:13 84:17 89:9 139:19 186:3 187:9 205:16 262:11	J Karen 1:23 3:15 60:20 66:4 111:18 111:19 122:19 159:20 Karwoski 2:17 300:11 304:20 keep 10:3 53:2 59:8 61:7,14,22 62:13 85:20 160:5,8,9 170:10 177:22 178:12 187:3,10	
			K	

188:13 192:22 211:12 213:10 237:19 275:15 294:22 306:18 keeping 177:21 178:18 189:16 190:14 236:6 keeps 266:9 Kentucky 1:16 3:22 60:18 82:8 82:19 83:17,18 84:3 Kentucky's 82:10 Kevin 1:10,15 5:4 225:12 241:21 244:18,22 245:15 key 3:8 13:5,6,21 13:22 14:1 26:5 30:17 39:14 60:4 217:3 220:5 239:8 239:18 240:8 241:19 261:6 kick 68:17 kicking 186:9 kids 305:4,19 306:3 killed 99:2 kills 293:21 kilowatt-hour 33:17 kind 9:17 50:1 53:11 58:5,14 62:4 84:5 104:17 110:16 123:13 126:16 132:11 142:21,22 150:16 150:17 171:17 239:1 245:15 252:2,2 264:18 279:9 288:21 289:6 311:12 kinds 43:2 93:6 179:1 knew 95:19 143:13 185:2 knits 126:16 knocked 267:4 know 6:7 7:3,4,19	9:18 10:11 12:12 18:11,11 20:9 24:5 28:1 31:2 33:8 36:11 37:10 37:16,17 38:7 40:15 41:1 42:10 43:9 44:1 45:4,6 45:15,20 46:4,5,6 46:7,9 50:4,11 51:9 52:8,21 55:6 57:4 58:5,15 63:20 78:13 89:12 92:2 96:16 97:11 98:19 99:17 101:10 103:14 105:11 107:15,15 108:5 110:11 113:18,18 116:3 117:20 118:1,10 118:17 119:19 121:9,11 128:14 130:1 131:6 132:4 132:12 134:2,16 136:22 138:6 144:9,12 148:15 149:1,2,6 152:1 153:4 154:13 155:17 159:9 162:11 163:12,13 165:2,6 167:14 168:19 172:8 173:12 174:5,12 174:21 178:3 181:18 182:3,18 182:21 211:8,8 217:12,12,13,20 220:6 221:15 222:10 228:16,20 229:10 234:4,7,7 236:8,10 241:8,10 244:9 245:14 251:14 252:2 257:1 261:12 269:11 271:19 274:8,11,22 276:19 278:18 279:4 282:16	283:17 285:18 294:9 298:22 299:20 305:10,11 309:8 knowing 184:17 knowledge 98:20 116:9 197:21 279:6 290:16,17 293:22 knowledgeable 234:13 known 82:17 185:3 292:1 knows 97:19 126:19 268:22 Korea 254:7,11,12 Kotek 1:19 3:9 4:21 10:17 15:13 15:14 300:12 307:9,11 <hr/> L <hr/> Lab 25:16 laboratory 22:15 82:11 lack 195:17 279:5 lady 137:15 Lakes 100:9 land 37:17 135:5 170:16 171:1 Lander 257:7 landfill 297:14 landfills 102:19 103:4,10 297:11 large 25:12 75:6 95:17 101:13 146:21 168:7 172:5 173:19 178:15 186:15 216:22 264:6 276:6 296:1 largely 270:4 271:2 largest 121:20 167:5 181:22 187:21 246:12 lasting 182:19 late 274:7 305:5	lately 84:9 laughing 149:9 launch 208:18 Laura 2:22 287:9 290:11 291:7 law 169:7 231:15 laws 173:11 lawyer 231:14 232:19 233:20 234:2 lay 175:6 lead 64:17 65:1,3 73:14 109:11 183:13,18 201:1 253:11 leader 246:14 leaders 89:16 leadership 39:10 73:5,10 92:7 201:9 leads 214:3,4 leak 87:9 155:13 156:2 leaking 83:2 170:12 171:11 175:17 226:16 leaks 134:3 lean 191:22 221:7 learn 25:5 189:6 232:12 271:5 296:7 learned 8:1 28:11 234:6 learning 209:17 learns 40:10 leave 140:3 176:7 176:19,20,22 177:10 191:11 250:1 297:19 303:18 307:14 leaves 88:3 leaving 58:12 176:21 266:8 led 15:19 30:14 Lee 16:22 left 15:2 18:14 23:1 23:11,22 28:6	29:8,12 30:6 169:18 173:7 190:20 241:3 245:1 256:15 267:5 280:9 legacy 297:19 legal 302:4 legally 122:3 247:8 legislator 279:14 legislators 178:16 lengthy 129:20 lens 183:7 lessons 189:6 lest 171:3 lethal 181:8 lethality 181:7,7 letter 166:21 167:6 302:1 letters 123:7 letting 104:22 let's 33:4 40:14 43:7 100:17 106:5 106:22 143:10 152:12 220:19 225:10 231:11 237:18 256:11 274:7 292:10 levee 76:16 levees 261:18 level 50:21 62:20 62:21 63:13 82:22 91:11 96:6 103:3 125:10 146:8 154:9 189:22 255:21 259:12 283:15,16,16 286:17 levels 42:16 LEWIS 1:20 126:5 127:18 136:4 156:17 225:9 241:21 244:3 245:19 249:14,20 250:9 252:11 256:8 258:1 261:22 264:22 267:16 269:17
--	--	---	---	---

273:19 277:15 281:16 284:17 287:8 290:10 291:7 294:16 295:6 298:1 300:10 304:9 306:2,11 307:4,6 liability 82:16 273:10 license 26:20 162:12 194:1 198:13 199:11 202:20 203:13 257:5,20 licensed 83:1,8 85:9 105:6 161:21 162:3,8,9 163:8 193:9 licensee 78:7 licenses 67:9 162:14 285:15 licensing 41:18 64:20 65:2 161:14 197:20 198:12 199:10 234:4 282:12 life 171:8 185:14 222:21 280:18 lifelong 274:13 light 39:7 45:1 46:17,18 124:5 244:21 278:20 lighter 19:9 lighter-weight 142:11 lights 213:10 216:6 216:7 236:7 269:20 likes 185:9 limit 216:13 248:2 limited 198:13 199:12 209:15 limits 304:12 linchpin 125:3 Lincoln 257:8 line 37:22 170:16 204:10 245:12	289:13 lined 119:9 lines 108:7 link 72:12 liquid 23:6 24:20 67:17 172:6 221:21 222:18 251:7 280:1,2,3 list 119:2 212:21 214:2 240:8 244:9 listed 11:19 238:1 241:9 listen 6:2 7:2,6 96:15 238:5 listened 92:14 228:14 283:5 listening 8:1 literally 151:6 274:16 lithium 221:14 little 11:5 12:19 13:16 15:6,17,21 17:22 21:11 23:10 27:11 33:4 38:7 40:14 43:7 49:13 59:19 60:5 61:6 63:17 113:7 115:9 117:16 119:12 123:11,16,18 159:10 171:19 175:17 181:16 210:17 223:10 226:5 232:12 237:18 240:13 242:8 244:19 274:7 296:12 live 90:1,4,6 107:2 107:6,8 132:17 137:6 153:6 185:19 250:12 265:6 266:19,19 291:12 300:19 lived 110:21 181:19 291:3 livelihood 251:20 Lively 1:21 3:20 60:22 79:2,3	117:7,15 129:8 living 110:4 183:21 184:5 187:14 285:2 287:20,20 288:2 289:14 290:20 load 88:9 165:19 loaded 142:17 loading 256:4 loaned 53:21 loans 272:11 lobby 167:17 local 42:10 45:21 87:22 90:2 91:7 93:7 95:18,19,21 96:6 100:11 101:12 111:21 122:2 123:21,22 124:10 128:11,16 129:2 130:19 131:14 251:19 257:3,3,11 278:3 283:9,14,16 locality 195:16,17 locals 101:6,7 locate 145:20 located 43:11 76:15 146:3 157:3 184:13 193:11 locating 302:21 location 59:3 67:19 161:1 176:16 177:2 190:2 locations 21:9 26:16 46:7 51:3 193:10 lock 281:12 locked 38:5 logic 113:19 logistics 3:6 long 18:19 35:4 39:11 45:19 46:1 53:19 58:6 74:21 77:8 84:12 99:14 116:15 119:14 125:6,9 141:22 168:22 169:2	171:11,15 183:13 185:5 204:6 234:14,14 275:7 297:17 302:14 longer 21:8 173:4 178:17 206:14 230:15 long-lived 175:2 long-standing 262:19 long-term 36:3 72:21 77:16 81:3 176:9 197:22 198:8 211:3 219:14 249:3 259:11 284:1 303:4 look 8:3 16:3 20:10 35:13 39:17 44:11 44:20 51:11 82:4 90:16 133:9 145:16 150:20 151:12 171:5 173:22 183:6 186:4 209:21 211:22 213:21 222:9,10,13 223:2 234:18 245:15 272:10 279:10 295:3 299:19 306:15,19,20 309:13 311:17,18 looked 8:15 35:21 36:14 44:16 113:3 124:5 looking 18:10 38:1 38:17 88:20,21 89:7 91:8 119:4 222:17 271:17 278:6 280:20 looks 18:13 23:10 23:14 78:14 104:4 121:12 175:13 180:17 306:20 losing 29:20 loss 108:19 lost 108:6 119:1	151:14 lot 15:11 17:9 19:1 23:2 26:13 28:11 40:5 41:22 42:3,3 44:3 45:5,18,18 57:9 63:10 77:7 83:12 89:1,5,21 92:8 96:17,20 99:9 101:15,17,17 102:2 136:10 141:4 154:16,20 162:19 167:3 171:6 172:10 173:18 174:9,17 174:22 177:13 207:20 210:19 211:19 212:18 216:9 220:11 222:19 223:1 230:18 248:22 254:20 261:19 271:4 279:5 282:2 282:2 299:15 305:20,21 lots 57:11 91:1 107:18 146:16 185:4 251:21 loud 188:21 Louisiana 2:7 3:17 3:18 60:18 75:22 76:7,8 77:1 137:15 146:21 love 135:6 280:15 low 62:21 82:21 103:3 146:7 148:6 189:8 low-cost 293:6 low-key 57:8 low-level 67:4 102:8 103:19 105:20 106:11,14 169:13,15,20 171:3 173:15 296:16,22 low-risk 103:20 171:4 297:1 luck 91:1
---	--	--	---	--

lucrative 192:15	managers 56:5	materials 3:10	107:10 190:12	Memphis 100:22
lunch 12:6 14:4	manages 255:10,11	50:16 51:15 52:6	293:14	105:10
15:6 212:4,22	255:12	58:22 68:8,13	mechanism 33:9,14	men 252:20
237:2 242:18	managing 69:12	69:15 74:18 75:9	meet 59:1 72:9 77:9	mentality 176:12
243:1	84:18 254:17	82:19 83:3 86:7	81:19 135:16	mention 30:8 55:13
M	285:12 286:22	97:14 98:4,11	147:13 210:14	120:8 261:4
magic 38:14	294:22	102:16,18 103:3,9	212:3,13 217:19	mentioned 8:9 9:15
mail-outs 111:2	mandated 161:15	104:3,20 222:4	218:9 240:16,19	17:5 18:10 37:7
main 21:19 168:21	162:17	253:13 255:15	meeting 1:4 3:6	46:13 49:17 50:7
240:17	mandates 301:12	264:3 279:6 280:8	4:21 5:6 6:13,18	51:18 87:5 117:21
Maine 170:17	mandatory 34:11	280:22	6:20 10:4 14:15	118:2 289:5 290:3
maintain 151:10	196:10	matter 89:6,18	35:13 53:17 59:2	307:17 309:3
156:8 182:11	manifests 171:4,5	118:12 121:15	85:14 100:3 128:3	mentions 49:19
maintaining 37:19	manner 79:10	122:6 148:13	136:10 141:16	259:16
68:1	104:2 248:10	149:2 164:18	166:14 252:19	mercy 291:5
maintains 57:21	manually 150:9	191:20 243:5	270:11 283:6,7	merely 196:16
major 59:11 87:4	manufactures	275:4 277:12	295:13 310:18	Meridian 1:15,20
105:8 135:21	296:1	278:20 300:6	meetings 6:11 48:1	5:5 13:12
184:8 207:9	manufacturing	311:22	49:2 51:3,5 52:3	merit 203:6 217:10
246:10	144:3	matters 124:1,4	58:19 202:7	merits 259:8 260:1
majority 105:12	map 20:20 21:10	208:4	307:19 311:13	mess 187:5 275:8
106:16 139:8	50:17 56:9 145:16	maximizes 227:10	megawatts 193:17	messing 245:10
making 8:20	145:17 173:17	maximum 147:3	megawatt-days	messy 251:2
166:13 187:5	Marilyn 2:17	Maxi-Flats 82:20	227:6	met 58:11 254:1
209:18 236:6	300:11 304:10	83:16	melt 104:2 279:22	metallurgist
267:13,14 295:16	Marino 1:22 4:12	mayors 29:9	meltdown 261:19	250:16
manage 68:15 69:8	192:21 193:3,4	mean 31:1 36:8	meltdowns 190:14	method 73:18
70:11,21 79:22	Mark 1:12 7:2,5,7	39:4 43:3 65:1,5,6	melted 297:9	160:18 171:10
82:10 187:13	9:15,17 159:7,13	114:14 130:16	melting 271:8	212:5 247:10
212:7 213:1 214:3	194:7	148:20 149:6	member 5:20 6:4	methods 43:17
286:2	marks 6:18	153:5,18 174:3	9:16 14:12 50:18	metric 20:7,11
managed 115:5	Marquis 1:9	176:22 177:6	50:20,21,22 51:13	metro 179:20 209:4
213:17 294:21	Marriott 1:9	191:22 226:8	56:3,18 57:14	Mexico 25:14
management 1:22	MARTA 209:4	230:1 253:18	65:10,10 66:4	27:19 41:16 42:1
2:4 3:21 4:5 25:7	Mary 8:18 165:22	267:2,5 278:9	116:19 120:5,10	55:14 56:11,13
26:11 28:17 30:19	179:11	281:11 284:3,8	122:18 123:10,15	255:19
31:14,18 62:19	Maryland 56:19	meaning 19:7	124:13 135:14	mic 76:3 93:21 94:5
64:12 69:14 79:5	massive 236:2	meaningful 41:4	183:1 250:12	245:8,20
80:9 86:3 109:7,8	mastermind 261:5	means 117:18	260:19,20 287:12	microphone 99:16
110:3,9 139:14	material 22:22	171:4 180:3	members 1:12	126:6 245:6
189:1 194:11	43:10 45:7 46:5	244:22 263:1	13:11 16:16 51:2	mics 93:20
195:13 205:4,19	49:7 68:7 73:15	284:2	94:1 118:15	middle 188:18
206:18 207:4	73:20 78:20 84:12	measurable 72:10	166:13,20 167:3	midway 44:1
211:16 253:1,13	86:6 95:20 105:13	72:14	179:19 202:3	mildly 18:22
254:22 273:1	107:14 115:13	measure 41:10	210:9 265:15	mile 271:13
manager 79:7	144:5 154:21	measured 223:11	270:3,4 274:9	miles 109:20 135:5
	222:2 280:12	measures 97:21	287:15	153:6 193:12

