

BLUE RIBBON COMMISSION ON AMERICA'S
NUCLEAR FUTURE

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TRANSPORTATION AND STORAGE SUBCOMMITTEE

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MEETING

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TUESDAY,
AUGUST 10, 2010

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The Subcommittee convened, at 9:00

a.m., in Chapin Hall, at the offices of the
Chewonki Foundation, 485 Chewonki Neck Road,
Wiscasset, Maine, Richard Meserve, Chair,
presiding.

MEMBERS PRESENT:

RICHARD MESERVE, Chair
VICKY A. BAILEY
SUSAN EISENHOWER

ALSO PRESENT:

TIM FRAZIER, Designated Federal Official
MARGE KILKELLY, Maine Yankee Community
Advisory Panel
HUGH CURLEY, Connecticut Yankee
Decommissioning Advisory Committee
WAYNE NORTON, Maine Yankee and Decommissioning
Plants Coalition
JOHN KERRY, Office of the Governor of Maine
BRIAN WHITNEY, Office of Senator Snowe
BILL CARD, Office of Senator Collins
JOHN GRAHAM, Office of Representative Michaud
NICK BATTISTA, Office of Representative
Pingree
ED POLEWARCZYK, Town of Wiscasset
GEORGE RICHARDSON, Town of Westport
DEBORAH SIMPSON, Maine Senator
JAY HYLAND, Maine Radiation Control Program

JOHN SHEA, New England Governors' Conference
CORT RICHARDSON, Northeast High-Level
Radioactive Waste Transportation Task Force
ED WILDS, Northeast High-Level Radioactive
Waste Transportation Task Force
ULDIS VANAGS, Northeast High-Level Radioactive
Waste Transportation Task Force

BRIAN O'CONNELL, National Association of
Regulatory Utility Commissioners
LEWIS G. CURTIS, Boothbay Harbor Emergency
Services

PUBLIC COMMENTERS:

MARIA HOLT

MATT MARSTON

RAYMOND SHADIS

LISA LEDWIDGE

MICHAEL MAYHEW

ROGER JONES

CLARK JONES

MARGARET SCHULER

KENNETH SCHULER

CLAY TURNBULL

DAVID HALL

DEB KATZ

CHRIS WILLIAMS

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

Call to Order and Welcome Tim Frazier	8
Opening Remarks Richard Meserve Chairman	8
Opening Remarks Marge KilKelly Maine Yankee Community Advisory Panel	12
Background on the Maine Yankee Community Advisory Panel Marge KilKelly Maine Yankee Community Advisory Panel	14, 47
Opening Remarks Hugh Curley Chairman Decommissioning Advisory Committee for the Connecticut Yankee Plant	18
Questions and Answers	22
Maine Yankee and Decommissioning Plants Coalition Wayne Norton President and CEO Connecticut Yankee Atomic Power Company Yankee Atomic Electric Company	26
and Chief Nuclear Officer Maine Yankee	
Questions and Answers	41

C-O-N-T-E-N-T-S (CONTINUED)

Remarks from State and Local Elected Officials/Designees	59
John Kerry Representing the Government of Maine	60
Questions and Answers	67
Brian Whitney Representing Senator Olympia Snowe	70
Questions and Answers	74
Bill Card Representing Senator Susan Collins	77
John Graham Representing Congressman Mike Michaud	79
Nick Battista Representing Congresswoman	82
Chellie Pingree	
Ed Polewarczyk Wiscasset Selectman	85
Questions and Answers	87
George Richardson Westport Selectman	89
Questions and Answers	91

C-O-N-T-E-N-T-S (CONTINUED)

State/Regional Panel on Storage and Transportation in the Northeast	92
Maine Senate/National Conference of State Legislatures Sen. Deb Simpson 15th District	92
Maine Radiation Control Program Jay Hyland	98
New England Governors' Conference John Shea	103
Questions and Answers	106
Northeast High-Level Radioactive Waste Transportation Task Force	107
Cort Richardson	107
Ed Wilds	115
Uldis Vanags	121
Questions and Answers	128
National Association of Regulatory Utility Commissioners Brian O'Connell	131
Questions and Answers	135
Boothbay Harbor Emergency Services Gen. Lewis G. Curtis	137
Questions and Answers for Panel	141

C-O-N-T-E-N-T-S (CONTINUED)

Public Comments	153
Maria Holt	155
Matt Marston	162
Raymond Shadis	164
Friends of the Coast	
Lisa Ledwidge	168
Institute for Energy and Environmental Research	
Michael Mayhew	173
Roger Jones	176
Clark Jones	177
Margaret Schuler	179
Kenneth Schuler	183
Clay Turnbull	186
David Hall	190
Citizens Monitoring Network	
Deb Katz	191
Chris Williams	196
Vermont Citizens Action Network	
Closing Remarks	198

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

2 9:00 a.m.

3 MR. FRAZIER: We are going to go
4 ahead.

5 I want to thank you all for coming
6 to the Transportation and Storage Subcommittee
7 meeting. We appreciate the wonderful
8 Foundation here that has been our host.

9 I am going to make no comments
10 other than introduce Dr. Dick Meserve.

11 CHAIR MESERVE: Thank you, Tim.

12 Good morning. My name is Dick
13 Meserve, and I am the Co-Chair of the
14 Transportation and Storage Subcommittee of the
15 Blue Ribbon Commission on America's Nuclear
16 Future.

17 We are here today at the very kind
18 invitation of Marge Kilkelly and the Maine
19 Yankee Community Advisory Panel. Marge wrote
20 the Commission back in April and discussed the
21 issues facing the Maine Yankee, those who live
22 in the vicinity of the Maine Yankee site, and

1 she invited us to come here and hear about
2 those concerns firsthand from local leaders
3 and citizens. And we're very pleased to be
4 able to do that today.

5 Let me say it's very easy for me
6 to come to Maine in August. So this was a
7 pleasure in many respects.

8 I'm joined at the table this
9 morning by Ms. Vicky Bailey and Ms. Susan
10 Eisenhower. My Subcommittee Co-Chair, Phil
11 Sharp, was unable to join us, and he asked me
12 to send his regrets to you.

13 We're going to be hearing today
14 about the Independent Spent Fuel Storage
15 Installation, or ISFSI, at the decommissioned
16 Maine Yankee site. This site is like others
17 around the country, including several in New
18 England, in which the plant has been shut down
19 and decommissioned, but the fuel still remains
20 at the site.

21 We're going to be hearing this
22 morning from people in communities around such

1 ISFSIs in New England and we'll hear about the
2 sorts of issues that you confront. This is an
3 issue, a matter, that I anticipate the Blue
4 Ribbon Commission will try to address in some
5 respect, but, obviously, we're still in the
6 gestation phases for the development of our
7 report.

8 Our agenda will include statements
9 from elected officials and public safety
10 officials who are responsible for managing
11 these facilities safely, and we will be
12 discussing as well the issues associated with
13 removing the spent fuel for permanent disposal
14 or storage elsewhere.

15 I want to note that these
16 proceedings are being webcast live this
17 morning. So, I'm sure that when the time
18 comes to speak, they would very much
19 appreciate anyone who does speak to speak into
20 the microphones.

21 We have a fair number of people on
22 the agenda, and we will be keeping to the

1 schedule. So, I would ask the presenters and
2 everyone else to keep that in mind as they
3 make any comments or presentations.

4 Let me add that we will, of
5 course, accept written statements or
6 supplementary materials that anyone wishes to
7 offer. You can give them to us today or send
8 them to us in care of the Blue Ribbon
9 Commission, and we can give you an address
10 later.

11 All of the materials that we
12 receive and the transcript from today's
13 meeting will be made publicly available. At
14 the end of the meeting this morning, we will
15 have a public comment period.

16 If you wish to speak, I would ask
17 that you sign up at the registration desk.
18 The time that will be available for the public
19 comment period is limited. So, we will do
20 this on a first-come/first-serve basis. The
21 time will depend on the number of people, but
22 will not exceed five minutes for any

1 individual speaker.

2 Again, we're very, very pleased to
3 be here this morning. We had a very gracious
4 evening last evening in Bath. I know this is
5 a really beautiful area, and we're really
6 pleased to join you this morning. We very
7 much look forward to our discussions.

8 Let me turn to my fellow
9 Commissioners and see if they would like to
10 make any sort of opening remarks before we get
11 underway.

12 Okay, Marge, I think that you're
13 first up for some opening remarks.

14 And again, thank you for arranging
15 this, for us to be able to come here this
16 morning.

17 MS. KILKELLY: Thank you, Mr.
18 Chair, members of the Commission, staff,
19 members of the CAPs, and others who are
20 joining us today.

21 It is absolutely my pleasure and
22 honor to welcome the Commission to Wiscasset.

1 We have, as a citizen advisory
2 panel, been working on Maine Yankee issues for
3 the last 13 years, and the one last piece we
4 visited this morning, and that's the ISFSI.
5 That's what we're going to be talking about
6 today.

7 While Wiscasset and Maine Yankee
8 are certainly the focal point of today's
9 conversation, we also represent a number of
10 other plants that are in the same situation in
11 terms of being decommissioned units who are
12 only storing material.

13 So, we are delighted to have folks
14 here. We really do want to tell our story and
15 focus on what's going on in Maine, but to keep
16 in mind that it is an issue that is also in
17 other places.

18 So, without further ado, again,
19 just thank you very much for being here. We
20 look forward to a very productive morning and
21 look forward to working with the Commission as
22 you undertake your very important work.

1 Thank you.

2 CHAIR MESERVE: Marge, I see you
3 are on the program here to give some opening
4 background remarks. Before you get too far
5 from --

6 MS. KILKELLY: That will be
7 included in my statement.

8 CHAIR MESERVE: Okay. Would you
9 like to summarize that or?

10 MS. KILKELLY: Thank you, Mr.
11 Chair.

12 The Maine Yankee Community
13 Advisory Panel, as I previously mentioned, has
14 been in place for 13 years. We came to be
15 when the plant, there was actually a
16 conversation about whether the plant would
17 continue to operate or would not continue to
18 operate.

19 The Maine Yankee staff met with me
20 and asked if I would be willing to chair this
21 new venture, a Community Advisory Panel. The
22 Community Advisory Panel was really designed

1 to provide an opportunity for the plant to
2 hear more from the community about the
3 concerns they had and also some of the ideas
4 they had, as well as giving the plant an
5 opportunity to communicate more directly with
6 the community about the issues that the plant
7 was facing or the opportunities that were
8 there.

9 We believe that there is a
10 significant role for citizens in even very
11 scientific decisionmaking. I think as you
12 move through the morning, we will see that
13 there have been some real significant lessons
14 learned in terms of the opportunities that
15 have been presented by the fact that the CAP
16 has been in place for so long.

17 Many of us started at the
18 beginning 13 years ago and have continued. At
19 the point where the plant was, in fact,
20 decommissioned and all that was left was the
21 ISFSI, there were a number of us who said
22 we're not leaving; it's not done yet, and we

1 are not going to stop meeting. We meet once
2 a year. We're not going to stop meeting until
3 a decision is made in terms of moving the
4 fuel.

5 The Citizen Advisory Panel was
6 designed to bring together a number of people
7 who have expertise in different areas. And
8 while we had folks on the Panel that were very
9 skilled and very knowledgeable in terms of
10 nuclear power or other similar sciences, we
11 also had folks like me who happened to be the
12 sitting Senator at the time.

13 I decided that part of my job was
14 to ask the dumb questions and be able to give
15 an opportunity for those answers to come
16 forward, and we had great coverage from the
17 weekly newspapers. So that when those answers
18 came forward in language that I could
19 understand, and they were reported in the
20 papers, the community was able to access that
21 information more readily.

22 So that's the work that we've been

1 doing. Again, when we learned of the makeup
2 of your Commission, we felt that it was very
3 important for your Commission to be able to
4 hear as directly as possible from the people
5 who are impacted by the storage dilemma, if
6 you will.

7 It is, again, one of our
8 commitments that we would like to see this
9 project finished. We visited, a number of us
10 visited the ISFSI this morning and stood on
11 the greenfields that used to be a staff
12 building and a containment building, and
13 watched the geese and looked at the river, and
14 then saw that there's the one last piece there
15 that keeps that property from being
16 redeveloped and also keeps us from feeling
17 that we've completely finished our job. So we
18 will be providing you with more detail about
19 that as we go on.

20 You've got a number of panelists
21 to hear from, and we really, again, appreciate
22 your being here. Thank you very much.

1 CHAIR MESERVE: Thank you. We
2 appreciate all the assistance you have
3 provided us.

4 Let me call on Mr. Hugh Curley,
5 who has also got some opening remarks to make.

6 MR. CURLEY: Thank you. Thank
7 you, Marge, for being here in wonderful
8 Wiscasset. Thank you, Chairman Meserve,
9 Commissioners Eisenhower and Bailey.

10 As mentioned, I have been the
11 Chairman of the Decommissioning Advisory
12 Committee for the Connecticut Yankee plant
13 since 1998, when that plant stopped in 1997
14 and made that decision to decommission.

15 What I wanted to just mention at
16 the start of this, as you start today, is that
17 it was important, as Marge mentioned some of
18 the composition of the Committees were
19 probably pretty similar, but I think it was
20 very important to have an outreach by the
21 management of the companies. The companies
22 came forward and gave their full support.

1 Although the agendas were set by the
2 Committees, by the Committee Chairs, the
3 support from the staff was there as well as
4 from the regulatory community.

5 The consistency of the faces
6 helped build trust. And whether that's the
7 consistency of the faces of management and
8 their ability to come forward with commitments
9 on information, whether that was a question
10 that came from the Committee or from the
11 public, if it was a concern, that was
12 something that was able to be affected by
13 having a consistent management on site.

14 Again, we used our regulators, and
15 I had never met anyone from the Nuclear
16 Regulatory Commission before I became Chairman
17 of the CDAC. I didn't know anything nuclear.
18 I was a theology major. So that will tell you
19 about that.

20 But I did learn an awful lot, but
21 like Marge, was empowered by the regulators to
22 ask the dumb question, to ask the question

1 where they would then say, "Do you get it?"

2 And if I was asking that question, I knew that
3 maybe 15 or 20 other people at that meeting
4 were going to be getting that same
5 information. It became a very collegial and
6 very, very positive forum.

7 We met monthly for the first five
8 years. We then met quarterly for the next
9 five years or so. And now we're down to
10 annual because of the lack of activity at the
11 ISFSI, although it sits there as something
12 that is going to be there, hopefully, not for
13 our lifetimes, but it's going to be there for
14 a while.

15 When we started the Community
16 Decommissioning Advisory Committee, we were
17 dealing with a number of issues that revolved
18 around fear, fear of loss of income, economic
19 activity in the towns, but also fear of
20 radiation, fear of terrorism. Would there be
21 a cleanup? And thankfully, I am able to say,
22 also, with Connecticut Yankee, that it has had

1 full cleanup and restoration with the
2 exception of the ISFSI, which is much more
3 remote in that facility than it is here. But
4 it does stop the redevelopment activities that
5 could be there.

6 One of the things that I think was
7 helpful was, during that whole process, we
8 were able to bring up, at least amongst the
9 Committee and some in the public, a greater
10 information quotient, I would call it, of
11 people that knew something about radiation
12 that weren't scared to ask that question, if
13 something came up as a claim or some kind of
14 a concern was raised.

15 I would say that is one of the
16 things I would like to see this Commission
17 consider when they look at how you're going to
18 deal with the management of spent fuel, that
19 consolidation in some form I believe has real
20 merit because it allows that information
21 quotient to be concentrated in an area. It
22 allows the media to be better informed, and

1 therefore, the public to be a better informed
2 public for where that is. So I think that
3 that could be of real benefit beyond all the
4 things of having things in one site that has
5 its own benefits and its own risks associated
6 with that.

7 So, I just wanted to, again, look
8 at this as an opportunity to see how do we
9 lessen the fear factor that comes with the
10 unknown of what can happen with an ISFSI.

11 And I also thank you for being
12 here today. I think it is a very important
13 message you have sent of coming to one of the
14 orphan facilities. I think it is also, in a
15 smaller community, I think that is a very,
16 very important message, and I appreciate it,
17 for one, and I know many others do appreciate
18 it and take very seriously your commitment to
19 us.

20 Thank you.

21 CHAIR MESERVE: Vicky?

22 MEMBER BAILEY: Hugh, I'm sorry,

1 just a quick one because you do raise it from
2 the standpoint of trust in the community and
3 community involvement. With the facility
4 here, do you think it has been a deterrent to
5 other economic development around the area,
6 around the site?

7 MR. CURLEY: With the ISFSI here?

8 MEMBER BAILEY: Uh-hum.

9 MR. CURLEY: I have read some
10 accounts that they have some options here. I
11 think this facility has a lot more options
12 than Connecticut Yankee, for example. But it
13 would be, I think from an economic
14 development, and I have worked in business and
15 economic development for the past 20 years,
16 having something at the doorstep that is
17 precious, that is out of your control, that is
18 under federal and other controls, would be a
19 deterrent to any kind of economic development,
20 further economic development of that site. So
21 it is a problem.

22 CHAIR MESERVE: Susan?

1 MEMBER EISENHOWER: You just
2 hinted at it. Could you say a bit more about
3 the more limited options at Connecticut Yankee
4 for redevelopment?

5 MR. CURLEY: I would say that more
6 limited options are because of the physical
7 setting of that plant. Here you've got a
8 relatively-flat area. You had a rail spur
9 that came onto it. At Connecticut Yankee, the
10 rail is there, but it's on the other side of
11 the river. So, it's not real helpful.

12 You've probably got, it feels like
13 forever, but probably about a three-and-a-half
14 mile run in from the nearest State road, which
15 is a remote road to start with. It is very
16 hilly. It has some natural obstructions and
17 barriers of geography that make it difficult,
18 and it would be one type of a plant.

19 It was entertained to have a gas-
20 fired plant there at one point. It was
21 problematic to get the gas to it. That was
22 one of the things. And I know in the case of

1 Connecticut Yankee, upriver there was a
2 tragedy in the spring with a major gas plant
3 explosion as well. So, I think that would
4 have some deterrence politically on that one
5 as well.

6 CHAIR MESERVE: Thank you, Hugh.

7 MR. CURLEY: Thank you.

8 CHAIR MESERVE: I think I could
9 speak for my colleagues in saying that we've
10 been very impressed with the relationship that
11 seems to exist between Maine Yankee and the
12 local community, and it sounds like you've
13 done something quite similar at Connecticut
14 Yankee.

15 MR. CURLEY: It has been. It has
16 been a very positive one, and I don't meant to
17 overstate this, but that with the regulators,
18 whether it was being able to have a consistent
19 person you could go to.

20 I just this morning was going
21 through and found Ron Bellamy's name is still
22 in my cell phone. You took the time to get to

1 know, and there was a trust level that was
2 built up, not only with me, but with the other
3 members of the Committee. I think that that
4 was a real positive, and it's something that
5 I think, as we meet less frequently, it
6 becomes harder to exchange that information
7 because it's we're only meeting annually
8 because of the lack of activity with it.

9 CHAIR MESERVE: Good. Thank you
10 very much.

11 Our next speaker is Mr. Wayne
12 Norton from Maine Yankee.

13 MR. NORTON: Good morning.

14 Chairman Meserve, Commissioners
15 Bailey and Eisenhower, my name is Wayne
16 Norton, and I am the President and CEO of
17 Connecticut Yankee Atomic Power Company, of
18 Yankee Atomic Electric Company, and the Chief
19 Nuclear Officer for Maine Yankee.

20 I am here today on behalf of the
21 three Yankee companies as well as the
22 Decommissioning Plant Coalition. The

1 Coalition was formed in 2001 to ensure that
2 federal policymakers are aware of issues
3 unique to the owners of single-unit,
4 permanently-shutdown nuclear power plants.

5 My formal statement has been
6 submitted for the record. So I intend to be
7 brief and summarize that testimony.

8 I would like to start by joining
9 Marge Kilkelly in welcoming you to Maine, and
10 specifically Wiscasset, and offering our
11 appreciation for your interest in gathering
12 on-the-ground information from local
13 stakeholders, as the Blue Ribbon Commission
14 tackles the important issues you have been
15 asked to investigate by the President and the
16 Secretary of Energy. We appreciate this
17 opportunity to provide open and ongoing dialog
18 with the Commission.

19 When the Nuclear Waste Policy Act
20 was enacted in 1982, the member companies who
21 formed the Decommissioning Plant Coalition
22 were all actively operating the commercial

1 nuclear facilities. As is well-known, in the
2 Act the government promised to begin accepting
3 used nuclear fuel from our sites starting in
4 1998 at a federal storage or repository
5 facility constructed with the proceeds of the
6 fees imposed on each megawatt hour of
7 electrical generation.

8 As the Commission knows from prior
9 meetings, these fees collected have been
10 deposited in the Nuclear Waste Fund, which to
11 date has accumulated in excess of \$34 billion.
12 The DPC members have contributed over \$700
13 million of that amount, fully complying with
14 our side of the mandatory mutual contractual
15 obligations.

16 As you will note from the
17 information provided in my statement, the
18 single-unit reactors operated by the DPC
19 participants were among the first commercial
20 reactors in operation in the United States.
21 But during the 10-year period from the mid-
22 eighties to the mid-nineties, corporate-

1 specific considerations led to the individual
2 decisions to permanently cease such
3 operations.

4 As we hope was clear during your
5 site tour of the Maine Yankee Independent Fuel
6 Storage Installation, the decommissioning of
7 these sites is not an insurmountable
8 engineering task. The decommissioning process
9 overseen by the NRC, and in this case the
10 State of Maine, processed and produced the
11 results that were required, and the used fuel
12 and high-level radioactive waste material from
13 these commercial operations can be safely and
14 securely stored at the reactor facility.

15 What may not be obvious, though,
16 from the visit and the photos is that this
17 facility is intending to go out of business,
18 but for the fact that we still have the spent
19 nuclear fuel and high-level waste. The
20 biggest remaining questions are dependent upon
21 the government's execution of its
22 responsibilities to move the used fuel and

1 greater-than-Class-C waste material remaining
2 on the site.

3 In an attempt to answer the
4 question posed to the work for this
5 Subcommittee, that is, should the U.S. change
6 the way in which it is storing used fuel and
7 high-level waste while one or more final
8 disposition locations are established, we
9 think it's important to examine the cost
10 associated with the status quo, which most
11 people view as indefinite onsite storage.

12 In doing so, we think there are
13 three categories of cost to such storage, some
14 of which have particular impact on single-unit
15 sites.

16 First, the cost associated with
17 the ongoing partial breach of the government's
18 obligation.

19 Second, the cost to local and
20 state governments resulting from both the
21 commitment of resources necessary to play an
22 active and appropriate role in oversight of

1 the continued storage activities, and the
2 revenues or public benefit that are foregone
3 for the lack of full and open access to the
4 site.

5 And third, and harder to measure,
6 are costs arising from reduced public and
7 stakeholder confidence that the government
8 policy and programs related to the long-term
9 management of this material can be
10 consistently sustained and effectively
11 implemented.

12 Like other licensees, the Yankee
13 companies and other DPC members have sued the
14 federal government to recover damages for the
15 failure to perform. The litigation has been
16 complex, time-consuming, and resource-
17 intensive.

18 The government's liabilities for
19 breach of these contracts is well-established,
20 and we are well-advanced in multiple lawsuits
21 that will determine the extent to which the
22 damages have incurred. Initial judgments show

1 that those damages will run into the hundreds
2 of millions of dollars for the Decommissioning
3 Plant Coalition members alone.

4 As this Commission will no doubt
5 hear from many stakeholders, the removal of
6 the fuel and other material at our sites will
7 have a positive impact on state and local
8 governments, given that oversight requirements
9 and deferred benefits that would flow from
10 full and unrestricted access to the site are
11 substantial.

12 While a third category of cost is
13 more difficult to measure, we believe that a
14 full discussion of the nation's future energy
15 choices is inevitably colored by the public's
16 lack of confidence in the government's ability
17 to implement the program and the management of
18 the fuel and other high-level waste produced
19 from nuclear generation. We believe that
20 confidence can only be enhanced through a
21 program that removes the material from these
22 permanently-shutdown sites at the earliest

1 possible time, and that continued failure
2 clearly has a cost.

3 There are a number of
4 organizations that have examined the issue
5 confronting permanently-shutdown plants in
6 light of the current state of the government's
7 implementation of its obligation. From 2007
8 to present, no fewer than 11 responsible
9 organizations, representing a broad array of
10 stakeholders and numerous Members of Congress,
11 have endorsed the prompt need to plan the
12 removal of spent fuel and other legacy waste
13 materials from decommissioning sites.

14 The common premise of these
15 recommendations was both the equities inherent
16 in the fulfilling of the contract obligations
17 and the need to bolster public confidence by
18 demonstrating the government's commitment and
19 capabilities in spent fuel and high-level
20 waste management.

21 As might be clear from our
22 statements at this point, we believe that the

1 short answer to the question posed to this
2 Subcommittee is yes. And with that answer, we
3 would like to add that we intend to fully
4 support the work of this Commission as it
5 fashions the new policy.

6 As we thought about the list of
7 discrete recommendations for your
8 consideration, we took into account not only
9 local situations, but the enormous challenge
10 inherent in the development of local, State,
11 and regional stakeholder support; the
12 timeframes that might be required to
13 demonstrate economic viability to various
14 enhanced technologies, and the history of the
15 federal government's performance in the used
16 fuel management program.

17 For these and other reasons, we
18 believe that you should look favorably on the
19 integrated approach recommended by the Nuclear
20 Energy Institute, or NEI. Such a system, if
21 properly implemented, can provide maximum
22 benefit to both permanently-shutdown plants

1 and operating facilities, as well as give
2 additional confidence to those contemplating
3 the construction of a new nuclear generating
4 facility.

5 The NEI recommendations include,
6 in part, the recommendations that the
7 Integrated Used Fuel Management Program should
8 include both near- and long-term programs that
9 must operate over decades and cannot succeed
10 if federal policies are continually subject to
11 change.