milestones 72:9,15 112:12	177:12 192:2	morning 5:3 8:5,12 15:13,22 49:11	154:22 286:11 302:9	Nashville 99:19 295:10
militarism 182:10	Mississippi 76:10 76:20	62:9 75:21 79:2	movement 188:16	nation 69:12
military 180:18,19 180:19	mistake 216:21	82:6 86:1 126:13	moving 37:4 77:3	100:10 102:10
million 31:9 33:21 67:16 102:15,17	mitigated 127:9	164:1 165:22	161:1 162:4	180:2 181:3 183:4
103:9,10 166:13	mitigation 235:4	193:3 201:17	178:22 289:20	264:1,18
174:16,16 175:21	mix 24:8 135:15 212:8,13 242:8	228:15 236:16	MOX 172:18	national 17:3 22:15
187:19 230:9	276:2	238:19 267:21	223:19 225:1	25:16 44:9 52:8
297:2,9	mode 264:15	274:8 310:21	Mueller 2:18	55:11 68:20 74:15
millions 172:2	modeling 234:15	morning's 180:17	137:12,12 142:12	75:7 85:12,12
217:16 247:12	models 183:12	mother 222:5,6	142:19	90:7 106:13
251:6	Moderator 1:10,15 3:6 4:22	280:14	multiple 274:15	141:12 166:12
mind 10:3 13:5	modified 263:19	Mothers 266:1	multiplying 188:13	174:20 181:22
61:22 95:14	264:15	mother's 299:22	multi-national	183:3 194:11
176:11 237:19	molten 221:22	motivation 302:18	217:2,8 253:10	199:5 202:1
minds 13:7 188:8	280:3	motive 73:12	municipal 297:10	247:11 253:22
Mineral 257:7	moment 10:18 306:3	Moulton 267:20	municipalities 29:4	254:5,22 256:2
minimal 215:20	moments 5:10	mountain 26:14,19	29:9	298:6
minimization	money 34:1,12,19	27:2 32:17 38:6	muscle 187:11	nations 18:3 25:8
63:12	71:1,2 93:10,11	68:20 69:3 71:10	Mustafa 306:8,13	73:14 74:2
minimize 81:2	120:15,18 121:1	71:16 126:20,21	mutagenic 297:21	nation's 68:2 102:8
minimizing 100:13	124:21 130:12,17	127:5,7,10,14	mutual 57:3,12,16	172:10 246:12
251:12	139:10 177:13	128:18,21 130:17	myriad 63:4	248:11 262:19
minimum 41:3	204:3 268:12	130:18,20 137:21		272:5 276:1
minuscule 226:17	276:6,21 283:2	138:18,20 142:14	N	296:22
minute 61:11	288:6,8	142:15 147:1,4	nah 188:4	native 180:13
152:18 245:1	monies 32:12	172:17 177:17,19	name 5:4 8:6 12:20	270:7 300:2
256:13,14	monitor 126:4	194:17,18 197:20	22:9 62:22 79:3	natural 53:2 289:7
minutes 11:3,9	155:20	197:22 202:20	96:9 107:1 111:14	naturally 54:9
61:4 164:16	monitoring 190:5	216:21 218:22	126:14 131:2	nature 35:18 195:5
165:15 192:22	209:15 228:13	234:4 235:4,13	136:8 137:12	naval 22:5 54:21
210:13 220:14	229:3,11,20 230:4	246:19 247:1,7,19	138:7 161:5 166:8	navy 161:7 181:1,6
239:6 244:15	230:17 232:6	247:21 248:8	193:4 209:1	near 108:18 150:5
256:12 307:15	233:9 256:4 288:4	256:21 257:22	221:10 225:16	153:6 193:13,14
misconceptions	monitors 155:18	262:18 270:20	231:13 233:22	262:13 279:11
135:11	232:2 233:8	282:13,15 283:9	240:16 242:1	285:3 288:2
misgivings 115:1	monolith 257:9	283:15	246:3 250:6 258:6	near-term 77:11
misinformation	67:7 215:12,15	Mountain's 263:4	265:9 269:22	81:18 206:20
278:18 279:5	month 6:14 48:9	mouth 7:5	277:18 281:19	255:16
mispronounce	132:4 211:17	move 9:12 60:8	291:11 298:3	necessarily 80:4
233:21	222:9,10	87:13 100:1	300:16 306:7,12	117:8 136:22
missed 180:16	months 10:6,16	106:22 130:10	named 268:4	146:16
mission 32:10	132:4 211:17	154:9 177:2,8	names 245:11	necessary 73:3
50:10 209:8,17,20	222:9,10	190:1,1 228:5	306:4	144:4 160:6,6
missions 132:2	Moore 212:20	270:21 288:16	narrow 184:14	191:15 196:20
		296:11 299:10	NARUC 202:1	197:4 199:10
		moved 38:1 87:2	205:11	298:21

necessity 196:6	125:13 130:22	195:8 196:18	254:12	104:10 108:6,21
need 17:18 26:10	147:8 199:17	199:16 200:14	note 181:11	115:4,12,15,17,22
27:6,9 30:18	211:3,11 212:4,13	203:18,18 204:12	noted 216:19	116:8,16 122:1
32:12 35:20 36:4	213:20 214:12,15	204:14 205:3	notes 240:4,5	124:1,4 128:10
36:9,9,11 37:19	214:21 215:10	206:18 207:9	253:15	130:1,8 131:12
38:4 40:2,7,8 41:4	216:2,18 217:1	208:13,16,18	noteworthy 30:22	132:5 133:10,13
43:2 66:15 69:20	220:2 249:15	250:13 251:16	notice 13:20	134:8,9 135:10
70:3 89:4 90:10	255:14 271:3	255:19 261:18	notifications 82:3	136:17 138:17
90:11,16 92:4	283:13 297:15	269:10 276:7,14	noting 39:15	139:18 141:11,14
93:10,11 100:16	negative 132:11	277:20 278:1,1,4	November 59:2,17	141:19,21 142:2
104:18 105:2	133:9	278:6 279:9	222:10	145:5,18 146:14
110:2,6,8,18	negotiations 41:14	281:13 284:21	no-solution 188:22	150:4 151:22
113:13 117:9,9	217:22	285:16 295:16	NRC 39:19 47:14	154:15 156:10
124:11,11 125:10	neighborhood	296:9 301:21	65:6 67:9 78:18	160:5,16 161:6,6
125:18 127:3,5	267:4 268:15,16	newly-constructed	79:21 85:9 155:9	161:7,22 163:1
133:1 148:14,14	neighboring	184:12	156:3,20 159:17	167:12 169:7
160:5,20 161:1	182:16	NGO 164:14 273:4	202:18 203:13	170:8 180:1,8,9
177:8 179:10	nervous 305:4	273:15	208:6,8 234:14	181:1,2,8,9 182:2
191:5 212:9	network 183:3	NGOs 271:20	248:6	182:8 183:2,5,11
213:10 214:1,5,6	Nevada 128:8,17	nibbled 234:1	nuclear 1:1,22,24	183:15,17,19
217:19,21,22	129:3 137:13	nice 247:14 252:3	3:16 4:12,14,17	184:4,17,19 185:5
218:1,3,4 219:14	142:8 169:18	Nichols-Goldwater	5:14 6:6 8:7	185:6,14 186:8,16
219:16,16,17,17	203:5 256:17	278:14	11:22 15:16 16:4	187:5,10,15 188:9
223:16 226:17,18	283:17	night 166:3	17:8,12,13,16	188:12,13 191:1
226:20 233:8,17	Nevada's 203:6	nine 21:7 37:8 46:8	18:13,15 19:6	191:17 192:2
235:19 237:15	never 99:1 108:17	99:8 288:6	20:21 21:20 22:5	193:5,9,13,14,16
239:9 240:10	109:4 180:14	Noibi 2:19 290:13	23:1,3,4 25:6	193:22 194:2,3,11
247:11 251:2	181:14 184:10	291:8,10,12	26:11 27:21 28:17	195:20,22 196:4,5
254:20 268:1	226:7 250:18,19	294:17	28:21 29:5,13	196:19,21 197:5,8
272:14 273:10	259:15 268:19	noise 245:3	30:8,10,12,15,19	197:15 198:16
276:15 278:7	300:3,7	nominated 32:7	31:13,18 33:11,11	199:7,22 200:18
285:22 287:21	new 2:2 4:10 16:5	non 39:11 248:17	33:12,13,19 34:2	201:5,10,11 202:6
288:19 292:17,21	24:3 25:14 26:10	non-attributional	34:4 35:1 39:5,7	203:1 204:3
294:1,3,4,5	27:19 30:18 41:16	239:12	39:12,18,20 40:6	205:14,16 206:10
295:18 297:19	42:1,18 47:16	non-commercial	44:18 45:6,14	206:16,21 207:11
299:4,20	55:14 56:11,13	255:15	47:1,4,8 50:9	207:21 209:2,10
needed 31:16 43:19	80:5 85:14 89:3	non-federal 125:12	55:18 58:3 64:16	209:11,18,22
71:9 204:12,18	89:11 90:15,20	non-legislative	65:15 66:5,18,20	210:4,16 211:9,15
205:3 207:14	100:4 115:7 117:6	206:20	67:2,3 68:8,16	211:16,20,21
215:2,5 218:13	117:7,9,10,16	non-profit 4:6	69:2,8,13,15,19	212:11,19 214:4
263:15 294:19	119:5,8,19 126:3	50:11 262:9	70:13 71:4 72:1	214:11,14 215:3,9
needs 10:12 21:16	131:20 132:2	291:15	74:6,18 76:12	215:16,19 216:1,8
22:6 23:7 24:19	138:10,13,22	non-proliferation	77:4 78:14 79:22	218:9,17 219:5
33:1 36:6 39:1,2	139:16 140:4	73:6,10,22 255:5	85:4 91:9,17 93:4	223:16 224:1,2,8
39:10 77:11,21	142:4,5 177:12	normally 125:21	94:16 95:20 96:2	224:12 226:2
79:14 89:2 91:15	181:21 188:13	north 56:16 153:6	98:4,11,17,18	227:2 228:19
109:13 114:11	192:1,11 194:2,3	182:22 254:7,11	100:19 101:3	232:4 233:7 236:3

236:9 246:16,18 246:20 247:4,5 248:7,12,16 250:16,17 252:16 252:22 253:13 254:13,18 255:2,4 255:4,5,9,10,11 255:12,15 257:4 257:19 258:10 259:12 263:2,11 264:12,13 266:10 266:15,19,20 268:10,14,17,21 269:2,8,13 270:1 270:8 272:3,5,8 273:5 274:20 275:3,3,22 276:7 277:9 278:1 279:6 279:13 280:12 284:9,13 285:3,4 285:8,10,12,13,22 286:6,10,11,21 287:6,15 288:2,17 288:19 290:19 291:20 292:2,6,7 292:9,20 293:3 294:19 295:15 296:1 298:13,15 298:19,21 299:1,4 299:12 301:19,21 301:22 306:10,17	224:15 272:1 numerous 50:13 134:3 Nye 128:8,17 256:17,19,20 257:4,6 <hr/> O <hr/> Oak 56:12 86:13 87:2,12,14 91:3 95:16 96:3 97:12 102:14 105:5,9,12 250:15 297:5 object 277:5 objection 90:7 objections 90:5 175:11 objective 79:12 253:22 objectivity 260:15 obligations 195:20 198:16 202:19 232:5 obnoxious 245:2 obtain 64:4 obviously 38:7 113:13 117:3 177:12 occupation 268:20 occur 59:17 97:20 121:4,5 187:21 190:7 occurred 34:9 108:3 occurs 58:16 Oconee 153:6 OCRWM 52:11 October 1:7 307:22 offend 304:22 offense 305:9 offer 7:16 62:4 145:9 252:16 307:7 offered 275:21 office 1:18 4:3 65:9 81:7 84:16 108:9 108:9 134:15	172:13 278:2 302:2 officer 108:11 official 1:14 50:19 281:10 officially 282:9 officials 87:22 124:9 178:2 offshore 255:12 off-line 157:4 off-load 160:10 off-mic 241:16 310:7 off-site 116:15 160:2 249:18 oftentimes 100:18 oh 76:4 94:15 116:17 176:12 265:4 271:11,19 310:5 okay 12:13 17:20 26:12 42:2,5 57:11 62:10 93:3 106:15,19 108:2 109:4 111:12 114:17,19 120:6 122:18 124:13 127:18 136:1,6 155:3 156:7,17 157:5 158:14 163:21,22 164:22 165:3,16 176:12 177:9 180:21 190:8,19 220:22 225:9 228:4 229:15,17 231:9 231:13 232:6,13 232:20 233:16,16 235:18 236:14 237:11 240:1,12 240:22 241:4,13 241:20 245:22 249:14 266:21 274:10 281:20 310:12 old 160:13 226:16 298:13 300:1,1	older 57:2 oldest 181:22 Olympics 225:19 once 61:3 111:2,9 133:5 157:6 160:14 169:6 170:20 175:12 181:11,14 185:22 190:1,1 192:15 223:20 236:16 242:17 275:17 295:5 302:9 309:22 once-through 213:7 ones 91:8 143:17 251:3 282:21 295:17 310:20 one-of-a-kind 263:21 one-point 38:8 one-tenth 33:16 ongoing 32:18 187:14 288:22 online 155:11 on-site 83:21 84:4 153:8 178:19 179:3 188:18 189:15,20 190:3 238:14 252:9 273:5,13 286:4 289:2 296:13 301:14,16 304:21 305:13 Ooh 179:9 open 28:8 31:2 61:16 99:8 118:11 131:21 143:6 169:19 170:11 176:19,20 opened 284:5 opening 28:13 71:12 111:20 142:1 176:16 opens 179:1 open-frame 189:9 operate 42:3 67:9	102:22 161:22 194:2 operated 22:2 24:7 83:1 98:19 operates 22:4,5 operating 1:22 4:12 20:21 21:8 83:6,9 88:7 157:12 158:17 160:8,9 163:5 185:5 193:6,21 203:20 276:13 286:16,19 302:7 302:15 operation 64:20 72:15 163:1 199:3 operational 67:20 157:20 263:19 264:15,20 operations 59:18 132:4 248:10 operator 193:10 operators 163:3 opinion 81:13 98:2 113:6 124:12 216:20 opportunities 188:11 255:16 opportunity 6:1 8:12 10:21 11:12 11:13 12:5 13:3 66:3 201:7 202:5 220:13,15 221:6 245:18 246:1 252:15 254:6 256:1 258:5 281:13 290:6 294:7 295:12 299:3 300:22 309:13 310:21 oppose 142:3 177:20 179:5 200:2 299:12 opposed 68:16 292:1 302:5 opposing 236:3 opposite 101:1
--	--	---	--	--

opposition 89:22 283:14	orphaned 68:13 73:15	P	257:11 282:7 283:4 289:8 303:16 309:1,11	66:4 75:4 97:9 111:18 113:12 118:16 122:20 129:6 134:16 141:1 146:6 157:9 158:16 159:16,20 169:1 171:22
option 144:9 186:7 192:10	ought 37:2,22 43:5 47:13 283:2	package 29:16	partially 116:1	PARTICIPANT
options 36:20 38:3 38:20 47:11 64:6 90:18 176:19,20 253:1 288:18 297:14	ounce 222:6 280:14 280:16	pad 37:13	PARTICIPANT	76:2 141:8 152:17 152:22 153:4 237:12
opt-out 204:19	outrage 58:17	padlocked 203:15	participate 58:3 59:10 237:8,16	Paul 2:1 4:9 164:13 179:9 181:17 228:11 229:15 233:4
order 9:3 64:3 75:14 126:9 127:20 138:22 160:9 212:13 213:6 218:9 244:7	outlaw 181:9	Paducah 83:4,19	participated 29:17 53:13	Paula 1:22 4:12 192:20 193:4
organization 30:18 31:17,19 32:1,10 42:18 49:21 50:12 65:11 66:11 70:11 79:21 80:1 89:11 111:16 117:6,8,9 117:16 119:5,8,19 120:10 134:13 138:10,13,15,20 138:22 139:16 140:12 155:19 205:3,4,11 206:18 207:4 208:14,18 214:12 251:14,17 262:9,10 272:3 291:16 300:18	outlay 186:15	page 181:13 203:13	participating 9:21 12:22 294:7 308:22 310:3	pave 276:14
organizational 205:2	outlined 188:7 206:22	pages 276:4 281:10	participation 9:2 41:5 122:22 123:3 123:8 236:20 294:6 310:1	pay 33:16,19 203:21 204:2 285:19
organizations 11:20 40:17 48:4 89:13 166:22 167:5 183:3	outlines 4:21	paid 34:20 197:7 214:16	particular 21:22 49:6 106:1,20 113:1 116:22 117:10 168:1 281:3	paying 33:9
organize 6:11	Outlook 4:17	pain 183:14	particularly 38:17 44:15 63:13 72:18 97:10 159:12 216:14 288:1 292:3	payments 35:6
organized 50:18 118:13 216:3	outpacing 299:1	panel 11:9,15 14:1 60:15 93:22 100:4 138:14 139:4 143:10 145:14,15 146:1 164:2 234:5	part 21:22 292:3	PE 162:12 260:14
original 74:17 86:11 106:18 154:4	outreach 52:16	panelist 61:20 62:3 93:21	partners 179:21	peace 53:22 298:11
originally 169:14 173:1	outs 122:13	panelists 61:9,18 93:15 99:22 117:22 128:1,2 220:10,16	partnership 65:13 65:14 81:17 116:7 126:15	Peachtree 1:9
Orleans 85:14 261:18	outset 75:8	paper 238:1	partnerships 182:12	peculiar 309:21
	outside 15:1 79:21 100:18 107:20 124:3 154:7 155:1 265:7 294:11	papers 49:4,5	parts 55:6 209:20	Peggy 2:16 284:18 287:9,11
	outstanding 75:12	parallel 71:13 72:10	passed 216:12	pellets 18:16
	overall 83:11 96:13 206:5 219:6 220:4	paramount 259:21	patchwork 105:21 296:19	pen 173:3
	overlap 239:20	pardon 250:19	path 38:5 289:10 298:18	penalties 72:8,14
	overlapping 309:19	parent 184:7	patience 104:22 204:15	pending 198:22 249:8
	overloaded 148:15	Paris 216:5,7 225:6	Patrick 212:20	Pennsylvania 181:3
	overlooks 302:17	park 184:9 188:3	Patrol 88:6	Pentagon 278:10
	override 195:18	parking 185:4	Patterson 1:23 3:15 60:20 65:22	people 36:3 41:22 42:1 59:16 93:11 94:8 95:15,17 98:7,10,13 99:8 100:4 101:12,15 101:17,20 102:1 107:19,21 110:20 116:10 122:4 124:3 126:5 127:21 132:8,14 132:17 133:1,8,12 133:16,18 135:9 135:11 136:21 137:5 154:17
	oversaw 138:20	parochial 118:17		
	overseas 28:13	part 14:15 21:2,13 27:3 32:15 39:2 40:18 47:6 49:18 51:20 57:14 58:2 62:22 69:19 70:13 71:8,20 73:3 83:13 84:17 93:12 112:6 113:10 123:17 126:22 127:15 145:7,19 145:21 146:3,4 147:8 187:8 195:9 227:9 229:7,13 231:20 232:5 235:3 240:10		
	oversees 182:5			
	oversight 32:6 75:17 80:21 118:10,13 205:9			
	overview 3:8 11:4 50:2 113:14			
	overwhelming 168:6			
	overwhelmingly 168:9			
	owned 21:21,21 33:3 71:22			
	owners 203:10			
	owns 21:16			
	o'clock 12:7,13 237:6,11 244:5			

169:13 170:5	296:10	28:2 218:16	116:16 149:20	213:9 227:9 264:3
180:18,19 183:7	permit 198:12	pilots 261:6	150:4 151:22	271:12
183:18 184:2,9	199:11	pinky 18:17	155:12 156:6	podium 5:19 245:7
185:10 190:15	perpetuate 187:12	place 14:5 47:10	163:4,5 181:2	point 16:17 42:10
191:22 216:9	perpetuating 277:1	54:8 56:21 78:12	184:4,13,22 185:6	71:10 102:4
218:12,13 221:4	person 123:1 165:3	80:10 81:9 97:4,5	193:13,14 194:3	103:16 105:17
222:16 225:11	201:15 224:13	115:21 120:22	218:16 232:4	106:21 109:4
228:15 234:6	225:8 244:13,15	127:11 128:11	233:7 285:4,17	112:17 113:1,9,22
242:7,9 244:5,11	245:4 273:15	130:8 131:11	288:5 292:4	114:2,11,16
254:2 260:10	304:10 305:11	151:11 155:18	plants 30:9 44:18	116:22 117:2
273:20 282:3	personal 98:2	167:12 169:22	115:4,15,22	129:19 137:14
283:8 288:2 289:1	159:21 260:8	176:11 184:20	139:18 144:6	140:4 141:9 150:1
289:14,15 290:22	personally 63:17	216:3 230:4 231:5	145:18,18 155:22	160:3 161:13
295:19 299:11,17	158:2,6 288:14	236:2 238:10	156:10,12,13	167:8 189:21
304:11,14,15	personnel 19:1	240:14 254:8	163:2 252:1	203:3 206:17
305:6,20 306:14	259:5 260:7	263:18 264:15	276:12 291:20	231:3 238:19
310:15,21 311:1	perspective 7:17	266:12 271:16	292:2 294:19	254:16 263:7
people's 238:6	9:4 12:1 20:9	289:17 301:6	play 147:10 168:1,3	273:2,3 277:4
245:11	61:5 62:4 67:2	placed 112:11	played 168:2	282:6 304:5
perceives 121:16	118:19 210:8,21	154:5 227:16	playgrounds	points 31:1 62:2,12
percent 29:21	219:2 270:15	placement 301:8	251:22 252:3	90:12 99:20
32:19,21 102:7	perspectives 7:9,11	places 15:7 25:12	268:13	106:21 168:14
120:11 193:18	60:10,12 116:21	25:16 31:4 103:13	please 12:12 14:14	pole 74:22
215:18 216:5,6	164:13 242:10	134:4 147:17	61:18 62:5 93:21	poles 45:19
218:19,20 219:13	pertaining 220:17	148:10 169:17	93:22 111:13	policies 52:4
222:1 224:18,19	phasing 236:9	251:4,20	191:22 192:21	policy 33:14 39:18
224:21 280:8	photo 23:10	placing 189:20	212:2 222:19	69:2 73:21 105:21
296:21	Physicians 272:17	255:21	237:10 242:3	106:13 112:16
perception 99:9,10	physicist 65:8	plan 32:10 45:21	245:3,19 260:16	119:9 128:10
99:13 122:17	physicists 125:21	57:17 74:17 75:7	267:14,15,17	130:8 138:17
123:4 275:4	226:20 277:9	185:16,17,18,18	270:10 273:20	195:21 196:21
percolation 146:11	physics 154:15	190:9 203:17	274:2 281:11	197:8 198:16
perfect 188:3	pick 26:16 123:5	229:13 303:3	284:18 287:9	199:5,7 201:12
perfectly 160:15	142:18	planet 288:22	290:11 306:6	203:4 207:13
274:6	picked 84:8	planned 269:10	307:22 310:5	211:21 213:8
performance 45:16	picking 27:7	planning 12:12	pleased 253:4	217:7 219:15
46:17 201:4	picture 18:14 27:3	45:18 46:10 52:15	plenty 130:12	238:13 246:16,18
234:16	28:14 167:16	109:17 249:6	193:1 258:12	246:22 247:4
period 14:4 242:22	174:13	268:8	plotters 261:7	248:7 272:2
244:4	pictures 23:16	plans 68:4,6,10	plugs 279:22	301:22
periods 240:7	149:4,5 170:13	176:4 179:6 249:7	plume 100:8	policymakers
permanent 71:7	171:9	269:8	171:11	186:13 202:21
72:11,16 91:4	piece 11:21 78:1,2	plant 24:6 25:14	plus 109:8	political 80:19,20
176:3,9 198:10	88:18	27:20 28:2 46:8	plutonium 18:6	89:15 115:2
204:11 264:17	pieces 212:12	58:4 62:22 77:2	22:2 68:3 97:11	117:19 140:11,12
276:10 286:12	pillar 123:16	83:5,20 84:1,1	171:7 172:11	176:5 178:7 203:7
permanently	pilot 25:14 27:20	108:6,12,21 115:5	175:4,10 187:12	221:15 222:8

235:14 298:5	positive 80:12	260:7 297:15	193:5 260:4,4	218:15 231:8
politically 86:16	possession 195:22	prayer 291:4	262:4	282:7
politicians 122:12	possibilities 179:2	precaution 183:10	Presidents 17:4	privy 279:1
185:12	possibility 81:1	precautionary	President's 103:12	probably 84:7
politics 120:17	108:19,22 109:2	293:10,11,14,18	presiding 1:10	95:20 98:12 139:2
262:22 305:10,12	110:16 149:12	precipitation	press 124:8,9	143:20 215:2
305:17	284:12	146:12	pressure 279:19,20	220:18 232:19
pollute 102:1	possible 126:22	precise 62:13	280:6	257:14
pollution 291:17	147:13 179:22	preclude 259:10	Pressurized 224:18	problem 20:19
pool 18:2 19:12	192:9 295:18	279:16 303:19	presumably 33:19	25:1 30:12 32:16
154:3,3,4,10,18	296:5,12	predict 218:8	206:13	34:7 35:19 42:13
155:1 271:13	possibly 18:2 189:5	preface 68:11	presumption 259:1	43:5 49:7 76:22
pools 19:20,21	254:20 309:9	prefer 51:11 220:4	presumptions	86:20 92:12,19,19
20:16 44:7 143:9	posted 48:17	premature 207:17	258:20,21	99:13 104:1 105:8
148:15 151:19	postures 255:10	215:5	pretty 44:5 56:22	124:1 132:15
152:19 153:9	potential 18:6	prepare 52:18	57:21 79:8 84:9	151:13 181:10
154:6 157:3 159:4	141:4 195:15	264:6	147:21 169:16	187:8,8 189:1
159:12,13,22,22	254:13 302:18	prepared 250:20	219:11 272:10	218:11 226:21
160:10 189:8,10	pound 222:7	309:7	prevent 291:17	228:3 229:2
189:13 252:9	280:16	preparedness	293:15	235:15 251:18
272:20 289:4	pounds 102:15,17	96:19 97:6	prevented 294:21	275:16 285:7
301:8,10,14	103:9,10 297:2,9	preparing 202:8	prevention 222:7	286:3 294:13,15
poor 100:20 101:12	power 30:9,11	presence 274:14	280:15,16	295:5,21 307:2
101:20 136:20	44:18 58:4,16	present 1:12,14	pre-determined	311:5
pop 228:11	108:7,21 115:15	22:20 179:18	78:21	problems 38:15
popular 51:2	115:22 116:16	205:15 210:10	pre-registered	63:9 92:1 124:6
popularly 291:22	133:13 139:13,18	247:18 272:13	237:12	133:20 135:21
population 95:19	145:18 151:22	presentation 49:18	price 266:14 273:3	171:16 174:22
populations 141:13	154:15 156:10	49:22 61:19	primarily 7:2,6	179:2 186:13
port 97:2,3	160:7 161:7,22	165:20 166:2	54:22 55:4,17	234:3 292:20
portion 80:9	163:1 167:12	167:7 223:12,14	151:20 156:20	311:7
portions 249:11	180:1 181:2,8	224:12,14,16	199:20	procedures 128:11
ports 54:5,17	194:6 207:21	225:5 228:12	primary 52:7 191:5	proceed 284:11
poses 21:17 187:3	226:2 232:4 236:3	presentations	253:22 256:21	proceeding 284:14
Posey 2:19 107:1,2	236:9,11 252:1	61:16 220:17	principle 143:12	proceeds 197:20
107:15 110:18	255:13 261:17	228:15	229:18 293:10,12	process 11:16
133:5 148:12	266:15 275:22	presented 111:19	293:19	15:18 24:12,16
149:11 151:18	276:12 285:10,18	124:5	principles 42:21	27:1,9 28:12
152:4 236:1,8	286:1 291:20	presenters 236:15	190:22 195:4	51:20 56:21 63:19
258:3 262:1 265:1	292:2 293:3 299:5	PRESENT(Cont'...	259:9 260:2	65:4 73:11 76:13
265:3,4	306:10,17	2:1	prior 67:18 157:11	88:2 92:5 95:21
position 26:22	powered 216:7	preservation 73:2	157:21 198:9	102:5 104:7 113:3
112:22 114:2,8	powerful 113:6	235:5	200:15 206:1	123:8 125:4,6,22
159:3,9,11 194:14	283:17	preserve 38:20	priorities 81:10	129:19 130:13,13
194:16 247:2	practice 162:14	preserved 198:3	prioritize 214:2	130:21 144:22
262:21	practiced 18:4	president 4:12 16:8	pristine 135:6	147:6,10 158:19
positions 201:21	practices 259:5	32:8 51:8 139:21	private 81:21 85:8	158:22 187:13