12 The geological repository will be
13 necessary in any used fuel management
14 scenario. The future disposal efforts should
15 build broad-based public support, but
16 centralized interim storage should be a
17 strategic element of the program, and that
18 further research and development and
19 demonstration of advanced technologies should
20 be pursued.

21 Specifically, we believe that the
22 Commission should recommend, as one strategic

1 element of the integrated strategy, the
2 development of one or more centralized storage
3 facilities to be utilized to accept on a
4 priority basis the complete inventory of used
5 fuel and GTCC currently stored at permanently-
6 shutdown, single-unit facilities.

7 Congress, in the enactment of the
8 Nuclear Waste Policy Act, explicitly granted
9 the Secretary of Energy the authority to
10 create such priority, and the authority is
11 reserved in the standard contract signed by
12 the Department of Energy with the utilities.

13 These centralized storage
14 facilities should be licensed by the NRC and,
15 ideally, be developed at locations proximate
16 to other fuel cycle facilities that may exist
17 or be developed as a result of other
18 Commission recommendations or near well-
19 established transportation routes to such
20 facilities.

21 While regional equities might be a
22 calculation in your recommendation, we believe

1 there is significant value in the concept of
2 voluntary siting. We believe that the
3 benefits should be paid to the localities and
4 states that express interest in hosting any
5 element of the integrated management and
6 disposal system. We also believe that, in
7 order to be accepted by potential hosts, that
8 these benefits cannot be subject to change at
9 the sole discretion of future Congresses and
10 Administrations.

11 Along with the development of a
12 centralized storage facility, attention needs
13 to be refocused on many issues related to
14 transportation. The nation's efforts
15 regarding infrastructure necessary to
16 transport civilian spent nuclear fuel and
17 high-level waste from existing nuclear sites
18 has been characterized as best intentioned and
19 implemented in fits and starts. While it
20 might make little sense to complete detailed
21 inventories and plans for all existing sites
22 now, as conditions and factors may change

1 during the operations of the existing
2 facilities, it makes complete sense to conduct
3 several activities at the single-unit sites of
4 permanently-shutdown plants.

5 Specific activities should be
6 conducted to include the compilation of
7 existing routes that would be used to
8 transport the material from its existing
9 storage location to the appropriate waterways,
10 railways, storage facilities; the
11 identification of infrastructure improvements
12 that are needed along these routes to support
13 transportation of the material, and the
14 compilation of the roles each responsible
15 state and local entity is currently expected
16 to play a role, and the identification of
17 resources and the information that the states
18 and the local officials and federal/private
19 entities will need to accomplish the
20 transportation activity.

21 Transportation activities should
22 be informed by the successful shipment of

1 defense material that has been conducted in
2 this country and should include constructive
3 involvement of non-government stakeholders and
4 interest groups.

5 Two important matters related to
6 our recommendation concern the governance of
7 these activities. That is, who's going to
8 manage the program and the source of the funds
9 to effectively implement the mission?

10 Discussed more fully in my prepared
11 statements, I'll summarize by noting the
12 myriad of recommendations concerning the
13 establishment of a private or quasi-public
14 corporation to take over the Department's non-
15 policy-setting activities and the need to
16 address the frustrations of many with the
17 impact of the federal government budgeting
18 process.

19 Given the history of the federal
20 government's efforts to address critical back-
21 end nuclear fuel cycle issues, we believe
22 there is merit in examining the different

1 governance structures for implementation of
2 the new program, although I will add that that
3 examination will necessarily need to address
4 the protection of existing contract-holders.

5 There is little doubt that we will
6 need to change the way in which the program is
7 budgeted within the federal government. Many
8 of the activities that would be expected to be
9 undertaken were recommendations adopted must
10 be undertaken by an organization capable of
11 operating openly with multiple stakeholders
12 over a sustained period of time and, to the
13 extent possible, should be shielded from the
14 vagaries of the existing budgeting process.

15 Mr. Chairman, Commissioners, I
16 would like to conclude by expressing my
17 gratitude to you for the effort of your visit
18 to our facility and to address the specific
19 concerns at permanently-shutdown nuclear
20 plants. We look forward to continuing the
21 dialog and have every confidence that your
22 work can lead to the development of a

1 sustained consensus on management of the
2 nation's spent nuclear fuel and high-level
3 waste.

4 Thank you.

5 CHAIR MESERVE: Thank you, Mr.
6 Norton. We appreciate your comments.

7 Do you have a quick question?

8 Please, Suzanne?

9 MEMBER EISENHOWER: Thank you very
10 much, Mr. Norton. I thought this was a very
11 enlightening presentation.

12 You made some excellent points,
13 and I've got some questions on them, but I
14 gather we're a little short of time. I would
15 just like to ask the bottom-line question.

16 In your testimony, you said that
17 you can continue to assure the safety and
18 security for this facility for a temporary
19 period of time. So, the question is, how long
20 and at what cost?

21 Could you say a bit more about
22 some of the issues inherent in that? For

1 instance, the cask relicensing, that
2 apparently these casks that have only been
3 licensed for 20 years, where is the clock
4 running in that process? And what will you
5 have to do when this license is up?

6 Thank you.

7 MR. NORTON: First, obviously, as
8 outlined in the written testimony, it is our
9 intent, and obviously our obligation, and we
10 take very seriously our responsibility to
11 safely and securely guard the fuel until the
12 government performs its obligations. So we
13 will continue to do that.

14 The question on licensing and
15 other challenges, as the Commissioner noted,
16 we do have a 20-year initial license on these
17 canisters. The process we're going through
18 and considering now is a license extension,
19 and the industry is doing that as a whole,
20 from the NRC to the canister licenses, in our
21 case, NAC International and others. And there
22 is a specific process that we have to engage

1 in to demonstrate that the canisters comply
2 with their safety requirements to support
3 extended license life.

4 We haven't engaged in that process
5 fully yet. So there's more to learn there.
6 But it's similar in concept to what's done at
7 operating plants. You have to demonstrate
8 compliance with technical requirements and
9 other regulatory requirements. So, we do
10 intend and expect that we will have to at
11 least engage in that process in the not-too-
12 distant future.

13 Obviously, for us, one of the
14 challenges, as you saw from the site, is
15 freeing up our land to allow future
16 redevelopment of the facility and, also, to a
17 large extent, to allow us to go out of
18 business. I mean we were a single-asset --
19 and when I say "we", I mean Connecticut
20 Yankee, Maine Yankee, and Yankee Rowe -- were
21 single-asset utilities with a sole underlying
22 purpose of generating electricity from the

1 only asset we had, which was the nuclear power
2 plant.

3 Now that that is gone, the only
4 thing we have left in our mission is to safely
5 protect that fuel until the government
6 performs, and then we intend to go out of
7 business. So, that is, obviously, a
8 significant obstacle to that goal.

9 CHAIR MESERVE: Mr. Norton, am I
10 correct that, in fact, the NRC has granted
11 some license extensions for casks elsewhere?

12 MR. NORTON: That may be the case
13 for storage casks. I know there is an
14 initiative right now for the multi-purpose
15 cannister, which is both license for storage
16 and transport, to extend the 20-year license
17 to a further period of time, which is right
18 now projected to be an additional 40 years.

19 CHAIR MESERVE: Right.

20 MEMBER BAILEY: I just wanted to
21 also thank you for addressing, your
22 willingness to address in your statement so

1 many of the key issues before this
2 Subcommittee. And I found it very, very
3 interesting.

4 I also appreciate, obviously, from
5 what I have heard from the community, that you
6 have been able to work very well with the
7 community and with the CAP and all of that.

8 The idea of looking at other
9 sites, one or two other sites, and the idea of
10 having voluntary siting communities, what
11 would be some of the key issues other
12 communities would want to look at, other
13 incentives, other things that might be
14 workable?

15 And I know we're short for time,
16 but I would like your comments on that.

17 MR. NORTON: Sure. First, thank
18 you for the comment about public participation
19 and involvement with the CAP. I think it was
20 integral to our success at all three sites.
21 And I do appreciate the effort for all of the
22 members of the CAPs and the FSACs and the

1 CDACs that are here from the three sites. I
2 would like to thank them for that
3 participation and continued support.

4 On the last point, I don't know
5 that I am qualified to fully answer that
6 question. I think what is obvious to us is
7 the siting process that we engaged in last
8 time didn't work out the way we had all hoped
9 at the end of the day. Learning lessons from
10 other communities and other countries,
11 potentially, may shed some significant light
12 on what may be a more ideal siting process.

13 But I think it is safe to say, at
14 least from my perspective, that having an
15 open, willing, and inviting community is
16 critical to getting to a point where we can
17 have an ultimate disposition strategy.

18 CHAIR MESERVE: Mr. Norton, thank
19 you very much.

20 MR. NORTON: Thank you.

21 CHAIR MESERVE: We appreciate your
22 coming.

1 I understand that Ms. Kilkelly had
2 intended to show us some PowerPoint slides.
3 Let me call on her again.

4 MS. KILKELLY: Thank you so much,
5 Chairman Meserve, Commissioners Bailey and
6 Eisenhower.

7 You got the summary; now you get
8 the rest.

9 I am still Marge Kilkelly, and I
10 am the Chair of the Maine Yankee Community
11 Advisory Panel, have been since it began 13
12 years ago. I also currently serve as the
13 Deputy Director for the Council of State
14 Governments' Eastern Regional Office, and am,
15 again, delighted to be here.

16 Prior to my work with the Council
17 of State Governments, I served in the Maine
18 Legislature for 16 years, ten years in the
19 House and six in the Senate. And I lived in
20 Wiscasset, so I was a neighbor of Maine
21 Yankee, and Maine Yankee was a constituent.

22 On behalf of the Maine Yankee

1 Community Advisory Panel and our colleagues
2 from Connecticut and Massachusetts, we are
3 delighted that you traveled here to listen to
4 our concerns about the spent nuclear fuel and
5 greater-than-Class-C waste that remains stored
6 at the Independent Spent Fuel Storage
7 Installation, or ISFSI, several years after
8 the end of plant decommissioning and nearly a
9 dozen years beyond the date the Department of
10 Energy was required to begin removing
11 material.

12 We believe that the Community
13 Advisory Boards in all of the plants provide
14 a unique community perspective that is an
15 essential element to your work.

16 Our experience and lessons learned
17 at the local and regional level apply at the
18 national scale, for in both instances it is
19 individuals and communities that are affected
20 by the transportation and storage of spent
21 nuclear fuel and the policy decisions that are
22 made.

1 The risks of involving
2 stakeholders intensively in a large project
3 like a plant decommissioning or the national
4 work that you are undertaking are real, but
5 from our experience they are far outweighed by
6 the benefits.

7 Not everyone is going to agree
8 with a particular policy. Some will be
9 vociferous in their opposition, but the
10 community and individual input can often lead
11 to epiphany moments that otherwise might never
12 be found. When people know that their voices
13 are heard, even if they disagree with the
14 outcome, conflict is diminished, trust is
15 established, and often consensus can be
16 reached. Transparency is essential and
17 transparency is created when time is invested
18 in educating and listening to the public.

19 Further, the role of non-technical
20 people in technical decisionmaking should not
21 be underestimated. As I said earlier,
22 sometimes it's the dumb questions that can

1 provide an opportunity for new ideas.

2 The February 2005 report of the
3 Maine Yankee CAP experience with
4 decommissioning is called a model for public
5 participation in nuclear projects. A copy of
6 the report is provided for the record. It is
7 also available on the Maine Yankee website at
8 maineyankee.com.

9 Also provided for the record is a
10 copy of a report that I presented at the
11 American Nuclear Society's Ninth International
12 High-Level Radioactive Waste Management
13 Conference in Las Vegas on April 30th, 2001.

14 That would be the next slide.

15 "Preparing for the After Life: a
16 Discussion of Community Involvement in the
17 Decommissioning of Maine Yankee."

18 And you've heard from Hugh Curley,
19 from the Connecticut Yankee Advisory Board,
20 and he also gave a presentation at that
21 conference. Much of what I want to share with
22 you today is actually included in those two

1 documents.

2 From 1995 until 1997, Maine Yankee
3 was much in the public eye during steam
4 generator repairs, a State-initiated NRC
5 independent safety assessment, and anonymous
6 accusations of safety violations. In the
7 summer of 1997, the company decided to form
8 the CAP to provide advice to the company and
9 to serve as a liaison to the community.

10 When Maine Yankee asked me to
11 chair the Community Advisory Panel, my key
12 concern was the company's level of commitment.
13 Would they share information in a timely
14 manner? Would CAP members be providing
15 advice, not just reviewing action already
16 taken by the company? If Maine Yankee was
17 asking community members to spend several
18 years serving on a CAP, it had to be an honest
19 process.

20 The CAP was established to enhance
21 open communication, public involvement, and
22 education on Maine Yankee's decommissioning

1 and to function as an advisory panel.

2 Inaugural members of the CAP represented a
3 broad cross-section of the community,
4 including local business, town government,
5 State government, emergency planning, marine
6 resources, education, medicine, environmental
7 interests, and the local group Friends of the
8 Coast. Four of today's 10 members have served
9 since the beginning, and many of the others
10 have served for more than 10 years.