195:1,6,15 196:17 200:10 220:11 238:16 249:6 251:2 257:6,12 268:8 282:12,22 308:3 processed 102:9,17 106:17 248:19,21 processes 43:1 62:17 104:12,16 256:5 processing 74:6,9 114:10 296:21 processor 101:9 processors 102:21 297:3 produce 142:6 286:21 298:14 produced 275:2 producing 292:11 306:18,18 production 22:3 23:5 28:7 55:18 183:5 212:5 227:2 227:9,16 productive 9:11 270:12 308:15 products 19:10 profession 162:4 261:8 professional 161:6 161:12,14 182:5 professor 4:17 209:2 223:8 232:18 233:21 profits 186:15 program 3:10 23:4 23:5 25:7 27:15 28:6,18 29:4 30:16,20 31:8,9 31:13,16 34:1,6 34:16,18,21 35:1 35:19 36:8,10,16 43:3 52:9,19 54:1 54:3,14 55:7,7 56:1,4,7,17 62:19 64:12 65:21 73:3	79:7 84:18,20 87:16 90:12 102:20,21 125:16 128:18 139:13 194:12,18 197:5,6 197:10 202:6 203:1 205:4,19 210:17 211:4 224:5 227:3,10 230:10 259:17 263:4 273:1,18 297:11 programs 8:7 50:9 50:13,14 53:13 55:21 56:4,18 57:2 87:1 93:6 106:4 progress 31:4 72:10 112:13 141:3,4,5,5 226:16 prohibit 199:7 prohibited 259:5 260:6 project 26:14 32:17 32:19 62:22 128:21 137:21 projects 9:5 86:11 86:21 proliferation 39:5 39:12 248:18 255:1 promised 230:14 promises 173:11 Promoted 214:18 promoting 212:19 276:5 promptly 71:7,19 164:11 248:19 promulgation 201:3 proof 203:20 293:16 294:4 properly 122:9,12 proportionality 31:12 proposal 80:8	217:11 propose 217:7 proposed 70:4 86:12 185:13 206:19 208:2 213:19 285:16 292:3 294:19 prospect 143:5 protect 101:21 138:15,22 162:16 189:3 protected 153:10 153:22 259:4 260:6 protecting 79:16 208:10 protection 19:1 200:20 288:10 293:1 301:15 protocols 253:12 prove 260:16 proven 71:11 72:4 72:5 73:20 provide 9:3 10:22 15:21 36:20,21 47:11 48:14 50:4 52:3 57:6 66:7,13 69:9 73:5 87:17 88:15 128:11 160:5 165:15 204:21 220:13 286:13 309:14 provided 6:22 32:12 47:8,14 53:6 93:16 196:19 200:6 257:12 281:8 provides 19:14,16 38:3 75:12 90:20 93:8 188:10 205:22 239:13 293:4 providing 33:7 53:5 164:7 provision 41:13 proximity 183:21 274:19	public 1:4 2:5,8,10 3:14 4:15,19 5:6 6:11 9:7 12:8,11 14:4 16:14 52:16 64:3,8,11 71:1 75:14 79:13 82:8 96:10 109:13 110:19 113:3 121:16 122:11,22 123:3,3,7 132:19 136:11,15 137:2,3 140:9,10,17,18 147:15 155:8,19 161:16 162:13,16 173:22 184:7 189:3 190:9 192:11 201:18 202:3 208:10,17 237:5,8,13 242:22 244:4 259:20 268:7,14,22 273:15 275:4 278:2 283:7 290:7 294:5,9,10 publicly-available 232:9 public's 80:6 public-private 81:17 Puerto 51:1,5 pull 279:14 pulled 130:16 pun 250:19 punt 115:9 punting 187:7 purchasing 56:6 purpose 3:6 10:4 13:2 16:2 197:16 206:8 237:20 256:21 purposely 216:20 purposes 63:11 195:16 196:21 pursuant 162:15 pursued 71:12 pursuing 69:5 pursuit 71:15	purview 68:21 push 215:3 217:2 235:12 288:8 put 7:4 10:6 18:17 20:1 23:9,13 24:13 44:15 78:7 113:13 122:5 123:7 130:7 136:21 139:4 143:13 145:17 148:9 156:21 159:5 160:12,13 160:20 169:8 172:18 175:14 176:10,15 178:5 219:2 231:4 265:22 271:20 279:17 289:18 308:19 puts 264:16 putting 189:14 212:15 P-R-O-C-E-E-D-... 5:1 p.m 243:5,6 244:2 311:22
Q				
qualify 103:3 Quality 2:8 3:18 quantities 22:14 297:21 quantity 56:15 quarter 20:16 quarters 33:22 question 35:11,22 36:14 94:4 96:7 96:12,13 97:1 100:17 106:22 111:17 114:19 128:5 129:14,15 133:4 134:1 136:2 137:14,17 138:10 139:1,4 141:6,9 141:10,18 145:2 145:14,15 146:1 155:3,6,16 157:8				

161:4,17 187:2 220:20,21 221:17 228:5,10 231:10 231:19 233:3,12 233:18,19 235:19 257:2 265:14 310:6,9 questionable 92:8 258:19 297:15 questions 7:4 11:14 12:4 13:21 14:9 61:17 93:20,22 94:8 99:15 107:18 110:1 111:13 114:18 126:11 128:1 129:13 145:10 152:11,13 156:22 164:1,4,7 165:11,12 208:21 220:16,19 237:22 238:11,12 241:7 241:14 242:14 294:14,17,18 310:5 quick 10:1 60:16 128:6 225:15 226:8,12 235:21 239:7 quicker 119:7,11 quickest 247:9 quickly 26:7 144:2 213:18 232:20 235:19 236:21 309:8,9 quit 288:19 quite 83:9 quizzing 51:12 quote 174:19 180:22 223:16 224:8 247:3 248:5 272:16 275:21 quotes 267:22 quoting 224:15 249:7 Q&A 11:12 61:17 62:1 165:16 193:2	R	race 96:2 217:18 racked 215:9 radiation 1:16 3:22 19:17 57:16 65:9 82:9,10 108:10 135:22 175:21 181:15 190:6 208:7 210:2 222:21 228:9,17 229:11 232:10,13 232:22 234:7 266:2 275:1 291:19 293:21,21 radiation-induced 134:19,22 radioactive 3:10 18:22 19:5,11 50:16 51:15 52:6 58:22 62:19 75:9 78:20 82:19,22 84:12 86:7 87:9 100:8 101:8,8 102:8,16,21 104:19 105:21,22 106:12,14 107:14 115:13 127:16 175:1 183:22 184:11 185:4 195:12 196:1 197:9 229:2 246:14 248:15 276:15 295:16 296:16,22 297:5 303:12 radioactively 19:17 radioactivity 21:18 181:10 radiological 4:18 57:7 76:5 87:18 97:17 99:2 104:15 110:17 115:21 radius 107:20 265:7 rad-health 125:20 rail 144:13,17,19 144:21	railroad 99:6 rails 45:8 rain 146:16 230:22 raise 94:5 132:11 raised 62:3 raises 293:13 ran 99:7 273:17 range 294:4 rapidly 147:3 rate 134:20 288:12 ratepayers 33:15 197:14 285:19 rates 134:2,8 rate-payers 139:9 RCRA 41:17 reach 96:5 reaching 282:1 reaction 231:19 reactions 7:8 202:10 reactor 17:16,19 18:1 19:2,3,16,21 22:16 37:11 38:3 38:18 44:7 46:18 66:18 68:2 74:6 78:4 87:14 152:6 152:8,21 170:19 170:20,22 172:19 183:19 184:21 189:17,19 203:10 207:15 218:20 221:21 222:2 224:5,18,22 225:18 246:20 248:16 249:10 250:17 264:7 272:20 274:18 278:1 280:2 281:5 302:8 reactors 20:21 21:7 21:8 22:2,5,9 24:9 37:8,9 46:8 67:5 67:10 76:9 90:21 104:5 156:11 157:12,21 158:17 158:20 159:5,7 160:5 172:19	181:9 183:22 184:17 185:14 186:18 210:5 213:21 221:22 223:19,21 263:12 264:13 269:9,10 272:13 278:20 285:3,14,16,20 286:16,19 295:17 301:10 302:14 read 82:14 96:14 98:17 124:9 134:6 158:13 177:15 180:6 265:11 269:9 275:13 ready 17:15 164:21 235:12 245:22 real 31:4 89:6 121:5 174:6 183:16 228:21 254:4 275:1 realistically 73:13 reality 121:17 205:2 realize 186:3 232:1 271:14 278:7 realized 212:22 realizing 186:8 really 5:21 6:3 7:19 18:9 27:13 31:15 35:1 37:3,21 39:6 40:11 42:6 45:19 46:14 47:3 62:11 79:17 89:20 90:16 94:22 117:20 118:6 122:11 127:21 128:14 141:15 143:2 150:1 187:3 188:5 213:19 217:9,10 220:10 221:3 225:20,22 238:5 267:9,11 271:14 271:21 275:17,18 284:10,13 286:18 304:11,15 308:16 310:19,20,20	311:11 real-life 58:15,17 real-time 190:4 228:13 reason 73:10 74:19 120:16 159:21 161:12 162:13 223:1 241:22 289:18 reasonably 35:17 281:4 reasons 17:21 63:4 107:4 127:13 189:18 205:6 258:17 reassure 75:14 rebuttal 105:2 receipt 304:2 receive 56:1 57:9 59:14 125:5 268:16 received 8:2 28:9 receiving 67:22 173:14 recessed 243:5 recirculated 224:21 reclaim 24:1 reclassify 206:20 recognize 28:15 142:10 188:22 recognizes 205:17 recognizing 255:8 recommend 16:5 27:1 31:22 70:14 138:14 208:12 282:19 285:9 recommendation 26:10 27:17 30:17 35:10 36:12 38:11 69:16,22 70:9,10 71:3,6,17,18 72:6 72:20 73:1,4,7 74:14 75:17 77:13 77:14 78:10 81:11 82:3 112:3,7 123:6 138:12
--	----------	---	--	--	--

188:15 191:2	reduces 90:19	163:1	197:3	75:5 77:6,7,15
198:19 206:6	reducing 70:22	regulated 93:5	relicensing 170:14	79:10,13,15,17
208:5 248:5,14	182:9	115:18 116:1	relief 54:11	83:10,11 85:1,2
257:15,18 285:7	reeling 190:10	122:9 130:14	relies 104:11	96:14 179:12
recommendations	reestablish 108:16	regulating 64:18	religion 305:8	181:14 187:3
3:8 4:7 16:10	reestablishing 80:6	65:14,21	reluctant 132:20	188:8 202:9,14
26:1,3,5 31:22	refer 100:2	regulation 41:8	rely 285:9	203:22 205:17
39:14 44:14 47:22	reference 231:18	78:7,19 116:5	remain 68:9 74:11	206:9 207:14
60:4 74:5 75:1	referenced 238:18	268:3	115:16 199:20	208:12 210:20,21
77:6,10 81:15	299:22	regulations 39:20	302:7	210:22,22 214:8
123:17 168:11,15	referred 189:15	45:12 88:11	remainder 69:13	215:1 219:21
194:15,22 195:11	217:17	216:11,12	80:10	237:9 246:3,17
199:21 202:15	referring 129:22	regulatory 42:8	remaining 18:8	247:15 248:3
208:13 246:7	reflected 198:1	47:8,10 64:16	35:7	249:9,9,11 252:17
247:17 253:5,8	reform 195:12	65:15 69:21 70:1	remains 31:7	253:2,5,9 255:14
263:14 279:3	198:12 199:10	104:11 114:12	remarks 66:15	258:19 259:13
282:11,21 292:5	292:22	115:12,17 116:8	68:12 246:6	263:8 269:9
292:13,16,18,21	regain 24:1	116:14 141:11	250:20 273:21	273:12 279:15
293:19 294:12	regard 216:14	145:5 200:18	300:13 307:10	283:12,19 301:19
301:5 303:6	229:4	201:5 202:2 208:4	remember 12:18	302:17 303:11
recommended 32:4	regarding 69:16	208:9 257:19	17:1 122:21	307:20 308:4,19
35:3 46:16 85:19	70:10 71:3,6,18	Reid 2:22,23 306:7	170:18 172:12	reported 192:7
99:22 202:18	72:20 73:2,4 74:1	306:8,12,13 307:5	175:5 180:12	206:15
recommending	110:1 195:11	reinstate 264:19	279:12 290:8	reporter 133:11
44:9 46:3 47:7	209:22 223:15	reiterate 84:10	remind 192:21	reporting 44:12
282:15	246:22 248:15	262:15 307:21	reminds 137:7	reports 7:12 44:15
recommends 248:4	303:1	reject 191:3	remit 80:8	66:3 96:15 202:8
253:9	regardless 27:2	relate 66:15 69:14	removal 72:17	202:22 232:9
reconsider 262:21	63:14,16 197:19	related 39:1	112:12 159:3	233:2 235:16
record 45:14 75:12	202:16 204:13	relating 199:21	301:7	272:8 308:4
75:16 128:4	257:21 268:5	relationship 133:9	remove 72:5	repositories 71:8
157:15,19 158:4	regards 231:2	133:20 134:2	189:10 199:2	72:16 178:21
158:10,16 164:18	regime 208:9	relationships	removed 252:8	179:4 199:8
recorded 126:6	region 6:17 21:5	182:19	renewables 298:22	200:12
recounted 100:5	30:11 54:5 60:7	relative 195:8	reopened 200:11	repository 27:22
recovering 264:9	187:17	231:17	REP 79:6	29:6 30:2,15 31:8
Recovery 41:17	regional 6:10 40:16	relatively 162:2	repeated 72:3	35:9 36:16 39:21
recycle 213:8,11,14	48:2 49:19 85:18	release 15:19 16:13	replacement	41:6 43:9,12
218:18 219:12,13	255:17 262:10	19:8 25:21 102:20	177:16,18	52:10,20 66:16
recycling 50:14	region's 262:16	174:4 297:12	report 1:4 3:8 6:8	67:18 68:20 69:3
198:5 218:17	regrets 307:13	released 103:4	6:12 7:9,13 10:7,9	69:9 71:9,12,13
277:5 290:3	regular 32:9 83:13	174:1 303:3	10:10,12,16 11:4	71:16 112:13
red 61:12 123:7	98:11 109:22	releases 173:19	14:2 15:18,19	146:2,13 160:20
240:15,15 241:6	156:14	190:6	16:14 25:21 26:4	173:10 177:6
245:2	regularly 206:15	relevant 40:12	31:1 39:15 40:22	180:5 188:19
reduce 219:12	regulate 115:12	258:16	47:19 48:10 49:12	195:8,21 198:2,13
reduced 127:4,6	126:4 150:21	reliance 183:11	50:1 60:3,3,5 75:2	199:12 204:12

219:9 224:4,20	require 36:3 42:15	179:11 226:9	265:5	295:3,14 298:16
225:2 234:2 248:9	45:18 161:19	233:4	retrievable 190:4	richest 272:12
248:12 249:18	196:11 204:15	responders 87:20	198:14 199:12	Richland 169:19
257:4 268:1 284:5	286:17	97:17	return 53:21 54:6	Richmond 58:11
303:14	required 18:8	responding 164:4	54:15,18 179:22	58:12 230:2
represent 86:5	104:10 108:18	response 14:11	284:7	Rickover 180:22
141:20 166:10	202:18	52:15 57:1,6 76:6	returned 37:17	181:6
167:3,6,18 193:18	requirements	82:16 156:18	55:1	Rico 51:1,5
representation	96:18 110:2	231:20 233:8	returning 180:4	rid 119:13 122:3
51:19 52:4 85:15	147:14 163:10	242:16 252:16	reusable 18:4	162:4 289:3
205:8	246:16 303:10	responsibilities	reuse 18:7 66:11	Ridge 56:12 86:13
representative 20:4	requires 259:19	32:1 39:17 40:1	129:22 262:8	87:2,12,14 91:3
51:7,22 228:21	293:17	145:7 297:18	reveal 192:14	95:16 96:4 97:12
representatives	research 38:12	responsibility	revealed 192:15	102:14 105:6,10
54:8 59:10 161:18	43:18 47:15 66:17	30:13 42:12	revenue 206:7	105:12 250:15
178:13 196:12,14	68:1 72:21 74:6	125:17 137:11	review 32:11 44:2	297:5
represented 50:20	77:17 78:2,6,17	196:4,16 208:6	83:12 86:12 91:2	right 5:18 13:18
representing	81:13 91:15	209:15 272:17	123:22 199:6	14:3 15:10 19:13
166:16,20 167:21	173:14 188:11	responsible 22:11	202:20 203:14	20:2,16 22:4
256:18 258:7,8	199:14 200:1	77:16 82:11	248:8 257:19	23:15 28:16 29:22
300:17	207:22 225:18	rest 92:9,13,18	reviewed 49:12	30:20 31:10 34:4
represents 51:10	246:20 248:16	134:21 139:4	reviewing 82:12	36:14 38:5 46:6
reprisal 259:4	249:10 263:12	restart 263:4	revitalized 205:18	49:16,16 51:12
260:7	264:7 272:2 276:6	restore 272:21	rewarded 43:6	52:13 62:5 65:18
reprocess 176:17	276:21 298:10	restored 230:8	re-energization	76:15 83:20 92:19
209:17 215:18	resemblance 270:7	restoring 229:20	121:4	93:14 94:3 95:1,8
219:16	resident 274:13	restricted 200:6	re-looking 159:18	98:12 107:3,8
reprocessed 24:7	residents 182:20	restrictions 197:1	re-racked 153:14	110:21 116:10
223:20	183:14 291:21	197:17 199:6	Ribbon 1:1 3:8	123:10,14 140:15
reprocessing 18:4	resist 187:4	result 19:6 87:9	5:14 6:5 8:13	143:20 150:8
23:1,2 24:1,6 32:2	resistance 84:7	247:6 292:22	10:5 15:15 51:4	151:6 166:21
63:8 67:21 90:17	resolve 292:17	302:10	52:22 53:3,7 63:6	172:19 187:1
99:22 100:6,11,14	resolved 120:2	resultant 63:12	79:9 84:22 88:17	190:17 213:4
172:4,5,22 177:1	resounding 268:16	resulted 41:13	103:18 106:10	215:10 218:2
180:1 188:12	resource 41:17	296:20	179:12 194:14,15	219:16 225:13
191:18 192:6	264:16,18	resulting 36:2	194:21 195:10	226:20 229:12
208:1 211:20	resources 47:7 50:5	67:15 200:7	197:13 198:19	233:19 234:10
216:13 217:14	57:19 58:8 200:6	247:16	199:2,18,20 200:3	241:4 244:22
223:13 224:17	254:1	results 23:6 142:6	200:21 210:7,19	265:7 266:16
226:1,7 227:5	respect 39:19	172:3 192:1	214:8 215:1,4	267:2,7 271:22
234:12 251:1,1	194:21 244:22	resumed 164:19	231:3 234:22	287:19 290:9
277:7,10,13 290:2	260:1	243:5	246:2 250:22	293:20 300:15
290:2 296:8,9	respectful 14:17	resuming 36:7 74:5	257:17 258:17,18	307:3 311:16
302:21 303:5,8,19	204:19	retain 39:10	260:19 261:11	Riley 169:6
request 26:19 58:8	respectfully 71:14	retaining 32:5	263:9 270:19,21	risk 21:18 70:22
127:13 157:14	respond 58:6 87:21	retire 211:9	271:16,21 292:6	81:2 183:12 186:5
161:21	100:17 133:18	retired 181:6 265:3	292:18 293:18	187:15 247:12

302:11	93:19 126:18	safer 2:21 99:16,17	249:1 251:4,5	Scowcroft 17:2
risks 43:16 255:1	160:10 180:18,20	105:9,16,19 143:8	262:14 263:18	scrammed 151:7
275:9 286:9,14	216:22 237:8	279:17 291:8	264:7 274:19	scratch 40:8
294:21 302:13	238:6 240:17,22	294:20 295:6,8,8	288:5 303:2,3	Screven 288:13
risky 289:21	241:1 242:21	safest 148:11	304:1	Screvin 230:2
risk-based 208:9	274:9 300:14	289:14	save 204:3	scrutiny 104:17
Rivard 2:20 245:12	rooms 1:9 238:21	safety 38:19 39:7	saving 71:1	sea 189:22
250:11,11	238:22 240:5	39:12 40:3 43:16	savings 203:22	seat 60:15 61:2
river 22:14,20	241:5,10,12	45:13 46:16 64:8	saw 124:1 155:12	165:4
23:21 24:12 25:13	root 292:19	75:12,15 78:3	179:16 181:15	second 5:16 6:15
56:10 66:10,19,22	roughly 44:1	79:13,17 81:19	saying 78:5 149:10	22:21 30:17 51:4
67:11,14 76:11,20	round 51:4	82:1 93:3,6	161:15 175:5	71:13 94:1 105:18
97:12 98:6,16,22	roundtable 3:12	107:10 109:13	260:11 261:13	122:21 133:6
107:2,6,9 132:1	11:8 66:6 311:1	147:16 155:18	273:7 300:1,1	238:2 248:14
134:18 135:3	route 56:9,20 78:17	161:9,16 162:13	says 155:8 207:14	277:3 301:17
146:7 158:21	78:21 87:22 88:14	162:16,18 163:10	229:8 240:9 281:3	secondary 154:10
169:11 172:1	88:16 95:3	189:3,18 190:15	scale 253:10	155:1
173:16 174:2	routes 96:18 111:6	201:2,4 208:10	scales 177:4	secondly 68:18
177:3 179:7	ruining 129:17	259:20 285:21	Scarlett 137:8	246:19 247:6
182:16 184:13,14	rules 34:9 161:13	286:9 304:22	scattered 242:12	263:17 283:4
226:15 229:22	run 5:9 12:2 14:6	safety-wise 287:4	scenario 58:18	seconds 75:20 93:1
230:1,22 232:1,3	150:8 186:18	sales 305:2,8	schedule 8:16 9:3	secretary 7:13 16:7
234:11 246:21	236:21 307:13	salt 146:21 148:7	scheduled 170:1	16:10 26:1 35:12
249:1 251:4,6	running 31:2 92:22	174:17 221:22	249:1	48:11 202:13
262:14 263:19	run-through 60:16	280:4	school 232:18	230:14,15 282:11
264:7 265:6 266:2	235:22 239:7	samples 156:14,15	251:21	308:6
267:2 274:19	rural 182:20	232:6	schoolteacher	section 12:4,9,11
288:5 303:2,4	185:15	sanction 163:11	265:4,6	52:17 76:6 136:7
304:1	Russia 182:13	Sanders 2:21	science 202:21	205:18 231:16
Rivers 265:9	Ryan 2:25 114:20	245:13 250:4,7	262:21 298:11	238:22 240:20
road 38:1 68:17	R&D 38:17 46:15	252:12,14	299:20	276:3,4
144:12,17,18,22	47:6 73:3 214:18	Sanford's 172:13	Sciences 44:10	sections 14:1 239:3
145:1 186:10		sat 19:20	141:12 174:20	secure 94:20 180:3
209:5 273:11	S	satisfy 198:15	science-based	183:8 189:5
305:20	sadly 186:17	Savannah 22:14,20	195:3,5	208:16 286:13
Robin 13:13	safe 88:7 98:21	23:21 24:12 25:13	science-driven	secured 189:6
robust 230:3,17	104:13,16 136:18	56:10 66:10,19,22	69:18	securely 296:5
rocked 270:2	148:1 160:15,18	67:10,14 97:12	scientific 27:13,14	securing 302:7
rods 183:18 189:7	180:3 183:8	98:6,16,22 132:1	118:5,7	security 1:21 3:21
189:11,20 209:18	191:13 266:13	134:18 135:3	scientifically 71:11	17:3 43:16 44:17
280:9	268:10,21 279:19	146:6 169:11	scientifically-bas...	55:5 78:2,4,6,8
role 39:10 40:15	286:13 297:13	172:1 173:16	191:6	79:5 81:19 82:1
41:2 88:1 168:1,2	safeguarding 191:1	174:2 177:3 179:6	scientist 221:15	97:21 253:11,22
168:3,4 262:7	272:20	182:16 184:12	298:5	254:6,22 255:4
275:22	Safeguards 196:8	226:15 229:22	scope 20:18 25:1,1	286:17 301:15
rolling 46:12	safely 53:21 55:3	230:1 232:1,3	31:19 32:15	see 5:21 8:16 11:19
room 13:13 14:18	75:11 98:19	234:10 246:21	118:21	15:3 21:1 31:12

43:15 50:7,22 52:12 54:13 57:13 57:15 59:5 61:8 77:6 94:18 117:8 125:6 140:16 141:3 142:21 145:17 162:19 167:4 188:9 204:17 212:1 220:4 240:11 241:3 253:4 256:11 261:13 270:6 274:7 279:4 291:11 300:13 307:3 309:7 seeing 48:22 82:4 118:11,12 150:20 154:16 seek 40:11 203:20 207:17 seeking 117:12 seen 147:20 148:19 149:4,5 152:7 171:4 176:3 177:10 189:12 191:16 sees 38:9 125:4 segment 237:9 seismic 301:11 select 51:21 52:2 selection 200:16 self-monitors 232:7 self-reports 232:7 selling 273:2,3 Senate 32:8 50:21 51:13 senator 283:18 send 106:5 307:22 sending 46:5 Senior 17:4 sense 10:2 20:14 24:22 63:10 148:9 178:22 sensitive 304:5 sent 106:18 176:12 224:13 225:6 281:9	sentence 226:14 306:9,10 separate 69:4 255:6 264:2 separately 70:18 70:19 September 53:10 53:18 187:18 sequestration 50:15 series 29:14 serious 79:19 seriously 248:1 serve 17:16 51:22 served 181:20 service 2:8 4:15 96:10 201:19 260:2 261:21 services 101:4 259:9 serving 209:8 session 9:12 12:18 62:1 165:6,14 267:21 290:22 309:21 311:11 sessions 13:4,15,17 237:3,4,19,20 239:10,15 241:15 242:15,20 308:14 308:14 309:6 set 14:10 16:9 25:22 29:2 31:17 39:18 44:14 56:3 56:17 105:22 119:7 146:17 207:4 241:7 setting 29:3 205:7 set-up 119:9 seven 26:5 39:3 67:5 73:4 74:14 75:1 158:17 170:22 221:1 Sewell 2:23 96:9,10 138:7,8 145:13,13 155:5,5 shaking 154:17 shallow 170:16	171:1 share 7:9 33:1 49:10 201:8 208:6 304:7 shared 179:18 290:16 sheet 238:1 Sheffield 169:17 Shelby 103:5,10 Shell 184:2,3,9 shielding 19:16 198:5 shift 294:3 shifting 196:16 ship 28:20 253:17 shipment 28:10 55:5 59:12 78:20 88:12 shipments 45:14 52:9,19 54:22 55:3,15 56:15 59:9 87:1,7,11 88:14 103:8 144:20 shipped 148:17 shipper 106:18 shipping 43:9 78:13,15 94:18 95:9 137:18 286:6 Shippingport 181:3 ships 22:6 short 15:11 62:13 119:21 152:12 154:21 174:5 232:15,17 244:16 292:7 296:12 304:17 shortfalls 218:6,8 shortly 245:14 304:16 shorty 226:5 short-sighted 263:20 short-term 35:3 183:12 show 56:9 203:12	221:19 265:17 273:11 showing 50:17 173:17 shown 48:6 147:20 shut 12:12 24:9 37:9 132:6 295:18 shutdown 21:6 151:8 264:17 shutting 225:17 shuttles 261:17 shut-down 46:8 side 18:20 34:15 145:11 240:16 288:6 Sierra 1:18 4:8 131:4,20 165:18 166:9,11,12 167:2 sight 176:11 sign 133:8,14 237:5 237:10,15 signals 244:19 signatures 167:1 signed 12:15 167:6 237:13 244:5,7,12 significant 22:13 33:1 168:2 194:10 significantly 44:5 310:19 signs 15:4 sign-on 166:21 sign-up 12:8 silver 38:14 similar 21:17 118:4 219:18 223:17 296:18 similar-looking 23:17 simple 129:4 simply 59:7 63:10 150:10 153:22 228:7 279:22 simulate 58:4 simultaneously 78:15,22 single 95:6 101:4 110:12 273:15	single-purpose 70:11 singularly 278:12 sinks 122:5 sir 158:6 233:14 sit 19:19 185:3,4 site 22:13,14,15 23:22 24:3 25:13 25:15 31:5 35:8 38:3 40:9 42:19 48:19,20 54:20 55:14,16 56:12 66:10,19 67:14 78:4 82:21 83:4 83:17,21 86:18 87:13 97:3,3 98:7 99:1 100:8 108:7 114:3 115:21 116:5,15 128:17 128:22 132:1,12 134:18 135:3,8 142:3,17 146:18 146:18 153:22 154:1 160:15 170:10,14 171:15 172:1 176:22 177:3 178:12,20 179:7 182:16 184:1,3,13 189:17 189:19 190:2 194:20 195:18 200:15 203:14 204:12 226:15 233:2 234:11 246:21 251:4,6 256:20 262:14 263:19 264:8 271:20 274:19 282:15,19 286:13 289:17,19 302:19 303:2,4,18,20 304:1,8 sited 116:6 183:15 sites 19:22 20:1 21:7 22:21 27:7 37:8 43:11 46:8 67:6 82:18,20,22
---	---	--	--	---