11 The company took several steps
12 early on to fulfill its commitment to the CAP.
13 Maine Yankee first made public at CAP meetings
14 important information, such as the post-
15 shutdown decommissioning activities report and
16 the selection of a decommissioning operations
17 contractor.

18 The company also gave individual
19 CAP members access to previously internally-
20 held documents. From the outset, Maine Yankee
21 provided the resources necessary for the CAP
22 to function efficiently.

1 The first year was largely
2 tutorial. Good, old CAP in a can. Members
3 learned the basics of nuclear power plant
4 decommissioning and options for spent fuel
5 storage. After the first year, the CAP was
6 prepared to provide advice to the company,
7 which it did regularly.

8 In the first years, the CAP met
9 monthly. By 1999, meetings were every six to
10 eight weeks. And beginning in September of
11 1998 and each year after that, the CAP met for
12 day-long, facilitated sessions to review the
13 past year and plan its work for the year
14 ahead. In these meetings, the company
15 provided the panel with a schedule for
16 anticipated activities, and the panel
17 identified issues of concern for their
18 constituents. In 2002, the panel began
19 meeting quarterly, and we now meet once a
20 year.

21 During the seven-year Maine Yankee
22 decommissioning project, the CAP held over 50

1 public meetings. Issues ranged from the
2 momentary, such as complaints from neighbors
3 about noise, to seemingly indefinite, when
4 talking about storage and disposition of spent
5 nuclear fuel.

6 The fan noise issue established
7 the CAP's credibility with the community. In
8 1998, Maine Yankee installed heat exchangers
9 with large fans to keep the spent fuel cool
10 after isolating the pool from the rest of the
11 plant. When summer arrived in Maine and on
12 Westport Island, Maine Yankee began receiving
13 complaints from neighbors about incessant fan
14 noise. Their children couldn't sleep; people
15 couldn't keep their windows up, and it was
16 warm.

17 A CAP meeting was hastily
18 scheduled so residents could air their
19 concerns. And as a result, within weeks
20 modifications to the fans were made, resolving
21 that issue.

22 If only the spent fuel issue could

1 be resolved so readily. As our CAP Vice
2 Chair, Dr. Don Hudson, has written in our
3 CAP's February report, "I believe we have to
4 plan for changing the culture surrounding
5 waste as we plan for the long-term storage of
6 nuclear material, either in Wiscasset or at
7 Yucca Mountain. We have to plan realistically
8 to manage the nuclear fuel cycle and its
9 highly radioactive and dangerous byproducts
10 for at least another 500 generations." We
11 sometimes call Don our 10,000-year man.

12 We're encouraged by your presence
13 here today, and we won't be custodians of the
14 fuel for the next 10,000 years.

15 The CAP also grappled with how
16 clean is clean radiologically. The NRC
17 standard is 25 millirem plus ALARA above
18 naturally-occurring background radiation. The
19 EPA's is 15 millirem. It was very confusing
20 and disconcerting for the public and for the
21 CAP when two agencies of the federal
22 government were inconsistent on an issue so

1 basic to the decommissioning process. How
2 could there be public confidence that the site
3 would be clean without a consistent standard?

4 While the CAP did not take a
5 position in favor of one standard or the
6 other, we did take a strong position that
7 inconsistency was not acceptable. It had the
8 potential to impact the process, the cost, the
9 length of time of decommissioning, as well as
10 the public confidence that the site would be
11 really clean.

12 The CAP hosted the NRC and EPA at
13 a local school for a first-of-its-kind
14 discussion about their respective radiation
15 standards. The meeting, attended by over 150
16 citizens, brought to the forefront the serious
17 impact on public confidence of this
18 disagreement between two federal agencies.

19 The meeting was a learning
20 experience for the agencies, who began to
21 understand that the Maine Yankee CAP had made
22 a commitment to this process, took its role

1 seriously, and were going to work towards
2 resolution of these issues. The NRC became a
3 regular scheduled presenter at CAP meetings
4 for several years.

5 In the end, in part due to the
6 lack of resolution of the federal level, the
7 State of Maine chose a more stringent 10-
8 millirem standard with a separate 4-millirem
9 limit from groundwater that has become State
10 law.

11 Communicating scientific data in
12 language that even I can understand is
13 critical. The Maine Yankee site was cleaned
14 radiologically to a level that couldn't be
15 measured directly. It had to be modeled using
16 a fictitious resident farmer who drills his
17 well in the old containment, drinks the water,
18 irrigates the crops, raises the animals and
19 vegetables that he consumes, without exceeding
20 the 10/4-millirem dose limit.

21 An audience member once asked,
22 "How much is 10 millirem?" The late CAP

1 member and radiologist, Dr. Paul Crary
2 replied, "Like so many angels dancing on the
3 head of a pin."

4 CHAIR MESERVE: Marge, excuse me.
5 Your time has exceeded. We do have the
6 benefit of your statement. Could I ask you to
7 please wrap up?

8 MS. KILKELLY: Sure.

9 I think a significant measure of
10 the success of the CAP was how the public was
11 brought along in the process. And when we
12 began our CAP meetings, there was a lot of
13 public concern and anxiety about the
14 decommissioning of the plant and, frankly, the
15 existence of the plant.

16 In the end, one of the ways that
17 the containment dome came down was to be
18 imploded. And while those of us who were on
19 the CAP were very concerned about that, we
20 held a meeting, we heard about the process,
21 the community heard about the process. And
22 actually, that process was observed from the

1 other side of the river and folks took
2 pictures.

3 To us, that meant that we were
4 communicating effectively about what was going
5 on and people had the information that they
6 needed. So that, to us, was a real measure of
7 our success.

8 So, thank you very much. The rest
9 of my comments are, in fact, available in the
10 record, and I appreciate the opportunity to be
11 here. Thank you.

12 CHAIR MESERVE: Good. Thank you
13 very much for your presentation. And also,
14 thank you for your hospitality in arranging
15 the evening for us last night.

16 MS. KILKELLY: Great.

17 CHAIR MESERVE: Any questions?

18 MS. KILKELLY: Thank you so much.

19 CHAIR MESERVE: We now have an
20 opportunity for State and local elected
21 officials to make some comments.

22 Let me indicate that we do have a

1 light system that is available here. We are
2 providing five minutes for each of those
3 comments. There is a yellow light that will
4 come on when there is one minute remaining,
5 and then a red light.

6 Let me first call on John Kerry,
7 and he is here representing the Governor.

8 MR. KERRY: Thank you,
9 Commissioner, Commissioner Eisenhower,
10 Commissioner Bailey, and Mr. Frazier, thank
11 you.

12 And to the members of the
13 Subcommittee, welcome to Maine, No. 1.

14 No. 2, the Governor wished he
15 could be here, but due to a scheduling
16 conflict, he has asked me to speak for him,
17 and I'm happy to do so.

18 First, I would like to
19 contextualize what I'm going to say by looking
20 at a quote by Albert Einstein, who said,
21 "Nothing rattles in the Universe; everything
22 is connected."

1 Many of the people sitting in this
2 room today are very concerned about what's
3 going on with our world, whether it's
4 environmentally, economically, and certainly
5 in the energy field. So, our comments today
6 are related to a 50-year vision for the State
7 of Maine. When you think of 10,000 years of
8 storing spent fuel, 50 years does not look
9 like a long time.

10 But our main concern is to try to
11 integrate energy, economic development, and
12 environmental issues into such a policy that
13 we will integrate what's going on in the
14 community to enhance the quality of life of
15 Maine's citizens and their communities.

16 The Governor's Office of Energy
17 Independence clearly supports the development
18 and use of energy resources in Maine that
19 meets the goals of energy security, economic
20 development, and environmental quality. The
21 Office was established to carry out
22 responsibilities of the State relating to

1 energy resources, planning, development, and
2 to coordinate State energy policy.

3 The State of Maine's comprehensive
4 energy plan, which identifies the means by
5 which we are going to transform our energy
6 culture from a fossil-fueling-depending
7 culture to a more independent, sustainable
8 culture that is based on renewable resources
9 and conservation and energy efficiency.

10 I think it's important to note,
11 also, that we are encouraging the development
12 of weatherization, and fostering renewable
13 energy, improving transportation fuel
14 efficiencies, upgrading electricity, and
15 natural gas transmission services, systems
16 infrastructures for natural gas, electricity,
17 and other energy forms, and ensuring energy
18 emergency preparedness and response. We
19 recently developed a comprehensive emergency
20 energy plan to deal with any form of energy,
21 spike price supply and/or a reduction in
22 supply of energy itself.

1 While nuclear energy is no longer
2 a primary component of Maine's energy plan,
3 the safe storage, processing, transportation,
4 and disposal of nuclear fuel, waste and
5 materials derived from nuclear activities is
6 imperative to sound national, regional, and
7 State energy policies.

8 It is also important to note that
9 the Maine Yankee site and its Independent
10 Spent Fuel Storage Installation is one of the
11 nine spent fuel storage sites which no longer
12 have operating nuclear plants affiliated with
13 the ISFSI.

14 The State of Maine is a member of
15 the Nuclear Waste Strategy Coalition, a group
16 whose goals include the timely, safe, and
17 cost-effective storage and disposal of spent
18 fuel and high-level radioactive waste in a
19 permanent repository, and reform of the
20 distribution of the Nuclear Waste Fund such
21 that ratepayers' contributions are used for
22 their intended purposes.

1 In a July 28th, 2010, letter to
2 the Blue Ribbon Commission on America's
3 Nuclear Security Commission, the NWSC
4 advocates federal government responsibility in
5 taking possession and responsibility for spent
6 nuclear fuel and high-level radioactive waste
7 at decommissioned reactor sites like Maine
8 Yankee.

9 We agree with the goals and the
10 position advanced in the July 2010 letter, and
11 urge the Commission to recommend the expedited
12 removal of these nuclear materials from the
13 decommissioned sites.

14 We believe that good economic
15 national security and energy policy warrants
16 removal of the waste from the standalone
17 ISFSIs to a consolidated site which can be
18 operated at a lower cost per unit of stored
19 waste, to be better protected from terrorist
20 actions or other risks and relieve Maine
21 ratepayers of a cost that could be better
22 spent on renewable energy and energy-

1 efficiency measures.

2 From an economic policy
3 perspective, prompt removal of spent nuclear
4 fuel from decommissioned sites, like Maine
5 Yankee's, and consolidating the nuclear spent
6 fuel, would not reduce the number of sites.
7 It will also likely result in cost
8 efficiencies that flow through to ratepayers
9 and taxpayers, I might add, by relieving them
10 of cost burdens of maintaining sites that no
11 longer generate electricity.

12 Billions of dollars have been
13 spent examining the interim and permanent
14 storage options for nuclear spent fuel and
15 waste. Despite decades of research and
16 development activities associated with Yucca
17 Mountain, the projects have been terminated
18 with no clear direction or alternative
19 repository.

20 From an energy policy perspective,
21 Maine would rather invest in clean, reliable,
22 indigenous renewable resources and create a

1 sustainable energy culture versus a culture
2 that is dependent on fossil fuels. We know
3 this is complex, and I will divest from the
4 rest of my prepared remarks because of time.
5 I think it's important.

6 But I think it's important for you
7 all to understand that, if you explore these
8 options and address the needs of the sites
9 such as the Maine Yankee site and the
10 situations that are here in Maine, we are
11 united with other regional and local
12 Governors' offices and policymakers in
13 developing a plan that is going to be
14 beneficial not only for the country, but
15 certainly for our region and for our State.

16 And I will end my remarks by a
17 quote from G.K. Chesterton. "What's wrong
18 with the world: not enough people are saying
19 what's right with the world." What you are
20 doing is right with the world, and we are
21 hopeful we can come to a sound resolution to
22 this complex public policy problem.

1 Thank you very much.

2 CHAIR MESERVE: Mr. Kerry, thank
3 you.

4 Let me request that you submit the
5 entirety of your statement for the record.

6 MR. KERRY: Yes, we have submitted
7 it for the record, and we left it out back.

8 CHAIR MESERVE: Very good.

9 MR. KERRY: Thank you, sir.

10 CHAIR MESERVE: Sure.

11 MEMBER BAILEY: Just one question,
12 and I'm hoping I understood your remarks.

13 From the standpoint of public
14 policy and energy policy for the State, this
15 Commission, the Blue Ribbon Commission on
16 America's Nuclear Future is the title,
17 although our Subcommittee is Transportation
18 and Storage.

19 But is it my understanding that
20 you said that nuclear energy is no longer a
21 focus of your energy plan here in the State.
22 Is that because of the inactivity at this site

1 and the issues at this site that you think
2 that nuclear energy is not a viable source for
3 the State now?

4 MR. KERRY: Well, I think the
5 reality is oftentimes perception becomes
6 reality. The State of Maine, of course, at
7 one point was a third dependent on our energy
8 for electricity certainly on Maine Yankee, and
9 we no longer have that energy directly here
10 for Maine. We do receive nuclear-powered
11 energy through the New England grid, through
12 ISO New England, of course.