100:19 132:18	68:14 176:6 206:4	43:5 92:12 292:9	262:12 270:1	114:13 120:11
147:12 168:17	skills 39:1 199:17	295:4,20 311:5	300:19 304:6	202:11 238:12
169:15 173:18	skip 26:6 190:17	solved 311:8	southeast 60:7	263:14
183:19 204:10	210:18 212:17	solving 275:16	135:6 179:21	specifically 34:20
268:2 272:21	sky 261:18	292:7	185:1 187:21	53:6 70:7 73:16
273:8 274:18	slide 58:19 210:11	somebody 97:18	southeastern 146:4	74:8 107:12
302:8,10,14 303:2	211:4 212:2,17	156:4 250:8 283:6	southern 1:22 2:6	115:14 128:22
303:21	213:2,18 214:7,22	somebody's 176:13	3:10 4:12 6:19	158:8 221:18,20
site-independent	216:10 217:11	somewhat 153:10	8:8 11:6 50:9	251:5
40:3 200:15	219:3,8,13,20	180:12	54:5 57:1,16	specifics 18:12
site-specific 81:9	slides 62:12 124:19	son's 265:9	85:18 86:5 185:1	77:19
siting 26:9,11,15	210:12	soon 37:3 59:3	193:5,6,9,19,22	spend 26:6 121:1
27:7 30:16 43:1	slippery 264:16	295:18 311:18	194:5,13,17 195:3	spent 19:19 20:7,19
63:19 64:19 69:18	slope 264:17	sooner 70:22	195:7 196:2	21:9,18,20 22:10
71:13 72:10 80:2	slow 192:17	sorry 94:15 99:14	197:12 198:7,11	31:21 43:8 44:6
84:2,10 89:2	sludge 174:17	180:11 223:9,9	198:18 199:1,13	44:17 46:20 52:9
125:18 146:7	small 18:16 56:15	233:3,15,17,21	199:19 200:2,13	53:21 76:12 77:3
149:19 195:1,8,16	70:15 122:8 166:5	250:9 273:17	200:17 272:11	78:3,14 79:22
199:8 200:10	264:13	sort 31:11 38:8	so-called 268:10	87:13 88:14 92:17
204:14 214:11	smaller 70:20	39:13 47:15	space 261:17 284:6	143:7 145:4 154:3
238:16 280:21	smart 185:11 218:3	234:21 277:11	284:7	154:5,10 157:2
282:17 301:2	219:17	304:3	speak 12:10 70:1	159:4 176:20
303:10,12,16	smartest 295:19	sorts 25:18	104:22 116:3	180:8 190:12
sits 184:4	SMRAP 57:17 58:5	sought 25:5	131:16 132:19	198:10 203:10
sitting 24:11 85:9	Social 272:17	sound 86:15 201:11	133:2 179:11	204:5,9 209:7
103:5 152:8	societies 258:9	sounds 75:3 91:19	183:20 184:5	215:12 235:10
254:12	Society 252:16	source 130:4	202:5 221:6	250:14 252:7
situation 46:19	258:10	292:10	236:17 245:7	257:3 263:13
58:9,15 108:9,17	soil 171:14	sources 130:5	252:15 290:7	271:13 272:5,19
122:15 131:18	solar 236:12	south 1:18,23 3:15	295:13 299:8	283:1 301:7,9,19
149:15,20 153:17	288:20	3:15 4:8 55:2	310:13,15	302:7,8,11 303:5
173:13 222:3	solely 30:19 80:2	60:19 66:1,2,5,7	speaker 231:17	304:3
279:21	SOLICIT 1:4	67:1,12 68:11,14	speakers 8:22	spent-fuel 18:3
situations 191:12	soliciting 47:21	68:22 74:10,12	11:11 165:7,8,13	spoken 221:5
six 38:11 72:20	solid 24:18 27:12	94:16 96:12 98:3	310:22	273:16 304:16
77:14 110:12	46:15 222:18	111:17,22 112:14	speaking 53:15	spot 51:12
132:4 169:14	solidified 23:7	112:20 113:11	111:20 112:5	spread 274:17
192:8 193:10,16	solidify 280:5	114:4,6,7,14	113:8 119:6 165:3	spring 76:19
219:11 220:22	Soloman 2:22	118:17 131:3,19	165:10 201:19,22	square 135:4
size 18:16	306:7,8	141:19 157:8	245:8 256:22	SRS 67:14,19,22
Sjoden 2:2 4:17	solution 38:9 42:17	158:16 159:4,8	274:11 282:7	68:3,9 69:15
201:14 209:1,2	53:1 91:4 120:1	166:5,9,18 167:4	287:13	71:20 72:4,5,19
223:8,9 224:10	127:1,15 191:7	167:19,22 169:9	special 252:22	73:12,15 74:18
225:4 226:11,19	218:4 296:14	173:1,5 177:17	302:19	97:3 113:19
233:22,22 235:1	solutions 69:8	182:16 193:12	specialist 88:9	118:19 262:8
236:4,10	217:9	223:8 230:18	specific 26:16 64:8	SRSCRO 262:9
skeptical 63:18	solve 30:13 42:13	232:2 246:5 262:5	73:1 77:9 95:13	SSEB 3:4 86:9

SSNFM 211:22	245:19,21 268:10	181:4 199:9	209:13 216:14	42:19,22 43:8,13
St 22:16	288:19 311:6	204:17,18 205:13	224:3 227:19	43:18 44:17 46:21
stabilize 264:2	started 5:8 24:14	207:1 222:18,19	268:2 292:2,20	53:8 64:10,21
stable 77:16 80:16	36:7,10 46:4,9	229:3,12,18	293:12 298:5	70:12,21 71:19,21
147:6	57:4 61:9,10 84:5	230:16 231:16	305:2	72:9,13,17,18
stacked 20:12	89:9 119:15	232:2 274:14,17	statewide 291:15	76:12,14,21 78:3
stacking 189:7	164:11,22 169:11	278:3 280:2	state's 84:7 112:22	78:12 81:2,3,18
staff 1:19 3:9 6:9	244:4 272:1	283:15,16,18	125:16	85:8 91:1,12
8:13,13,19 15:14	starting 20:1 76:13	286:1 304:6	state-level 115:3	94:20,22 112:4,16
31:22 51:15 79:9	152:11 169:10	stated 74:4 215:4	stating 68:12	113:17,20 114:4,9
88:8 145:17 182:5	248:21	217:12	Station 76:11	114:14,15 115:1
194:7 242:11	starts 29:3	statehouse 167:17	301:11	115:20 127:3
260:19 307:18	start-up 277:21	178:11	status 263:19	137:18 142:2,10
310:2,2 311:15	state 1:17 3:12 4:2	statement 50:11	264:20	143:1,4,7,14
staffed 52:6 264:21	6:10,16 9:4 24:4	54:4 74:7 104:10	stay 169:7	144:6 145:4,8
stage 60:14	40:15,16 41:2,16	121:9 157:11,17	staying 173:1	153:7,8 156:20
staged 27:10 195:1	42:11 43:4 45:21	158:11 167:1	304:11	159:17,18 160:1
stages 268:8	46:6 48:2 50:21	202:14 206:5	steam 103:13,15	160:14,15,17,21
stakeholder 196:13	51:10,20,21 55:2	246:8 258:11	steel 18:17	161:1 168:12,16
205:10 246:11	57:20 58:7 59:10	278:9 281:2,7	steer 241:12	176:9,9 178:19,19
stakeholders	59:18 60:9 64:19	statements 177:15	step 16:12 43:4	179:3 188:17
186:22 195:22	65:4,10 68:22	249:22 259:7	67:8 285:11	189:15,21 190:4
251:16	69:4 74:13,16	279:9,15 281:14	Stephanie 1:16	191:4,10,11,16
stamped 260:13	75:17 76:6,8,10	states 2:6 3:10 6:19	3:22 60:18 82:7	195:12 196:4
Stan 2:8 4:14	76:10 77:14,15,18	8:8 11:6 16:5	Stephens 2:22	197:22 198:6,9,14
201:14,17	78:16 79:6,11	19:22 20:8,22	287:10 290:11,14	198:20 199:4,8,12
stand 91:5 220:5	82:18 83:17,18	21:3 23:18 25:6	steps 4:21 17:14,18	199:21 200:4,8
standard 79:16	84:3,15,18,21	25:10,19 26:12	35:3 46:11	203:16,18,21
80:11	85:15 86:5 87:3,7	40:20 41:7,15	stewardship	204:2 206:9
standards 27:13	87:16,18 88:3,4	42:7 45:15 46:10	186:14	207:10 214:20
40:4,7 45:11 81:6	88:13,16 91:10	50:10,18,19,22	sticker 270:5	247:17 249:3
81:19 118:6,7	93:7,9 95:17	52:18 54:8 55:22	stipulations 112:10	251:8 252:7,9,10
194:19 195:2,5	97:22 98:15 101:2	56:3,18 57:13,14	stockings 129:17	253:20 255:22
196:10 200:15,21	102:16 104:9,11	58:3 59:16 60:12	stockpile 172:11	256:4,6 268:11
201:2,4 208:7	105:7 106:1 109:1	62:20 65:11,15	stood 278:2	271:20 273:6,13
234:2,9,16,20	109:8,10 110:9	69:20 70:2,5 74:3	stop 34:13 90:2	283:20 284:1
standards-based	111:21 112:15	79:14 84:11 85:18	175:7 187:7 245:3	286:4,5,14,19
69:17	114:10,11 115:6	85:20 86:5 91:5	270:20,20 285:12	289:2,12 296:13
standing 28:19	116:1 125:10,14	92:20 97:10,15	285:15 292:11	301:2,16 302:6,14
164:3	133:2 135:15	104:6 115:4,10,11	295:16 311:6	302:16 303:13
stares 162:19	156:9 161:14,18	116:13,22 125:19	stopped 276:21	304:21 305:13
start 40:7,8 62:6	162:10,14 163:9	145:19,22 146:4,5	stopping 292:10	storage-only
85:6 109:1,2	163:10,13 166:21	150:4,22 159:5	stops 209:4	198:12 199:11
131:21 136:3,6	167:19 169:3	162:22 168:17	storage 18:1 23:13	store 142:18
137:1 147:8	170:8 173:7,9	171:21 173:3,4	24:11,13 28:22	160:16
152:15 167:14	174:22 175:8,9	195:20 200:7	31:20 36:13,19	stored 66:19,22
220:19 245:9,16	178:4,6,14,16,17	201:9 207:7 209:7	37:4,14 38:2 41:6	204:5 223:21

225:2 246:21 249:2 stores 71:22 storing 46:19 67:6 storm 155:17,21 188:4 story 44:4 267:1 straight 242:19 straightforward 136:16 stranded 37:6 strategic 303:3 strategy 4:14 11:22 16:5 169:3,4 172:14,15,16,17 195:9 205:15 208:17 stream 125:6 227:11 290:4 streams 18:8 36:2 188:14 191:20 192:7 206:7 stressed 140:8 stretch 257:10 strive 65:13 stroke 173:3 strong 27:20 75:17 80:22 87:15 114:11 190:12 215:2 285:20 stronger 159:11 strongest 37:5 strongly 142:22 structure 231:5 stuck 175:3,3 student 114:21 students 211:6 225:21 226:7 228:2 studies 134:1,5,7 134:17 141:10 146:20 174:6 235:7 Studsvik 101:5 103:11 104:6 study 55:11 78:21 88:18 135:20	141:13 219:4 226:2 studying 278:21 stuff 20:13,20 37:12 122:2 132:5 136:21 137:9 147:22 160:20 179:1 213:1 214:21 227:8 289:4 subcommittee 53:9 96:14 202:8 278:11 308:4 subcommittees 53:8 subcommittee's 7:12 subject 98:3 subjecting 196:22 197:16 submarines 22:5 submit 157:14,18 158:4,6,10,15 191:1 269:1 308:8 submittal 32:9 submitted 246:9 302:1 subsequently 260:22 subsidiary 193:6 subsidies 266:15 subsidizing 288:19 288:20 substance 275:2 substances 275:7 277:1 substantial 43:3 substantively 233:20 sub-grants 56:2 success 45:16 56:16 123:2 205:18 successful 4:14 55:8,21 56:7 84:19 205:14 253:17 263:6 successor 207:3	succumb 138:16 sucking 142:5 Suddenly 270:3 suffered 291:3 suffering 100:7 102:2 sufficient 93:10 suggest 70:7,14 72:12,22 85:5 127:21 138:21 231:4 268:6 suggested 81:17 suggestions 10:9 219:21 suing 170:5 suitability 195:18 suitable 180:8 190:2 249:3 264:4 suited 80:1 sum 303:6 summarize 112:8 202:10 246:6 258:13 301:3 summary 4:22 47:19 181:12,14 239:10,11,12,16 240:1,12 275:14 275:19 308:13 309:5,15,16 summer 158:19 215:16 sums 276:6 sun 136:13 Sunday 305:2,7 Superfund 82:17 100:8 supervisor 76:1,5 super-user 59:14 supply 276:1 support 23:3 27:21 46:21 47:14 72:6 73:8,21 77:17 80:22 89:15 93:8 107:7 125:8,18 127:13 129:3 142:1 145:16 146:5 168:10	178:18 179:3 204:14 205:6 207:21 208:16 253:10 257:3,3,11 257:11 264:10 283:10,14 supported 135:20 203:5 248:17 supporter 126:19 supporting 114:15 185:15 262:10,10 supportive 128:19 supports 55:15 130:19 195:3,14 196:2 199:1,13 supposed 106:2 121:3 164:9 170:2 172:14 206:1 230:12 supremacy 247:4 sure 55:20 83:8 88:10 94:22 103:2 103:8 119:16,22 144:7 190:3,5 208:3 225:7 239:19 242:3,6 247:13 250:2 306:5 308:11,17 311:15 Surely 185:9 surest 247:9 surface 22:6 156:15 surfaced 234:3 surplus 206:2 surprise 39:4 surprised 113:7 135:16 159:10 223:10 surrounding 32:2 109:6 141:13 156:9 288:4 surrounds 156:13 Survey 102:20 297:11 survive 117:20 survived 89:14	surviving 289:6 Susan 1:18 4:8 131:2 135:13 164:12 165:18 166:8 suspected 174:8 suspended 249:7 Sustainability 265:21 sustainable 211:16 213:3,3,5 224:12 297:20 Sweden 25:17 28:20 29:2 Swedish 28:17 swim 265:10 symbol 270:9 symposium 211:15 224:13 symptoms 292:14 292:15,17 295:4 syndrome 131:10 system 45:11 59:7 63:1 75:13 103:1 156:9,12 193:20 214:5 224:22 296:19 systemic 292:22 systems 47:2,4,16 98:1 126:2 152:1 S-E-S-S-I-O-N 244:1
T				
table 60:15 61:2 146:9 165:18 250:1 270:9 298:22 tackle 14:21 TAD 138:1 142:8,8 TADs 137:22 138:6 tag 138:9 240:16,19 242:1 266:14 tags 12:20 take 8:11 11:17 12:3,6,14 14:4 16:3 20:13,17				