13 But I think it's important to
14 note, as a former State Senator, I always used
15 to state, when people would say, well, gee,
16 Maine Yankee had security problems, we had
17 difficulties with nuclear energy for
18 reasonable reasons, and they said that people
19 would not ever vote to site a nuclear facility
20 here in Maine. I think the biggest issue
21 seems to be that the concerns for safety,
22 long-term security, and economic reasons at

1 this point seem to, I would say, speak against
2 the siting of a nuclear facility in Maine.
3 That's the reality.

4 Whether one would wish to
5 diversify the energy profile in Maine and add
6 nuclear to it, the political reality, in my
7 estimation, is that it would be very difficult
8 to site a facility here in Maine.

9 But I might also add we've had
10 concerns with even wind and solar arrays.
11 We've had concerns with coal gasification
12 plants that were proposed. Even for this very
13 site here, we are looking at the concerns with
14 pump storage and the impact on the environment
15 and the local community.

16 So the difficulties affiliated
17 with nuclear power are not immune from other
18 forms of energy as well.

19 CHAIR MESERVE: Thank you very
20 much.

21 MR. KERRY: Thank you.

22 CHAIR MESERVE: Let me now call on

1 Brian Williams (sic), who is here representing
2 Senator Snowe.

3 Mr. Williams (sic), five minutes.

4 MR. WHITNEY: Thanks. My name is
5 Brian Whitney, representing Senator Snowe.

6 The Senator regrets that she couldn't be here
7 personally this morning, but has asked that I
8 read the following letter into the record:

9 "Dear Commissioners Meserve,
10 Eisenhower, and Bailey:

11 "Please accept my welcome and
12 appreciation for your acceptance of the Maine
13 Yankee Community Advisory Panel's invitation
14 to hear about this community's issues and
15 concerns about the stored nuclear waste that
16 has remained here in Wiscasset, despite the
17 requirements of the Nuclear Policy Act.

18 "I also want to express my
19 gratitude to you and the rest of the
20 Commissioners who were unable to attend today
21 for your work on behalf of our country.

22 "I join in welcoming you with the

1 rest of the congressional delegations and
2 Governor Baldacci, and I also want to
3 acknowledge the participation of George
4 Richardson, a member of the Westport Board of
5 Selectmen, Bill Blodgett and Sheridan Bond of
6 the Lincoln County Board of Commissioners, the
7 Wiscasset Selectmen, and Laurie Smith,
8 Wiscasset's Town Manager.

9 "This issue is critical for this
10 community's future, and our entire
11 congressional delegation, the Governor, and
12 local officials are clearly united in an
13 effort to remove the 550 metric tons of
14 nuclear waste that has remained here for far
15 too long.

16 "Again, I thank you for your work
17 and providing recommendations to the Secretary
18 of Energy to address the unacceptable impasse
19 regarding spent nuclear waste in our country.

20 "The failure of the Department of
21 Energy to execute a nuclear waste policy has
22 cost Maine ratepayers millions of dollars and

1 unnecessarily prolonged an environmental
2 hazard adjacent to the Sheepscot River.

3 "While I appreciate your service
4 to our country to provide recommendations to
5 the Secretary, I do believe it unfortunate
6 that our nuclear waste strategy, which was
7 specifically prescribed in the Nuclear Waste
8 Policy Act of 1982 to create a deep geological
9 repository, has floundered and led to the
10 creation of the Blue Ribbon Commission on
11 America's Nuclear Future in 2009.

12 "As I wrote to the Secretary of
13 Energy last year, I believe that the decision
14 to reverse the recommendation of a single
15 repository located at Yucca Mountain was
16 profoundly regrettable and failed to include
17 sufficient legal justification.

18 "In my letter to Secretary Chu I
19 asked seven specific questions regarding the
20 decision to close the Yucca Mountain project,
21 and to this day I have not received a
22 satisfactory response.

1 "While I do believe it's critical
2 that the Commission provide viable policy
3 recommendations, the ratepayers throughout our
4 country deserve a clear and concise analysis
5 of the merits of the decision to, as the DOE's
6 General Counsel recently stated to me, wind
7 down Yucca Mountain.

8 "At the same time, the bottom line
9 is that any progress towards removing this
10 nuclear waste to a more secure location at a
11 lower cost to Maine ratepayers is preferable
12 to the status quo. To that end, I believe
13 that the Blue Ribbon Commission should advise
14 the Secretary to prioritize the nuclear waste
15 that remains at decommissioned nuclear energy
16 plants such as Maine Yankee.

17 "In addition, while I strongly
18 support a national repository, I do believe
19 that identifying locations and communities
20 that volunteer to accept nuclear waste should
21 be considered as a short-term solution to
22 reduce cost and minimize the security threat.

1 "The fact is that the current
2 impasse must be addressed expeditiously, and
3 I appreciate your willingness to personally
4 review the situation here in Wiscasset, Maine.
5 I look forward to reviewing your report and
6 working together to develop a coherent nuclear
7 waste strategy that does not leave communities
8 like Wiscasset with the expensive, long-term
9 burdens.

10 "Sincerely, Olympia Snowe, United
11 States Senator."

12 Thank you.

13 CHAIR MESERVE: Thank you, Mr.
14 Whitney, and I apologize for misintroducing
15 you. We had a wrong name here.

16 Let me note something that
17 presents somewhat of a dilemma and see if you
18 have some suggestion for us.

19 It is that several of the speakers
20 have emphasized the importance of removing
21 this fuel and that it be expedited in its
22 removal, but have simultaneously emphasized,

1 and I think appropriately, that it should move
2 to a site that voluntarily accepts the
3 material. It is an experience that we have
4 observed here at Wiscasset, is the importance
5 of outreach and education with the local
6 community in order to achieve the sort of
7 consensus that one needs. And that takes
8 time. So, in a certain sense, we are hearing
9 inconsistent messages.

10 MR. WHITNEY: As the Senator's
11 statement said, if the Yucca Mountain
12 repository isn't a possibility, any progress
13 towards removing the waste is far preferable.
14 I mean she wants to see it removed in some
15 fashion.

16 CHAIR MESERVE: Susan?

17 MEMBER EISENHOWER: Thank you very
18 much for sharing with us Senator Snowe's
19 letter.

20 One of our previous speakers, Mr.
21 Norton, suggested that the benefits and
22 policies related to spent fuel not be subject

1 to any given Congress or any future Congress
2 or Administration. Do you know if Senator
3 Snowe has a position on that specifically, and
4 whether there are any ideas that you could
5 offer us about how to take it out of the
6 current political process that does involve
7 current Congresses and Administrations?

8 MR. WHITNEY: I assume that that's
9 why you're here and that's your job.

10 (Laughter.)

11 Thank you.

12 Generally, the staff here in Maine
13 comes to these with prepared remarks and are
14 not usually too handy with the question-and-
15 answer phase of the process. But I'm happy to
16 take back any other questions you may have as
17 well.

18 CHAIR MESERVE: Yes, we would
19 welcome some further input, obviously, from
20 the Senator, if she would choose to provide
21 it.

22 MR. WHITNEY: Great. Thank you

1 very much.

2 CHAIR MESERVE: Let me now call on
3 Bill Card, who is here representing Senator
4 Collins.

5 MR. CARD: Good morning.

6 It's my pleasure to be here this
7 morning representing Senator Collins. The
8 Senator sends her regrets that she could not
9 attend in person, but she did ask me to read
10 this letter on her behalf and for the record:

11 "Dear Mr. Meserve and Mr. Sharp:

12 "Thank you for agreeing to my
13 request that the Blue Ribbon Commission on
14 America's Nuclear Future visit Wiscasset,
15 Maine. It is especially important that the
16 Commission see firsthand the impact of the
17 federal government's failure to take
18 responsibility for spent nuclear waste from
19 decommissioned plants.

20 "In 1998, the Nuclear Waste Policy
21 Act required the federal government to accept
22 used nuclear fuel generated by commercial

1 nuclear power plants. The Department of
2 Energy, DOE, is responsible for managing and
3 accepting this fuel.

4 "Due to the long delays in
5 licensing a storage facility at Yucca
6 Mountain, DOE has not accepted the waste, and
7 several courts have ruled that the federal
8 government is in breach of its obligation.

9 "Until DOE develops a plan to deal
10 with the waste, decommissioned nuclear power
11 plants like Maine Yankee here in Wiscasset
12 have to store their spent nuclear fuel on site
13 and charge ratepayers for the storage.

14 Nationwide, the combination of fees for
15 storage and paying out settlements for the
16 lawsuits has already cost taxpayers hundreds
17 of millions of dollars. In Maine, the annual
18 cost to electric customers is \$6 to \$8 million
19 to store the waste.

20 "I urge you to give the utmost
21 priority to the removal of waste from shutdown
22 reactors. Ratepayers in the affected states

1 have paid for storing this waste for decades
2 while waiting for the federal government to
3 carry out its mandated responsibility.

4 "Also, sites like the location
5 here in Wiscasset could be redeveloped for
6 more economically-productive purposes if the
7 waste were removed. This could create much-
8 needed jobs and government revenues to help
9 communities recover from the economic
10 recession.

11 "Thank you for your work on this
12 important matter.

13 "Sincerely, Susan M. Collins,
14 United States Senator".

15 CHAIR MESERVE: Thank you, Mr.
16 Card. We appreciate your comments.

17 Let me now call on John Graham,
18 who is here representing Congressman Michaud.

19 MR. GRAHAM: Well, good morning.

20 My name is John Graham, and I'm
21 Congressman Mike Michaud's Deputy Chief of
22 Staff.

1 On behalf of Congressman Michaud,
2 I would also like to welcome the Commission
3 members to Maine and thank you for coming to
4 Maine. Even though it is summer and
5 blueberries are plentiful along with lobster,
6 we appreciate very much how much work is
7 required to put together a field hearing like
8 this. So, thank you very much.

9 Congressman Michaud asked me to
10 read a letter.

11 "Dear Commissioners:

12 "Thank you for inviting me to your
13 August 10th meeting in Wiscasset to discuss
14 the future of the spent nuclear fuel at the
15 decommissioned site of Maine Yankee.

16 "While it is promising that the
17 Blue Ribbon Commission on America's Nuclear
18 Future is placing a special focus on the
19 issues faced here in Maine, it is imperative
20 that the Commission take swift action to bring
21 a substantive resolution to a problem that has
22 been discussed since 1987.

1 "As everyone here knows too well,
2 the presence of more than 550 metric tons of
3 nuclear waste at the former Maine Yankee site
4 continues to place a substantial burden on the
5 State of Maine. Mainers have already placed
6 millions of dollars in a number of funds
7 designed to cover the cost of waste storage.
8 Even today, ratepayers are charged an
9 additional \$6 to \$8 million to offset these
10 costs. Without any clear indication of when
11 the nuclear waste will be removed, efforts to
12 redevelop the site have stalled.

13 "It is certainly an encouraging
14 sign that President Obama assembled the Blue
15 Ribbon Commission on America's Nuclear Future
16 to conduct a comprehensive review of the
17 concerns here in Wiscasset and in similar
18 sites throughout the United States.

19 "However, it is vitally important
20 that the Commission works with all
21 stakeholders to find a workable solution that
22 can be acted upon. In Maine, we have waited

1 too long to accept another report that leads
2 to years of additional discussion.

3 "While I could not be in
4 attendance today, I am happy to do whatever I
5 can to help move this process forward. I hope
6 that everyone here today will not hesitate to
7 reach out, if there is any way that I can be
8 of assistance.

9 "With warmest regards, Mike
10 Michaud, Member of Congress".

11 CHAIR MESERVE: Thank you, Mr.
12 Graham. We appreciate your comments.

13 MR. GRAHAM: Thank you.

14 CHAIR MESERVE: We have, also, a
15 comment from Nick Battista, who is here
16 representing Congresswoman Pingree.

17 MR. BATTISTA: Thank you.

18 Congresswoman Chellie Pingree
19 can't be here today. She is down in D.C.
20 voting to save 700 jobs for Maine teachers and
21 close some offshore tax loopholes. She asked
22 me to read this letter to you and, also, to

1 extend a heartfelt thank you to the members of
2 the CAP for all of your hard work and
3 commitment to the community. So, thank you.

4 "Dear Members of the Blue Ribbon
5 Commission:

6 "Thank you for coming to visit
7 Maine and the former Maine Yankee facility.
8 I'm sorry I can't be here in person and wanted
9 to share a few thoughts about the special
10 challenges facing Maine Yankee and other
11 similar sites.

12 "The federal government was
13 supposed to have started removing the spent
14 fuel in 1998, but it's still here. Right now,
15 we are all paying to keep the fuel here. It
16 costs millions each year to secure the
17 facility from potential threats and keep the
18 spent fuel out of the wrong hands. Not only
19 is it expensive to store the fuel here,
20 there's also the lost opportunity to redevelop
21 the land. I look forward to the day when the
22 spent fuel is gone and the site can bring more

1 jobs to Wiscasset and the surrounding region.

2 "I hope what you see and hear
3 today will reinforce the growing consensus
4 that removing the spent fuel from
5 decommissioned facilities is sound policy. I
6 look forward to continuing to work with you
7 and the citizens of Wiscasset to address this
8 issue.