26:22 31:16 39:16	237:18 311:3	199:15,16 207:16	297:10	137:11 159:14
43:12 45:22 58:6	talked 97:19 130:2	253:12 276:7	tens 222:22	164:2,6,15 165:21
64:2 77:7 84:1	130:2 171:22	278:1,4,6,19	tense 52:12	165:22 179:7,10
91:6 100:21,22	228:16 278:3	279:10 281:5,14	tension 40:18	186:7 192:20
103:12,14 106:11	talking 30:3 46:9	technology 2:3	tent 45:20 74:22	201:12,13 202:4
115:8 120:8	62:11 69:20 103:8	4:18 35:15,16	teratogenic 174:8	208:19 220:7,8,9
127:21 131:22	105:3,13 107:13	38:22 46:18 47:13	term 35:5 119:14	220:12 221:10
142:18 152:12	110:22 115:19,20	86:15 190:19	119:21 181:15	223:2,4,6 224:9
156:13 159:10	128:13 130:9	209:4 217:21	183:14 259:13	228:5 231:12
164:8 165:19	151:20 152:2	254:2 279:17	277:7,12 279:11	233:18 236:14,19
169:20 170:21	159:21 169:13	293:4 295:22	283:21 296:12	237:16 245:17
172:16,20 175:16	172:12 222:12,20	300:6	297:18 301:18,21	246:1 249:14,18
180:14 186:20	226:22 228:19	Tech's 210:16	302:3,4	249:20 250:3,10
189:4 194:16	235:2 266:9	tell 55:20 92:12	termed 259:5,8	250:18 252:10,14
195:21 201:22	268:12 272:11	98:5,22 107:9	terminology 17:11	256:6,8 257:22
204:16 212:7	284:13 311:17	111:3 130:3 135:4	terms 35:14 57:11	261:21,22 264:21
218:11 219:18	talks 48:4	204:4,8 232:9	58:15 69:12	264:22 267:16
226:21 232:6	tank 99:7 172:3	240:13 260:5	104:18 119:5	269:15,17 270:11
238:8,9 240:14	174:14,18 175:15	267:1 269:20	228:22 232:21	274:6,10 277:13
244:6,10 254:8	226:14 227:15	311:9	233:2 234:17	277:15,18 281:14
256:1 260:14	tanks 172:9 174:14	telling 42:1,5 86:17	254:2 284:9	281:16,19,21
268:11 270:10	175:1,14	137:3 158:12	Terrance 60:22	284:15,17 287:8
273:8 274:1	target 112:20	tells 32:22	79:3 124:15	287:14 290:9,10
298:20 304:10,13	targeted 96:12	temperature	terribly 133:17	290:15 291:7
305:17 306:3	139:2 155:7	153:21	terror 183:21	294:6,16 295:5,6
309:13	task 8:18 58:18	temporary 91:12	187:16	295:12 298:1
taken 17:19 46:11	187:4 189:11	temptation 176:17	terrorist 261:8	300:9,10 304:8,9
49:3 92:16 97:5	192:4 199:18	ten 21:6 37:8 46:7	301:12	305:22 306:2,11
101:13,22 107:10	278:8 279:11	tend 17:12 19:10	test 209:15	307:4,5,6,11,16
154:13 196:8	tasked 80:18	133:8,19 135:9	testified 252:18	308:21,22 309:22
215:21 234:14	tax 184:8	142:4	testimony 49:2	310:2,2 311:14,16
236:2 254:10	taxpayer 33:2	tends 169:7	53:7	thankfully 156:3
293:15 300:4	272:11	Tennessean 296:15	testing 209:22	thanking 7:15
303:20 307:7	taxpayers 71:1,2	Tennessee 2:4 4:4,5	264:11	thanks 93:15
taker 91:14	team 107:16	56:12 60:20 86:3	tests 143:16,17	113:11,12 231:8
takes 7:17 247:2	265:21	87:8,17 88:4,5,5	Texas 1:17 4:2,2	252:11 258:1
talk 11:5 13:16	Tech 211:17	88:16 91:3,20,21	60:21 84:15,19	274:1 287:7 290:6
15:5,17 17:8,12	225:18 232:18	96:4 97:1 99:18	thank 5:12,18,20	300:21 307:6
17:22 21:10 22:21	technical 86:14	100:18,22 101:1,3	6:3 8:4,12,19,22	308:10,20
26:14 27:11 33:4	89:18 195:18	101:6 102:5,19	9:6,12,13,14,19	Thegerstrom 28:16
40:14 43:7 76:2	197:21 203:6	104:1,8,12 105:2	59:21,22 65:21	theory 160:2 210:2
96:17 123:11	227:8	105:6,7 106:4,6,8	66:1 75:19 84:13	thereof 195:17
132:5 135:18	technically 235:14	106:17 107:2,5	93:13,14 104:21	thermally 19:15
145:10 154:16	technicians 221:13	135:19 139:7	111:12 114:17	thin 189:6
170:4 171:19	technological 198:4	250:15 265:6	116:17,19,20	thing 120:7 131:6
210:16 211:1,2	technologies 36:1	266:2 295:9,10	120:5 127:17	133:6 138:16
228:22 232:14	38:18 47:2 198:6	296:20 297:3,6,8	129:12 130:5	142:11 150:16

160:22 163:13	123:12 124:18,19	thoroughness	128:2 132:13	201:9,19 202:5
190:21 212:9	125:8 126:18	88:20	140:5 141:22	210:11 222:6
234:20 278:16	130:21,21 131:16	thought 89:8	144:1 146:7	246:4 256:22
281:3 284:14	132:15 135:9	112:18 119:6,15	152:12,14 164:1	262:7 271:4
289:3,14 305:3	136:3,4 140:2,7	161:19 250:7	171:12 176:15	276:13 307:12,17
306:9	146:10 147:19	308:15 311:10	190:20 193:2	308:11,13 309:1
things 23:17 30:22	152:14 159:17	thoughts 8:3	204:16 220:7,18	310:1,3,11,14,18
33:5 39:14 41:1	161:9 165:1 170:5	126:17 201:8	222:8 234:15	today's 6:20 63:22
41:11 44:22 47:2	170:17,22 171:3	226:1 238:4,6	235:18,21 236:17	64:1 295:11
50:5 52:12,14	175:20 177:21	239:14 308:1	237:5 242:1	told 20:6 102:22
55:17 58:20 60:6	182:3 187:2	thousands 185:19	244:10,12,17,19	120:18 136:15
63:7 65:12 77:7	188:20 189:16	222:22	252:21 256:6	184:10 185:22
89:4,20 91:16	216:9 222:19	threat 180:1	269:21 273:17	210:12 222:6
93:13 97:1,7	223:4 225:22	288:22	283:1 295:22	231:20 268:7
107:4 109:15	226:3 229:1,4	threaten 132:9	296:5 299:9	309:4
119:3 128:12	231:2 234:5,19	threatens 197:5	304:12,15 305:5	Tom 2:13,21
132:19 133:9	251:1,8 252:5	threats 293:13	307:7 308:2,11	111:14 113:12
139:13 149:14	255:2 258:16	three 13:21,22 14:1	309:8 310:17	157:6 220:20
150:18,21 153:13	259:10 265:12,12	33:21 71:3 96:14	timekeeping	223:5,6 245:13
153:17 155:20	267:15 271:18	99:20 108:20	256:11	250:4,10 252:11
168:8 170:6	273:14 283:13,20	115:4 138:4	timeline 77:12	256:8 298:2
173:12 174:8,10	284:12 285:5	152:13,13,16	timelines 77:9	300:10,16 304:9
174:12 176:5	288:14 289:13,20	180:2 193:10	timely 79:10	tomorrow 36:9
209:16,22 216:15	294:11 297:17	220:22 238:11,12	271:21	43:9 137:10
228:11 240:10	299:9,12 303:10	239:3 241:18	timer 61:6 75:3	ton 227:7
252:3 255:9	305:16 306:21	244:14 267:21	91:19	tons 20:7 102:12
261:20 265:11,12	307:1 311:4	268:4 294:17	times 43:10 113:19	297:4
275:20 276:8,9	thinking 130:3	299:1	121:14 139:3	tool 249:4
278:21,22 281:11	141:22 185:12,13	three-quarters	153:15 192:8	top 19:13 23:11
284:22 285:6	191:17 238:15,17	20:15	259:14,15 260:21	31:13 75:1 103:6
288:1 300:3 301:3	255:3	thrown 89:3	280:17 309:4	235:8 301:12
309:19,20	thinks 27:6 39:9	throw-away 278:9	timing 206:21	topic 5:22 9:9
think 7:19 10:17	46:14	thunderbird 270:8	245:22	69:10
15:9 28:9 32:18	thinning 272:19	Thursday's 166:14	tip 18:17	topics 66:13 241:18
35:4 39:15 40:20	third 6:18 48:1	tidal 149:17	title 50:8 53:19	tornado 148:18,21
40:20 42:6 44:5	102:4	tied 120:13	155:8 273:8	151:6 152:9
44:16 47:17 49:13	third-party 207:6	tilted 177:4	279:12	266:22 267:7
59:5 63:22 65:19	THOMAS 2:24	Tim 1:14 8:19	today 5:6 7:1,10,16	tornadoes 107:16
77:1,3,21 78:22	310:7,10,13	time 9:2,8 12:14	8:4 9:2,8 10:3,7	108:4 289:11
89:2,10 90:16	THOR 104:7	15:11 16:19 26:6	10:22 15:11,18	total 32:19 143:21
91:4,16 92:18	thorium 221:18,21	43:14 46:1 61:12	16:15,17 17:7	193:19
95:4 96:11 97:9	222:2,15,17,18	61:14 77:8 84:12	20:8 27:5 35:16	totally 149:16
98:2,9 100:14	250:17 280:2	89:7 91:18 93:1	47:5 66:14 69:12	touch 66:14 116:11
101:12,19 106:21	thorough 79:10	98:14,18 108:11	84:17 96:22	153:18
115:1 116:2,12	85:1	108:15 109:16	136:10 137:10	tough 14:21 279:4
117:6 121:6,8	thoroughly 269:4	119:12,18 122:4	166:10,16 167:21	town 131:10,17
122:10,11,21	275:16	126:11 127:22	184:3 186:11	166:5 225:19

toxic 268:18 290:4 291:19 297:21	144:11,13,14 145:5,8 148:2	232:15 233:7	two 21:19 29:4,7 54:17 67:7,9,11 70:10,16 76:9 82:18 94:8,8 99:22 103:5,9,13 115:4 151:16 152:12,16 156:11 158:20 165:2,2 171:20 173:3 175:20 180:1 194:2 220:22 234:13 238:9 246:18 256:12 258:17 261:5 268:2 274:18 285:16 299:1,7 300:3	underpinnings 27:14 underscore 196:15 understand 68:18 73:6 91:10 121:18 122:13 124:19 125:22 140:19 158:14,15 175:15 183:16 202:12 222:17 288:7 291:4 299:11 302:3 understandable 207:19 understanding 14:21 153:9 208:1 288:3 290:2 understands 298:17 understood 135:10 undertaken 194:10 undone 203:6 unequivocally 68:22 unfair 204:2 unfolding 190:10 unfortunately 34:8 124:7 146:14 unhappy-looking 29:11 Unicoi 101:5 unimaginable 296:6 unique 67:1 76:16 212:9 unit 41:21 91:22 151:17 Unitarian 135:14 United 16:4 19:22 20:8,21 21:2 23:17 25:6,10,19 26:12 45:15 62:20 74:3 92:20 145:19 145:21 146:3,5 150:4 173:4 195:19 200:7 201:9 209:7,13
track 59:8,12 61:7 88:12 202:7	156:21 189:18 238:17 256:3	truly 68:15 230:20 276:22 278:9 297:20		
tracking 59:7 98:1 112:14	280:21 286:14 302:13	trust 80:6,10 117:11 121:13 124:16 140:14 207:2,5 261:20 272:21 290:19,22		
trade 272:3	transportations 278:21	trustworthy 259:3 260:10	two-fluid 222:3,3 type 92:4 97:4 116:13 144:4 155:19,20 305:8 305:11 types 25:9 58:7 107:14 259:4 263:15 294:14 typical 209:6 210:1 typically 18:19 23:7,9 T.D 1:21 3:20	
traditional 213:20	transported 75:11 97:14	truth 136:16 137:3 268:6		
traffic 76:17,18	transporting 147:22 251:9 289:16	truthfulness 260:15		
train 59:15 87:19 210:3 211:7 218:11,12	transports 97:20	try 14:20 107:5 126:7,9,12 140:4 145:20 162:4 221:9 225:10,14 231:10 239:22 250:5 309:8		
trained 72:1 97:16 298:6,10	transuranic 28:4 55:12,16 59:1 86:8 87:10,11	trying 13:8,9 90:1 90:12 91:20,22 95:18 113:22 120:19 127:19 172:7,8 174:11 211:6 230:8 242:8		
training 52:16 56:5 59:14,15 93:9,12 211:13 299:14	transuranics 103:21	tsunami 157:11,21	U	
TRANSCOM 59:6 59:7,12 88:13	trash 269:5	tubes 18:17	UK 23:16	
transfer 72:4 198:21 302:12	trashing 269:14	TUESDAY 1:6	ultimate 36:17 64:20 198:22 276:10	
transferred 206:17	traveling 8:16	tunnel 203:14	ultimately 28:22 36:16	
transition 56:22 208:11,13	treasure 74:15	turbine 37:12	unanimously 177:20	
transparency 195:4	Treasury 33:18	Turkey 189:21	uncertainty 44:3	
transparent 27:12 69:17 106:13 195:2	treated 24:19,21 73:16	turn 5:17 61:11,12 128:15 156:2 165:17 245:6 256:12 307:9 309:9	undergird 276:10	
transport 28:21 45:6,12 147:18 191:14 210:2 289:19	treaty 209:16	turning 23:12 160:22	undergoing 104:18	
transportation 31:20 45:3,22 46:10 50:16 51:15 52:7,9,15,20 53:9 53:12 55:7,12 59:11 64:9 70:12 74:21 75:6,18 78:11,18 82:4 84:20 85:13,16 86:6 87:16,22 88:2 95:2 96:18 97:6 98:4,8,10,21 127:6 138:1 143:4 143:15,19,22	tremendous 266:3	turns 125:13 245:2 256:11,13,14	undergone 104:17	
	trenches 170:16	TVA 111:2 139:2,3 139:8,11	undergraduate 211:5	
	Triay 230:14	twice 179:1	underground 28:3	
	tribal 42:11	twisted 226:17	undermines 276:17	
	tribes 41:7 42:8 268:2			
	tried 27:1 89:13 150:9 170:10 175:8,8,9 180:13 295:20			
	tritium 155:13 156:2,22 171:11 173:20 174:1,4,7 232:14			
	Trogstad 2:25 114:20,21			
	trucks 175:7			
	true 132:12 192:13 211:1 219:3			