9 "Sincerely, Challie Pingree,
10 Member of Congress".

11 Also, to address your question to
12 Senator Snowe's staffer, I think the
13 Congresswoman would suggest that maybe an
14 active facility might already have the
15 community outreach infrastructure in place to
16 appropriately deal with that, and maybe some
17 of the experts who know more about the
18 viability of it could speak to that later.

19 CHAIR MESERVE: Thank you, Mr.
20 Battista.

21 We now have a Selectman from
22 Wiscasset, Ed Polewarczyk. I apologize if I

1 have mispronounced the name. Let me invite
2 him to come to the podium for five minutes.

3 SELECTMAN POLEWARCZYK: Good
4 morning.

5 Ed Polewarczyk, Wiscasset
6 Selectman.

7 A recent resident in Maine, I've
8 only been in Maine now for about two years.
9 As a Selectman, I have managed to talk to a
10 lot of the residents in Wiscasset, and I find
11 really two extremes.

12 One extreme, the people of
13 Wiscasset would like the spent fuel out of
14 here as soon as possible. The other extreme
15 are a group of people who would very much like
16 to see another nuclear reactor here. Both
17 extremes, and all the opinions in between,
18 they're all there.

19 There's a third group, and you
20 hear some comments from them periodically.
21 They tend to deal with what you might call
22 unintended consequences. The spent fuel here

1 at Maine Yankee is valued at about \$35
2 million. This represents about 7 percent of
3 our tax base, and removal of that tax base,
4 that portion of the tax base, will result in
5 an increase in property taxes for every
6 citizen in Wiscasset of approximately 7
7 percent, unintended consequences, but it is
8 very real to the residents of Wiscasset. And
9 I did want to make you aware of that.

10 Let me change hats for a minute
11 and put on the hat of a resident here in
12 Wiscasset. I live between here and the
13 facility. I retired after 34 years of working
14 on the Space Shuttle Program. I retired as
15 Director of Orbiter Production and Operations
16 for United Space Alliance, NASA's prime
17 contractor on the Shuttle Program.

18 We learned some very hard lessons
19 on the Shuttle Program, the Challenger
20 accident, the Columbia accident. What we
21 learned was it is not a good thing to accept
22 deviance. Acceptance of deviation is a bad

1 thing.

2 Recently, I have seen a letter
3 from the NRC that approves a number of
4 exemptions for Maine Yankee here. This may be
5 very well and proper, but, as a resident, I
6 must caution the Commission, please, do
7 extreme due diligence to make sure that these
8 deviations are right and proper.

9 And I guess one final comment, not
10 as a Wiscasset Selectman or as a resident, but
11 as a citizen of the United States. Please put
12 some effort into a recycle program. Let's
13 make good use of the valuable resources that
14 this country has.

15 Thank you.

16 CHAIR MESERVE: Thank you.

17 Let me ask you a question. I'm
18 curious about the third group that you
19 mentioned. I think we've had testimony
20 previously that the consequence of the spent
21 fuel being here is that land that might
22 otherwise be used productively for business

1 purposes or other purposes is basically
2 withheld from development, and that the
3 argument is being made that, in fact, the tax
4 base would be enhanced if the spent fuel was
5 removed, so that the land could be used.

6 There might be a short-term loss,
7 as you have described because of the value
8 that's provided for the facilities that are
9 there, but the argument that we've heard is
10 the one that the property taxes over time
11 would be enhanced for Wiscasset if the fuel
12 was gone.

13 SELECTMAN POLEWARCZYK: I can't
14 argue with that. The problem is one of time
15 and how quickly it could be developed.

16 That site is ideal for
17 development. I can't argue that point. We've
18 got rail access, highway access, power
19 transmission line access, our own local
20 airport, all the things that would benefit
21 development.

22 We have one issue with that site,

1 and that is that currently there is some
2 groundwater contamination that limits that
3 development. So you can't neglect that in the
4 overall picture, but, boy, we would very much
5 like to develop that land.

6 Having it sit there, I would have
7 to agree with you, we could probably increase
8 our tax base a lot more than what we would
9 lose with the spent fuel. It's a matter of
10 timing.

11 CHAIR MESERVE: Thank you very
12 much.

13 We have one other Selectman. This
14 one is from Westport, George Richardson.

15 SELECTMAN GEORGE RICHARDSON: I
16 would like to thank Dr. Meserve and the rest
17 of the Subcommittee and Marge Kilkelly for
18 allowing me the opportunity to speak on behalf
19 of Westport Island, which is easterly from
20 Maine Yankee.

21 I have been a commercial fisherman
22 most of my life, and I have watched Maine

1 Yankee go up and I watched Maine Yankee come
2 down. I also was contracted to do the
3 environmental studies for Maine Yankee on both
4 the finfish and also some plankton studies.

5 I would like to welcome you to
6 Wiscasset as the so-called prettiest village
7 in Maine. I don't think that was mentioned by
8 some of the other town officials. But
9 welcome.

10 And I'm going to break the record
11 here of making statements. I'm going to pose
12 questions to the Subcommittee, which I would
13 like to have you research, if possible. And
14 it's a three-part question.

15 No. 1, is it true that there is a
16 reprocessing facility on the Savannah River in
17 Georgia that reprocesses spent nuclear fuel
18 waste from foreign countries? If so, why
19 aren't we utilizing that facility to reprocess
20 the spent fuel nuclear waste from within our
21 own country?

22 And the third part of that

1 question is, what has to be done by our
2 government to accomplish that in order to save
3 our taxpayers and electrical ratepayers
4 millions of dollars for the storage?

5 And I thank you very much for
6 allowing me the opportunity to speak.

7 CHAIR MESERVE: Mr. Richardson,
8 thank you.

9 I am aware of a facility at
10 Savannah River. It's actually not for taking
11 fuel from other countries. It's actually
12 taking excess plutonium from the weapons
13 program and converting it into fuel, so that
14 it can be burned in reactors as a way of
15 diminishing the stockpile of weapons-usable
16 material.

17 But thank you very much for your
18 comments, and we will look into your questions
19 and I will verify that my response is correct.

20 SELECTMAN GEORGE RICHARDSON:
21 Thank you.

22 CHAIR MESERVE: We now have a

1 panel of individuals who have knowledge and
2 experience on the storage and transportation
3 in the Northeast. They are here to my left,
4 and we would like to call on them one by one
5 for some comments.

6 First, a Representative of the
7 Maine Senate and the National Conference of
8 State Legislators, Senator Deb Simpson from
9 the 15th District here in Maine.

10 SEN. SIMPSON: Good morning,
11 Commissioners Meserve, Bailey, and Eisenhower.
12 Thank you for the opportunity to speak with
13 you here today.

14 My name is Deborah Simpson, and
15 I'm a Member of the Maine Senate and the
16 National Conference of State Legislatures'
17 High-Level Waste Working Group.

18 A few months ago, you heard from
19 my colleague, Delegate Sally Jameson, on the
20 work of NCSL and the issues facing Maryland
21 and the nation regarding waste disposition and
22 storage and the future of new reactors

1 I'm here today to speak to you
2 about NCSL policy positions on these issues
3 and those issues facing the State of Maine
4 regarding interim storage of used fuel.

5 As you know, the Maine Yankee
6 facility closed and was decommissioned
7 starting in 1995. And as of today, though the
8 plant is fully decommissioned, the used fuel
9 continues to be stored on site. This is a
10 significant concern, especially in light of
11 the decision to stop forward progress on the
12 licensing of Yucca Mountain as a geological
13 repository.

14 We appreciate the work of the Blue
15 Ribbon Commission and are encouraged by the
16 thoughtful process you are undertaking.

17 As you consider final
18 recommendations, we believe it is imperative
19 that the federal government and industry work
20 to develop one or more centralized interim
21 used fuel storage facilities using the
22 following principles:

1 State and local governments should
2 have a role in site selection and licensing.

3 The facility should be an NRC-
4 licensed facility.

5 Decommissioned plant fuel should
6 be moved first into this facility, and since
7 you're here in Maine, I hope we would be at
8 the top of that list.

9 The Nuclear Waste Fund should be
10 used to support the facility through State and
11 community financial incentives, licensing, and
12 construction financing.

13 Legislation should be enacted
14 instructing the federal government to lease
15 space at the facility for interim storage of
16 commercial used fuel and federal used fuel and
17 high-level radioactive waste.

18 Moving ahead in this fashion will
19 have the following benefits:

20 Enable the federal government to
21 at least partially fulfill its commitment to
22 remove used nuclear fuel from commercial

1 nuclear power plant sites.

2 Enable the federal government to
3 eliminate costly settlement payments due to
4 its failure to meet its Nuclear Waste Policy
5 Act obligations.

6 It will allow decommissioned plant
7 sites to be used for other beneficial
8 purposes, as you've heard a lot of today.

9 Demonstrate that a pathway to
10 eventual disposition of used nuclear fuel is
11 being developed.

12 It will demonstrate routine safe
13 transportation and central storage of used
14 nuclear fuel to the public and policymakers.

15 It will create a breather while
16 public policy regarding used nuclear fuel
17 recycling and ultimate disposal are resolved.

18 These are all issues, I think, for
19 the larger Committee of the Blue Ribbon
20 Commission: what are we going to do with the
21 future of nuclear power?

22 But having an interim storage

1 facility would also provide a facility for
2 studies, research, and development in support
3 of long-term storage of used fuel.

4 And for nuclear power plants that
5 have not implemented dry storage, this
6 facility would avoid such a need and a cost.
7 And for nuclear power plants that have
8 implemented dry storage, this facility would
9 help with the expansion of that storage.

10 An interim storage facility could
11 be built within seven to ten years, and the
12 fuel could be moved accordingly.

13 As you are aware, NCSL has policy
14 positions that support this path forward that
15 I have described, and we have copies available
16 for you.

17 I would be happy to answer any
18 questions, but there was one question that was
19 asked earlier of Mr. Norton by Commissioner
20 Eisenhower about the area and the storage
21 that's going on. If there is a change in what
22 needs to be done, we have a problem because

1 there's no way for us to change the cask that
2 we have that storage in now. So, a new
3 facility would have to be built in order to
4 transfer that, costing our taxpayers even
5 more.

6 My sister is a resident of
7 Westport Island. So I have spent many years
8 driving by the facility and watched sort of
9 the changes going on, but this last phase is
10 taking a little too long and we need a path
11 forward. As you look at the future for
12 nuclear power, there needs to be some
13 disposition because that's sort of the end of
14 the conversation.

15 As you asked Mr. Kerry about
16 Maine's position, if I try talking to people
17 about nuclear power, their first question is:
18 what is going to happen with the waste? And
19 the answer is still we don't know.

20 So, thank you for your time, and I
21 would be happy to answer any questions.

22 CHAIR MESERVE: Thank you.

1 If there are no questions now, we
2 can resume after they go through and see if
3 they have some further questions.

4 We now have Mr. Jay Hyland, who is
5 here representing the Maine Radiation Control
6 Program.

7 MR. HYLAND: Chairman Meserve,
8 Commissioners Bailey and Eisenhower, thank
9 you.

10 I'm a Manager of the Maine
11 Radiation Control Program, have been for 13
12 years.

13 The key State issues, I would say,
14 regarding Maine's oversight is \$220,000 per
15 year paid by the utility for that State
16 oversight, and that amount of money is spread
17 between four different State agencies,
18 primarily the Radiation Control Program, the
19 Department of Public Safety, the Department of
20 Environmental Protection, and the Office of
21 the State Public Advocate.

22 Additional issues regarding the

1 State of Maine and its oversight would be
2 outstanding money to be paid to the Nuclear
3 Waste Fund for power generated before the
4 Nuclear Waste Policy Act took effect of about
5 \$185 million.

6 The property resource that's been
7 talked about, primarily, as you know, there's
8 a large owner-controlled area. The point is
9 fairly narrow. So, although the land is quite
10 possibly technically available, not many
11 people want to build something in an area they
12 don't control.

13 The fairly sizable switchyard
14 that's within that owner-controlled area is
15 probably one of the largest resources on the
16 site, and is probably one of the large reasons
17 that John Kerry mentioned the pump-and-store
18 power plant that's proposed just north of the
19 Maine Yankee site.

20 There's also a large waterfront
21 resource, still a barge slip access, and
22 something that's been talked about for years

1 and years for this particular site, once
2 again, because of the switchyard, is the
3 potential for underwater transmission cables.
4 We have been talking about underwater
5 transmission cables to get Hydro-Quebec Power
6 down to Boston, New Jersey, New York.
7 Presently, the discussions are mostly related
8 to underwater transmission cables for off-sea
9 wind power.

10 About 120,000 years ago -- I
11 realize it's a large number, but we talk large
12 numbers in this business -- sea level was 5
13 meters higher than it was today in the State
14 of Maine. Some climate scientists predict
15 that sea level could be as much as 20 feet
16 higher in the next 100 years. Most of Bailey
17 Point -- well, maybe not most -- but a sizable
18 chunk of Bailey Point is 20 feet above sea
19 level, to give you just some idea of the time
20 constraints that you may be working in. And
21 if, in fact, that sea level rise is the truth,
22 it could be very inconvenient.

1 (Laughter.)

2 The lobster industry, the resident
3 of Westport Island has already mentioned the
4 fishing industry in mid-coast Maine is a very
5 large resource, and we would hate to see any
6 sort of impact on that, especially with the
7 state of the present economy.

8 I would say key issues for the
9 nation are going to be retrievability. Dr.
10 Chu mentioned that in one of his
11 presentations.

12 The Low-Level Waste Policy Act, we
13 attempted to site a low-level waste site in
14 the State of Maine, and that was the biggest
15 issue primarily for Maine residents, was the
16 retrievability of low-level waste, should
17 something go wrong.

18 There's been a lot of money spent,
19 a lot of people talking about ratepayers and
20 taxpayers, and money for the Waste Fund and
21 money for litigation. Well, the ratepayers
22 and the taxpayers are all citizens of the

1 United States. You've got a pretty big job
2 ahead of you.

3 There's been a number of quotes.
4 Einstein's quote, the definition of insanity:
5 "To continue doing the same thing over and
6 over again and expecting a different result."

7 I'm not sure that the Nuclear
8 Waste Policy Act is going to get us very far
9 without changes. One of the charges in your
10 Charter was potential legislation changes.

11 All of that said, in the interest
12 of time, I would say reprocessing is going to
13 be a big deal. It's going to have to be a
14 piece of the puzzle. It will decrease the
15 long-lived isotopes, recovers the usable
16 isotopes, makes it less of a strategic threat,
17 potentially decreases waste volume, and the
18 waste then becomes a commodity as opposed to
19 just a waste.

20 I think interim centralized
21 storage will decrease the cost to ratepayers
22 and taxpayers, and certainly makes the

1 decommissioned single sites available.

2 And that's it.

3 CHAIR MESERVE: Mr. Hyland, thank
4 you for your comments.

5 Now the statement from Mr. John
6 Shea, representing the New England Governors'
7 Conference.

8 MR. SHEA: Thank you, and I want
9 to start by thanking the Commission for
10 inviting me to address them today.

11 I'm really here just to very
12 briefly reiterate the position the Governors
13 have taken as a collective in New England on
14 this issue.

15 I'm going to restrict my comments
16 to the letter the Governors wrote on December
17 9th, I believe, of last year to Secretary Chu
18 regarding the Blue Ribbon Commission and some
19 of the issues they raised in that letter.

20 I think you're all aware that New
21 England has or five of our six states have
22 either operating or decommissioned units. At

1 the present time, we operate a regional power
2 pool. So, the issues created in other states
3 by these units are shared throughout the
4 region, both in terms of cost and other things
5 as well.

6 The letter supported the
7 consolidation and removal of waste from both
8 the decommissioned sites, but also the
9 operating sites in our region. It noted that
10 at the decommissioned units, of course, you
11 have an added tax burden that comes from just
12 basically keeping these sites open to store
13 the waste. That accounts for millions of
14 dollars of additional fees on our ratepayers
15 in the region. So that was one issue the
16 Governors raised.

17 A second issue the Governors
18 raised was a request to the Commission that
19 they work to develop recommendations and
20 policy alternatives as soon as possible to
21 remove the waste from these sites, citing the
22 fact, among other things, that the canisters

1 that the waste is stored in are basically at
2 this point licensed for 20 years. There's
3 concern that when the time comes for
4 relicensing, if there are any issues related
5 to doing that or delays in that process,
6 that's going to create some additional
7 problems for the facilities in the region.

8 I would like to say that the DOE
9 did respond to that letter, and they noted
10 that the Blue Ribbon Commission, which is
11 certainly a very distinguished group of folks
12 with a very diverse background in nuclear
13 issues, would be receptive to the questions
14 and the issues the Governors in our region
15 have raised.

16 I think I'm going to stop there
17 and not stray outside the confines of that
18 letter, which I think you all have as part of
19 your briefing packet. But I did want to thank
20 you again for inviting me to just reiterate
21 the position of the Governors, and I really
22 appreciate being here. So, thank you very

1 much.

2 CHAIR MESERVE: Thank you, Mr.
3 Shea.

4 Just a quick question. You
5 mentioned that fees that are being paid by
6 ratepayers for the maintenance of the sites.
7 Am I not correct that those fees are
8 recoverable in these lawsuits that everyone's
9 filing against the Department of Energy?

10 MR. SHEA: That could very well be
11 possible. I do not know that personally
12 myself, and I'm sorry I don't have the same
13 level of expertise my fellow panelists have on
14 these issues.

15 CHAIR MESERVE: Okay. Thank you.

16 We're next going to hear from Mr.
17 Ed Wilds of the Northeastern High-Level
18 Radioactive Waste Transportation Task Force.

19 I'm sorry, there are two
20 representatives and we will have Mr.
21 Richardson go first.

22 MR. CORT RICHARDSON: Thank you.

1 There are three of us here today
2 representing the Northeast High-Level
3 Radioactive Waste Transportation Task Force:
4 Dr. Ed Wilds and Uldis Vanags and myself.

5 I would like to go first, with
6 your permission, and then I will be followed
7 by Dr. Wilds and then Mr. Vanags.

8 My name is Cort Richardson. I
9 work for the Council of State Governments'
10 Eastern Regional Conference, CSG ERC. CSG is
11 a national nonprofit organization serving all
12 three branches of state government to foster
13 the exchange of information and ideas in order
14 to help state officials shape public policy.

15 I am the Director of CSG ERC's
16 Northeast High-Level Radioactive Waste
17 Transportation Project, based in Montpelier,
18 Vermont, and I welcome the opportunity to
19 address the members of the Transportation and
20 Storage Subcommittee of the Blue Ribbon
21 Commission this morning.

22 The project was founded in 1994 to

1 engage state officials, other stakeholder
2 interests, and the general public in the
3 Northeast Region on issues pertaining to
4 federal radioactive waste shipment policies
5 and programs. The project is funded through
6 cooperative agreements with the U.S.
7 Department of Energy.

8 Our primary purpose is to maintain
9 and staff a working committee of executive
10 agency officials representing 10 northeastern
11 states to enable them to engage effectively on
12 radioactive waste transportation matters.

13 To that end, the Northeast High-
14 Level Radioactive Waste Transportation Task
15 Force, comprised of representatives from 10
16 northeastern states, was established by the
17 Project in 1995.

18 Joining me this morning are two
19 members of the Northeast Task Force, who both
20 hold important nuclear safety positions in
21 their respective state governments. They will
22 introduce themselves and address the

1 Subcommittee on some of the impacts and
2 concerns that recent changes in federal
3 radioactive policy have caused their states.
4 They will touch upon issues affecting both
5 operating and closed commercial reactors.

6 The Northeast Task Force addresses
7 regional issues pertaining to the
8 transportation of high-level radioactive
9 waste, transuranic waste, and spent nuclear
10 fuel from federal research and defense
11 facilities and commercial nuclear power
12 plants.

13 The Northeast Task Force and the
14 Project collaborate with DOE, other federal
15 agencies, committees representing states in
16 all regions of the country, Indian tribes,
17 waste generators, the transportation industry,
18 and other interested parties, to jointly plan
19 for radioactive waste shipment campaigns that
20 affect our area and to resolve related issues
21 in ways that meet the needs and concerns of
22 our region and the rest of the nation.

1 This consultative process with
2 radioactive waste shipment planning has
3 resulted in key transportation safety issues
4 being resolved to the mutual benefit of all
5 affected parties, and with remarkably few
6 accidents, adverse incidents, or negative
7 public reactions.

8 The federal government's decision
9 to cancel the Yucca Mountain National
10 Repository effectively ended this engagement,
11 particularly as it pertains to planning for
12 the future transportation of commercial spent
13 nuclear fuel, as the cooperative agreements
14 that existed between the state regional groups
15 and other key stakeholder interests with DOE's
16 now defunct Office of Civilian Radioactive
17 Waste Management was also terminated.

18 However, any successful policies
19 for the long-term management of high-level
20 waste and spent nuclear fuel will require
21 waste to be transported, whether to a national
22 repository, to interim storage sites, to

1 advance fuel cycle or reprocessing facilities,
2 or between federal or commercial reactor
3 sites. Without meaningful state participation
4 in national radioactive waste transportation
5 planning, it will be very difficult to pursue
6 any new strategies for managing those
7 materials in a manner that fosters cooperation
8 between key jurisdictions and builds public
9 support. For this reason, it is essential
10 that states continue to be involved in
11 addressing national radioactive waste
12 transportation policy and planning.

13 One of our fellow regional groups,
14 the Western Governors' Association, has a
15 Memorandum of Agreement with the Secretary of
16 State for the transportation of transuranic
17 waste to DOE's Waste Isolation Pilot Project
18 in Carlsbad, New Mexico.

19 The Department has operated WIPP
20 successfully for over a decade and conducted
21 thousands of shipments without serious
22 incident and with extensive public support in

1 the affected areas.

2 The extensive WGA procedures have
3 formed the model for DOE to reach agreements
4 with other state regions for developing waste
5 transportation plans. In a May 24th, 2010
6 letter to Secretary Chu, with copies provided
7 to the BRC Chairs, WGA stated that the
8 nation's strategy for the back-end of the
9 nuclear fuel cycle is of serious interest to
10 the states and asked the Secretary to provide
11 full opportunity for state government
12 participation during the Commission process or
13 risk undermining the effectiveness and public
14 acceptability of its findings and
15 recommendations.

16 We urge the Commission and this
17 Subcommittee to conduct an in-depth review of
18 the national experience with managing high-
19 level waste shipments, including the extensive
20 analysis available and lessons learned from
21 those campaigns, and to support the
22 involvement of the effective system of state

1 regional groups in your deliberations.

2 Mr. Alex Thrower, who is on your
3 staff, is a national authority on much of that
4 history, and it would be a very valuable
5 resource for you, as I'm sure you have
6 discovered.

7 Regarding the transportation
8 challenges that we face in the Northeast, it
9 is important to note that DOE, the Federal
10 Railroad Administration, the National
11 Academies of Science, and other authorities
12 all support shipping mostly by rail as the
13 preferred mode for transporting high-level
14 waste.

15 In the Northeast, we have a
16 decaying railroad infrastructure that is often
17 compounded in the vicinity of radioactive
18 waste generator sites, particularly nuclear
19 power plants which are often located in rural
20 and economically-depressed areas.

21 CHAIR MESERVE: Mr. Richardson,
22 could I ask that you wind up, given that the

1 time has expired?

2 MR. CORT RICHARDSON: Yes.

3 These conditions raise issues and
4 many questions about the need to conduct
5 potentially complicated multi-modal movements,
6 the feasibility of improving aging railroad
7 track and facilities, route selection
8 standards, and shipment operation procedures.

9 The Northeast Task Force and FRA
10 were engaged in a multi-year study of near-
11 site transportation infrastructure problems
12 around nuclear power plants when our
13 cooperative agreements were canceled. We had
14 conducted investigation of several regional
15 plants which enabled us to gather important
16 data and gain valuable insights. We would
17 like to resume the study, but that takes
18 resources that we currently don't have.

19 Finally, I will provide the
20 Subcommittee, through Mr. Thrower, with
21 several documents, including a 2009 CSG
22 National Policy Forum Resolution on Nuclear

1 Waste Policy, an op-ed that the Project
2 published in several Northeast newspapers last
3 year, and a number of other materials.

4 Thank you very much for the
5 opportunity to speak with you today. We look
6 forward to more contacts with the Blue Ribbon
7 Commission in the future.

8 CHAIR MESERVE: Mr. Wilds?

9 MR. WILDS: I would like to thank
10 the Transportation and Storage Subcommittee of
11 the Blue Ribbon Commission on America's
12 Nuclear Future for the opportunity to speak
13 this morning.

14 My name is Dr. Edward Wilds. I am
15 the Director of the Radiation Division at the
16 Connecticut Department of Environmental
17 Protection, and I'm Connecticut's designee to
18 the Northeast High-Level Radioactive Waste
19 Transportation Task Force.

20 The Department of Environmental
21 Protection is an executive agency within the
22 State of Connecticut, and it is charged with

1 representing the public's interest with regard
2 to matters relating to ionizing radiation, and
3 the Radiation Division is specifically
4 responsible for this function within the
5 Department.

6 This morning I am going to limit
7 my comments to issues related to single-unit
8 decommission sites, since that's a focus of
9 today's meeting, and they present unique
10 problems. Specifically, I would like to
11 address issues related to land use, security,
12 the environment, and transportation.

13 With regard to land use, several
14 of the single-unit decommission sites remained
15 licensed under 10 CFR Part 50 to take
16 advantage of an Independent Spent Fuel Storage
17 Installation general license. This means that
18 these sites still remain subject or regulated
19 for emergency planning purposes under Part 50,
20 and it causes some uncertainty in how to
21 effectively address land use.

22 Presently, the size of the owner-

1 controlled area, coupled with existing
2 accident and design-based threat analysis,
3 effectively limits any offsite consequences,
4 so the consequences remain only on site. If
5 land is sold off and developed, there's the
6 potential that future changes and the type of
7 accidents and the design basis threats
8 analyzed could result in offsite consequences,
9 and this would require these facilities to
10 redevelop full offsite emergency planning
11 activities with the potential of re-
12 establishing emergency planning zones.