216:14 224:3 227:19 292:2,20 298:5 units 45:21 193:10 193:16 278:11 unmanageable 43:16 unnecessarily 247:11 unnecessary 286:8 293:5 302:12 unrealistic 74:1 unresolved 228:3 unsuccessful 278:12 unsuccessfully 295:20 unsuitable 189:19 unsuited 176:8 unthinkable 188:2 upset 100:10,11 150:17 231:6 upwards 203:9 uranium 17:15 18:5 19:7 24:2 83:6 87:3 180:14 213:8 253:19 264:9 300:5,8 urban 182:20,20 urge 41:3 44:22 110:8 262:20 urged 181:8 203:19 urgent 54:11 urges 74:13 use 29:1 47:12 73:2 81:20 87:20 90:18 115:13,14 120:15 120:18,19 124:22 129:22 150:14 189:8 200:8 204:20 207:11,21 214:5 249:12 273:4 275:3 277:1 277:5 283:20 284:11 301:20 306:17 311:12 useful 44:20 292:13	usefulness 248:2 user 205:20 users 59:9,12 uses 28:20 37:18 59:8 107:14 195:15 197:11 259:13,14 Usrey 2:4 4:5 60:21 86:1,2 93:3 95:16 96:5 105:1,11 106:16 123:14,20 129:11 130:7 135:19 139:6 144:10 146:19 160:17 USSR 121:19 usually 58:3 Utah 85:10 utilities 67:7 161:22 207:3 utility 160:19 163:15 184:7 197:14 202:2,3 207:1 236:5 272:12 utilized 190:19 U.S. 21:16 27:18 37:2 39:9 46:22 83:1 145:5 181:1 200:4 214:10 215:3,8 216:11 217:3 218:16 247:12 253:9,16 253:20 285:9	vantage 116:22 various 80:20 86:21 87:1 147:16 162:3 209:20 228:15 vehicle 88:3,6,10 88:15 303:7 ventures 188:12 192:15 venue 69:4 verifying 81:22 versed 124:1 versus 238:13 247:18 vessel 280:4 vessels 170:19,20 171:1 veto 204:18 viability 115:2 197:6 viable 86:17 117:17 118:9 130:21 218:5 vice 4:12 17:1 193:4 Vicky 1:13 3:3 5:12 5:17 6:4 8:8 9:14 9:15 194:8 video 49:1 view 14:19 42:2 213:4 219:14 viewpoint 211:3 views 7:21 14:18 166:17 179:18 vigilance 37:19 violence 182:10 Virgin 51:1 Virginia 1:21 3:19 3:20 56:19,19 58:11 60:22 79:4 virtually 154:22 296:3 visible 76:17,22 vision 80:17 visit 25:12 visited 25:16 96:16 vital 81:12	vitrification 67:17 vitrified 24:10,13 67:16 263:10 vitrify 172:16 vitrifying 23:11 vocal 126:19 Vogle 158:20 184:4 193:11 194:3 285:4,17 292:4 voice 124:11 251:17 voices 188:21 273:7 void 195:19 volume 20:8 70:15 70:20 144:5 192:8 219:12 volumes 172:5 volunteer 16:18 182:4 vote 51:5 278:15,15 voted 178:12 vouch 133:21 Vrain 22:16 vulnerability 301:9 vulnerable 159:12 190:13 249:5 271:15 V.C. 158:19	154:2 155:7 156:1 157:10,22 158:5 158:12 162:22 163:19 WAND 4:10 181:18 182:1 183:1 250:13 285:1 287:13 want 5:10,12 6:3 7:8,20 8:22 9:14 10:11,13,20 11:1 11:15 12:7,10 13:17,21 14:15 15:17 47:12 48:13 60:8,13 61:13,22 62:1,3 77:5 79:8 84:10 90:3 102:1 112:2,21 116:2,4 116:20 117:2 120:17 122:20 123:6 131:4,8 135:15 138:6 141:9 144:19 145:10 147:18 150:15 151:3,21 161:11 162:11 164:2,6 165:22 167:8,13 176:19 178:17 181:11 192:21,22 193:1 212:15 214:3,4 216:3 220:13,14 220:16 221:3,5 227:7 229:5,15 233:12 237:4,8,16 238:3,7 239:17 244:16 249:22 260:13,16 262:15 263:7 270:4,11,14 272:16 273:19 274:8 282:6 285:22 287:22 288:8 294:10,22 299:8 300:14 301:17 304:7 306:3,8 308:22 310:1,2
	V		W	
	vadose 230:22 Valentin 2:25 295:7 298:2,3,4 valid 261:16 validity 261:14 Valley 24:3,5 91:21 100:4 296:9 valuable 38:10 264:9,16 value 36:18 values 260:3		wag 133:7 wait 154:14 218:4 walk 11:2 238:1 265:10 walk-away 279:18 walk-through 10:1 Walmart 122:2 Walter 2:5 3:13 60:17 62:7,9 107:12 108:2 111:1 115:8 120:7 125:2 129:5 134:11 140:2 143:12 147:11 149:9,13 151:21 152:5,20 153:2	

wanted 5:8 9:19 41:3 42:10 49:10 80:5 94:7,11,17 123:11 130:6 131:22 138:9 142:7 170:15 180:22 185:20 208:3 210:15 274:10 310:15,16	80:9 82:22 86:8 87:1,10,12 90:19 97:10 101:8 102:8 102:21 103:19,19 103:20,22 104:5 104:19 105:3,21 105:22 106:12,14 106:17 118:18,22 119:2,7,13,22 120:1 121:20 127:17 128:10 130:1 134:9 138:17 142:2 145:20 152:2,4 168:19 169:1,2,7 169:13,15,20,20 170:1,8 171:20 172:2,6,21 173:2 173:5,8,15 174:18 175:1,13,19,21 176:6,15 177:21 178:3,17,18 179:6 180:4,9 183:5,22 184:19,19 185:5,8 186:8,19 187:6,7 187:13 188:9,13 189:16 191:1,11 191:14,19 192:5,5 192:7,8,11 195:12 195:20 196:1,4,6 196:19,21 197:5,8 197:10,15 198:16 199:7,22 201:11 202:6 203:1 204:3 204:21 205:14,16 205:19,21 206:10 206:16,18,21 207:4,12,13 211:20,21 213:22 214:2,11,15,16 215:20 217:7,16 218:21,21 224:2 224:20 226:15,21 227:3,10,17,20 228:3,19 229:2,3 229:4,7,14 231:22 234:11 238:14	246:14,16,18 247:4,5 248:7,13 251:7,9 255:18,21 259:12 263:2,10 263:10,16 266:17 268:5,14 269:11 270:8 272:9,20,22 273:5,8 276:11,15 276:20 277:9 285:8,12,13 286:3 286:6,11,21,22 287:6,15 288:2,15 290:5 291:19 292:7,9,11 295:1 295:16 296:2,4,16 296:22 297:3,5,7 297:14,22 301:22 303:18,22 304:3,4 304:7 wastes 32:14,15 33:3 68:16 69:8 69:13 70:13 72:4 72:5,17 83:22 251:3 watch 94:16 127:19 141:19 270:1 watchdog 182:15 watching 192:1 water 46:17 100:9 146:9,11 149:21 150:13,14 151:10 154:11,13 156:14 156:15,16 175:15 224:18 232:2 249:2 277:2 278:20 301:10 Waterford 76:12 76:15 77:2 waterways 185:15 Watts 91:22 wave 9:18 149:17 way 7:20 27:8 38:20 48:14 50:18 53:4 54:2 62:8 63:2 65:19 73:20 95:4 108:1 109:14 119:2 130:14	131:14 133:18 148:15 149:18 150:20,21,21 151:3 160:16 198:20 216:1,2 217:15 218:18 219:18 222:1 223:17 227:11,18 243:2 249:16 252:2 273:6 276:14 281:11 285:13 288:14 293:20 294:15 311:4 Waynesboro 182:21 ways 125:9 202:6 276:14 295:1 weapon 280:12 weapons 23:4 28:6 28:7 55:19 183:5 217:19 227:2,10 227:16 254:13 275:4 299:5 weapons-free 182:8 weapons-grade 172:11 web 232:8 website 48:17 49:8 51:11 57:15 58:1 59:20 96:17 182:14 211:22 222:14 308:9,10 309:12 311:19 websites 96:16 weeks 155:10 weigh 9:8 welcome 3:2,4 9:10 117:3 179:9,14 194:6 Welcome/Introd... 3:2 welfare 74:2 162:13,16 wells 2:6 3:5,11 5:15 8:5,6 49:17	50:8 156:16 230:3 well-versed 124:4 well-written 83:12 went 23:3 25:15 37:11 97:12 102:18 103:10 107:19,21 124:18 126:8 127:20 143:17 151:7 152:9 164:18 260:20 weren't 150:13 220:1 west 1:21 3:19,20 21:3 24:3,5 54:19 56:18 60:22 79:4 100:4 147:9 296:8 western 6:15 145:21 we'll 126:12 208:21 we're 171:19 we've 94:3 136:4 141:6 161:3 whistleblower 161:8 whistleblowers 261:1 whistleblowing 161:15 whistles 162:17 White 230:7 Why's 236:9 wide 294:4 wider 96:3 Wiley 2:7 3:18 60:19 75:21,22 76:4 94:21 95:8 95:11 129:7 willing 43:4 157:18 172:20 187:15 wind 288:20 winning 29:22 WIPP 31:2 41:12 55:13,16 56:9 62:21 79:7 84:18 87:12 96:20 97:7 98:16 123:2
--	--	--	--	--

254:19	308:3	148:21 150:11	207:11 209:7	<hr/> \$ <hr/>
WIR 173:4,6	worked 10:6 52:11	wound 29:3	211:10 213:6,12	\$12.5 230:9
175:13,18,21	52:14,16 63:2	wrap 136:7 261:15	214:17,17 215:7	\$25 31:9 34:5 35:7
wise 2:8 4:14 143:3	86:10,22 91:2	wrapping 190:8	218:5 219:1	206:14
201:14,16,17	104:14 149:16,18	wrap-up 4:21 14:7	222:11,11,12,21	\$250 31:8
wish 196:15 267:8	209:20 215:14	wreck 305:4	222:22 226:9,15	\$3.5 272:5
304:22	242:6 250:16	wrestle 25:3	229:20 230:10	\$300,000 230:11
withdrawal 26:19	worker 302:11	wrestling 25:18	231:14 232:16,16	\$4 203:11
witnessed 305:17	workers 91:18 92:2	write 239:12,13	232:17 235:6	\$5 187:19
women 182:7	134:17,19 251:10	written 66:13	250:15 260:12	\$500 31:9
252:20	251:10,13 289:15	83:14 272:8	270:20 279:13,13	\$6 187:19
Womens 4:9	workforce 39:1	291:11 300:22	281:1,1,1 284:4	\$7 203:9 272:9
Women's 2:1	72:1 85:4 91:9	306:4	288:6 293:8	\$700,000 230:11
181:21 182:1	92:3 126:3 199:17	wrong 281:6	298:13 299:2	\$750 33:21
250:13 284:21	211:9 214:19	wrong-headed	yellow 61:11	\$9 127:10
wonder 188:1	218:6,7	262:18	240:21 241:6	<hr/> 1 <hr/>
wondered 134:5	working 37:3 38:19	www.brc.gov 48:20	244:21 256:14	1 159:7
186:2	40:16 54:10 55:13	308:10	Yomi 2:19 290:12	1s 159:13
wonderful 132:14	62:10 65:18 85:17	www.gawand.org	291:8,11	1st 187:18
311:1	86:8 101:15	182:14	York 24:3 100:5	1,000 102:12 270:3
Woollen 165:22	125:12 135:2	<hr/> Y <hr/>	296:9	297:4
word 98:12 259:15	183:4,8 210:3	Yankee 170:18	young 92:6	1:30 237:2
277:5 284:11	229:19 230:5	year 6:8 16:8 28:10	Yucca 26:14,19	10 3:6 222:12
words 7:5 300:22	290:7 311:6	31:9,10 33:20,22	27:2 32:17 38:5	230:10 276:4
work 6:10 7:11 8:4	works 42:18 75:13	48:12 53:9,10	68:19 69:2 71:10	279:13 281:1
9:5 27:2 36:15	118:11 244:14	58:21 76:14 80:10	71:15 123:2	10,000th 28:10
40:2,5 42:12	world 66:22 92:9	87:10 109:5,19	126:20,21 127:5,7	10-mile 107:20
43:21 45:20 46:9	92:13,19 93:5	111:2 131:18	127:9,14 128:18	109:17 110:13
48:6 50:6,13	102:11 103:14	167:17 206:1	128:21 130:17,18	111:8 265:7
51:14 55:2,22	121:5 182:8 255:1	253:3 289:9,11	130:20 137:21	100 87:11 207:10
57:12 63:19,20,21	287:16 295:20	297:10 308:7	138:18,20 142:15	209:12 219:1
64:18 65:5,7,13	306:19	years 19:4 22:3	147:1,4 172:17	259:15
78:13 86:15,19	world's 121:20	28:9 31:3 35:14	177:17,18 194:16	104 20:20
88:19 89:1,5,12	276:1 297:6	38:6 40:11 41:19	194:18 197:19,21	11,000 252:20
89:18 92:2,3 98:9	worried 121:22	43:12 53:14 64:13	202:17,19 204:13	11:03 164:18
103:18 108:1	148:3 176:10,14	67:22 75:12 84:6	216:20 218:22	11:15 164:10,12
109:6 116:7 126:2	176:15	86:20,22 89:8,11	234:4 235:3,13	11:20 164:19
128:8 132:7,8,21	worry 77:1 137:9	91:13 97:15 98:5	246:19,22 247:7	112 276:4
139:22 151:2	137:10 213:21	99:6 121:8 135:2	247:19,21 248:8	12 18:19 182:17
168:8 182:6,7	267:10	153:7 160:1	256:21 257:22	222:9
194:10 207:3	worse 149:3	169:21 170:15	262:18 263:4	12-step 273:18
236:5 246:11	worst 99:5	171:7 175:20	270:20 282:13,15	12:34 243:5
248:1 251:2 253:2	worth 39:15 222:7	180:14 181:20,20	283:9,15	123 276:4
253:3 256:17	269:13 280:16	182:1,17,18	<hr/> Z <hr/>	131 4:8
262:17 266:4	worthwhile 295:13	185:19 189:13	zero 192:9	14 18:19 57:13,14
270:1,16 272:7	worthy 270:16	194:4 203:8	zone 109:18 218:22	15 3:9 164:16
287:17 295:14	wouldn't 31:13			

210:12 220:14 298:12 15-member 16:18 16 50:19 281:10 16-0 178:12 17 166:22 193:18 17th 59:2 170 271:20 179 4:10 18 1:7 10:6 180(c) 52:17 93:8 1886 187:19 19th 252:19 193 4:13 1950 184:10 1954 67:14 99:1 1960s 24:7 184:10 1963 83:1 1970s 24:7 1973 135:4 1977 83:2 141:20 270:2 1978 260:3 1980s 169:5 1982 33:14 34:10 138:17 181:6 1986 86:10 1994 203:19 1999 84:5 101:6	2010 252:19 297:2 2011 1:7 186:22 212:1 2012 222:10 2019 54:14 2050 269:10 209 4:18 23-year 54:14 24,000 171:7 245 4:19 25 35:14 38:6 40:11 64:13 86:22 89:7 89:11 91:13 153:7 194:4 218:4 270:20 284:4 25-year 188:22 265 1:9 29th 179:13 308:7	279:13 281:1 5,400 167:3 50 109:20 153:6 241:3 259:14 50s 174:2 50,000 166:20 50-year 215:8 500 87:2 55 102:15 121:7	9.0 157:19 9/11 17:1 260:21 261:2,3 305:22 90 219:13 90s 119:15 248:21 254:11 95 218:19 224:21 96 54:14 99 222:1 99.8 280:8
<hr/> 2 <hr/>	<hr/> 3 <hr/>	<hr/> 6 <hr/>	
2 159:7 2B 175:15 2s 159:13 20 20:12 32:20 56:10,13 182:17 209:7 218:21 226:8,9 260:12 293:8 2002 129:1 203:15 2003 229:21 2006 44:16 2007 226:2 2008 84:8 2009 102:17,18 203:7 201 4:15	3 76:13,15 77:2 222:11 3,000 67:15 3:23 243:6 244:2 3:45 14:5 242:22 30 35:14 75:20 165:15 181:19 182:1 193:12 215:6 231:14 300 135:4 211:5 225:21 269:10 307 4:21 309 4:22 311 4:23 340 174:16 36 67:16 104:6 37 65:14 115:11 38.4 174:16	6 222:9 6,000 193:17 270:3 60 226:15 60s 50:13 174:3 62 3:14 65 3:16 65,000 20:6	
	<hr/> 4 <hr/>	<hr/> 7 <hr/>	
	4,000 227:6 4:31 311:22 41 54:15 45 239:6 49 3:11	7.3 187:18 70 213:6,12 702 241:2 707 1:9 708 1:9 72 57:4 75 29:21 102:7 296:21 76 3:18 79 3:21	
	<hr/> 5 <hr/>	<hr/> 8 <hr/>	
	5 3:2,3 222:11,12	8 3:5 181:20 205:18 210:13 8th 59:17 8,000 203:12 8:15 1:8 8:21 5:2 80 32:19 216:5,6 80s 106:1 82 3:23 84 4:3 85 215:18 224:17 86 4:5 87 203:5 89 229:19	
		<hr/> 9 <hr/>	

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In the matter of: Public Meeting RE Draft
Commission Report

Before:

Date: 10-18-11

Place: Atlanta, Georgia

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