13 Also, under the existing
14 regulatory framework, a 10 CFR Part 50
15 licensee must evaluate future onsite
16 activities for threat to fuel before they are
17 implemented and future offsite activities that
18 potentially threaten the fuel when they become
19 aware of it, and then mitigate that threat to
20 ensure the safety of the fuel.

21 Depending on the type of
22 redevelopment of the land sold or ownership

1 transferred, future activities not related to
2 the Independent Spent Fuel Storage
3 Installation may threaten future fuel storage,
4 causing a delay in ensuring mitigation of the
5 threat.

6 To address this potential
7 situation, either the development of the land
8 is controlled by the company trying to go out
9 of business, the land use restrictions are put
10 in place to limit future development of the
11 land, or we have to allow a potential future
12 threat to the fuel to exist with a delay in
13 mitigation of that threat to the fuel. All
14 these options are unreasonable for
15 redevelopment.

16 With regard to security, the cost
17 of increased staff, training, maintaining
18 qualifications, and management of multiple
19 facilities adds expense to our security effort
20 with no benefit to security. With the U.S.
21 Nuclear Regulatory Commission requiring
22 decommissioned sites licensed under 10 CFR

1 Part 50 to comply with operating reactor
2 security requirements, this demonstrates that
3 regulatory requirements on decommissioned
4 sites holding 10 CFR Part 50 licenses will
5 continue to be applied, reinforcing the
6 concerns related to land use.

7 For environmental issues, with the
8 indefinite onsite storage at multiple
9 locations, the fuel at some point will likely
10 be required to be reloaded into new casks.
11 This could be due to degradation of existing
12 casks due to age or decay or the failure to
13 obtain an NRC recertification.

14 Single-unit decommissioned sites
15 perform their decommission activities under
16 the federal obligations outlined in the
17 existing law, and they remove buildings and
18 structures for fuel-handling at each site. To
19 have fuel-handling now come back would
20 increase the risk of these multiple site
21 locations to become contaminated, and this
22 could potentially lead to more increased land

1 use restrictions.

2 Consideration must be given for
3 transportation and how to deal with future
4 management of existing spent nuclear fuel in
5 storage at the single sites. When they were
6 decommissioned, the facilities had to choose
7 a cask design that specifically addressed the
8 unique characteristics, and movement of the
9 fuel at the site must be done prior to any
10 expiration of the cask certification for
11 storage and transportation.

12 To require reloading into a
13 different cask or delaying transportation
14 until after the existing casks lose their
15 certification would require fuel-handling at
16 multiple sites and associated problems with
17 that.

18 Transportation --

19 CHAIR MESERVE: Mr. Wilds, could
20 you wrap up?

21 MR. WILDS: I'm almost done.

22 Transportation and routing

1 security will be a challenge, but it is not
2 insurmountable. With state involvement as a
3 partner, these issues can be solved. An
4 excellent example is the DOE Transportation
5 External Coordinating Working Group, which has
6 transitioned to the National Stakeholders'
7 Forum.

8 And I would just encourage that
9 this partnership be considered in the
10 development of any future options for spent
11 fuel.

12 And I would like to thank you for
13 the opportunity.

14 CHAIR MESERVE: Thank you very
15 much.

16 Mr. Vanags?

17 MR. VANAGS: Thank you for having
18 us here to talk with you, tell about our
19 experiences and situations in our states and
20 in the region.

21 My name is Uldis Vanags, and I am
22 the State Nuclear Engineer for the Vermont

1 Department of Public Service and a Vermont
2 designee to the Northeast High-Level
3 Radioactive Waste Transportation Task Force.

4 The Department of Public Service
5 is an agency within the executive branch of
6 Vermont's State Government. Its charge is to
7 represent the public interest in matters
8 regarding energy, telecommunications, water
9 and wastewater.

10 With regard to energy, Vermont has
11 one nuclear power station, Entergy Nuclear
12 Vermont Yankee, located in southern Vermont.
13 Vermont Yankee is an early-vintage boiling
14 water reactor that began operation in 1972,
15 which is the same as Maine Yankee.

16 Vermont Yankee's Nuclear
17 Regulatory Commission license, operating
18 license, as well as a Certificate of Public
19 Good issued by the Vermont Public Service
20 Board are due to expire March 22nd, 2012.

21 Vermont has sought a 20-year
22 license renewal from the NRC, and a decision

1 is expected in the near future. But for
2 Vermont Yankee to continue its operation after
3 2012, the company also requires a Certificate
4 of Public Good from our State Public Service
5 Board for the same timeframe, which will
6 extend its operation to 2032.

7 The proceedings for the
8 Certificate of Public Good began several years
9 ago and are continuing. The issuance of the
10 CPG requires examination and consideration of
11 the impact of the Vermont Yankee operation on
12 the environment, economic benefit, reliability
13 of electric power generation, and other issues
14 to weigh whether there is an overall public
15 benefit. Additionally, our legislators must
16 make a finding that continued operation of the
17 plant will promote the general welfare.

18 The uncertainty of the final
19 disposition of the spent nuclear fuel at
20 Vermont Yankee and additional use fuel that
21 would be produced with another 20 years of
22 operation has resulted in decisionmakers and

1 the public debating whether continued
2 operation is in the public good.

3 One of the issues examined by the
4 Board is the production of spent nuclear fuel
5 and the disposition of this used fuel.

6 Several years ago, Vermont Yankee applied to
7 the Public Service Board for a CPG to build an
8 Independent Spent Fuel Storage Installation
9 because, after 36 years of operation, it had
10 maximized spent fuel for re-racking and needed
11 to begin moving spent nuclear fuel to dry
12 casks to preserve the ability for full-core
13 offload.

14 After deliberations and testimony
15 from parties that were opposed and in support
16 of granting Vermont Yankee the permission to
17 build a limited-capacity ISFSI, the Board
18 granted the CPG. The size of the ISFSI at
19 Vermont Yankee is limited to 36 casks which
20 would accommodate spent nuclear fuel produced
21 until 2032 while preserving full-core offload.

22 However, the CPG granted to

1 Vermont Yankee only permits the storage of
2 spent nuclear fuel produced until March 2012,
3 the CPG they have right now. This CPG was
4 granted with the understanding that the Yucca
5 Project was moving forward and the Department
6 of Energy had a schedule to remove the used
7 nuclear fuel.

8 In addition to Vermont Yankee
9 seeking a CPG from the Board to continue their
10 nuclear power operation to 2032, Vermont
11 Yankee is also specifically requesting
12 approval to store spent nuclear fuel in the
13 next 20 years.

14 Testimony has been filed and
15 hearings have been held to date. The issue of
16 the Department of Energy's failure to perform
17 in removing spent fuel from the many power
18 reactor sites was fully aired.

19 The estimated dates when DOE would
20 begin removing spent nuclear fuel at power
21 reactor sites for the last 25 years has
22 constantly been pushed to a later date, to the

1 point that it is hard to make an argument that
2 the dates are meaningful.

3 And now with the Administration
4 seeking to stop the Yucca Mountain Project,
5 the final disposition of spent fuel is left in
6 question, but, most of all, decisionmakers and
7 members of the public are weighing whether it
8 is responsible to produce more spent fuel at
9 Vermont Yankee's station when there presently
10 is no plan.

11 Although this is not the only
12 issue that is being considered by Vermonters
13 regarding the continued operation of Vermont
14 Yankee after 2012, it is an issue that is easy
15 for all to understand and have strong
16 opinions. This issue is analogous to a can
17 being kicked down the road for decades, and
18 the public is wondering if it will ever be
19 picked up and disposed properly or recycled.

20 The spent nuclear fuel certainly
21 cannot be stored indefinitely at a nuclear
22 power site where it was never intended to be

1 stored for long-term, and the public was told
2 numerous times that it will be removed by the
3 federal government.

4 This issue places at risk the
5 continued operation of Vermont Yankee Nuclear
6 Station for an additional 20 years and the
7 prospect of Vermonters having to cope with
8 spent nuclear fuel siting on site for unknown
9 periods of time stretching out for decades.

10 With this said, I hope that I
11 presented to this distinguished panel how this
12 spent fuel issue is complicating the issue of
13 the continued operation of Vermont Yankee and
14 may add to its operations ceasing in 2012.

15 CHAIR MESERVE: Can I ask that you
16 wind up?

17 MR. VANAGS: Yes, I'm done.

18 I appreciate the mission the BRC
19 is undertaking to reevaluate how to resolve
20 the back-end of the nuclear fuel cycle. I
21 remain hopeful and optimistic that the BRC
22 will provide direction for our nation to

1 resolve this issue.

2 CHAIR MESERVE: Let me ask you a
3 quick question about your presentation.

4 MR. VANAGS: Yes.

5 CHAIR MESERVE: It is my
6 understanding that there were a variety of
7 issues that have been of concern at Vermont
8 Yankee. If the disposition of the spent fuel
9 issue were resolved in a fashion that was
10 satisfactory to the public, would there be
11 support for continued operation of that plant?

12 MR. VANAGS: I have no doubt that
13 it will be helpful because this issue has been
14 raised just over and over again by legislators
15 and organizations that have intervened in the
16 proceedings, that there is no plan for the
17 fuel and that it is just stockpiling there,
18 and questions about who is going to pay for
19 it.

20 Even our own Department is seeking
21 to establish a fund that will require Vermont
22 Yankee to put in money for spent fuel storage

1 because there is no clear certainty who is
2 going to pay for it. Vermonters are very
3 concerned. They don't want to be stuck with
4 the problem and nobody will be there.

5 So it is definitely a very big
6 issue in Vermont that the fuel has no place,
7 no plan now.

8 CHAIR MESERVE: There will be an
9 opportunity for public statement later.

10 Let's turn now -- I'm sorry,
11 another question from Susan.

12 MEMBER EISENHOWER: Yes. Thank
13 you very much, everybody on this panel, and I
14 know we're going to hear from a few others.
15 So maybe I should hold my question until the
16 whole panel has spoken?

17 CHAIR MESERVE: Go ahead.

18 MEMBER EISENHOWER: Okay. Well,
19 you know, since the Blue Ribbon Commission
20 started meeting, we have talked to many groups
21 and we hear the frustration of people who are
22 dealing with this issue firsthand. This is

1 the moving of the used fuel.

2 I am curious to know about this
3 frustration. Has it existed for some time or
4 is it something relatively new because of the
5 decision to close the Yucca Mountain Project?
6 How would you sort of weight the evolution of
7 this public unhappiness?

8 MR. VANAGS: It has always been
9 there, but it has intensified. Before,
10 because the Yucca Mountain time table was
11 always delayed, I literally have legislators
12 telling me, you know, "You were here last year
13 and you told me this date. Here you are
14 again. You told me another date. Why should
15 I believe anything you say anymore?"

16 And now at this point we are now,
17 now it's really, what do we say? We have
18 nothing to say now, except hopefully that you
19 will come up with a plan for the nation that
20 would work.

21 MR. CORT RICHARDSON: The problem
22 is, also, from my standpoint, is that after

1 years of arguably mismanaged program on the
2 part of the Department of Energy and other
3 federal agencies, the Department was starting
4 to make real progress in 2005 and '06 that
5 continued up until the present time with the
6 license application being filed, for example,
7 and other progress that was made.

8 Unfortunately, it was really
9 Congress, no matter what the claims are, DOE
10 is often fingered as the scapegoat. But if
11 you follow the process closely, you realize
12 that it was actually Congress that defunded
13 and interrupted the progress that was being
14 made with Yucca Mountain.

15 CHAIR MESERVE: Let's turn now to
16 Mr. Brian O'Connell, who is here representing
17 NARUC, the National Association of Regulatory
18 Utility Commissioners.

19 MR. O'CONNELL: Thank you, Mr.
20 Chairman and Commissioners. I do have some
21 slides I would like to just cover. I did
22 provide a detailed statement and all of these

1 slides. I will just cover a few of them.

2 If we can go to the next one?

3 It is my premise, based on
4 observation of the program, that the possible
5 choices that your Commission is going to come
6 up with won't be able to be implemented for at
7 least 20 years. I will just state that as a
8 premise, and I question whether or not we
9 should continue for another 20 years for the
10 decommissioned sites.

11 If we could go to slide six?

12 The Department of Energy was asked
13 in 2007 by the House Appropriations Committee
14 to do a study of consolidating the fuel from
15 the decommissioned sites. I would say that
16 they did not enthusiastically embrace this as
17 an opportunity when they prepared their
18 report. They did not talk with communities.
19 They did not talk with the nuclear utilities
20 involved. They just answered the mail, as I
21 put it.

22 But let's take what they

1 concluded. It is that all of the fuel from
2 these sites could be relocated to a conceptual
3 location for about \$740 million. That
4 represents about one year's worth of fees that
5 are collected from ratepayers. So, if we were
6 able to achieve that objective, that sounds
7 like a bargain in simple terms.

8 If I could go to slide ten,
9 please?

10 And so, in my detailed comments, I
11 list these benefits. And frankly, we have
12 covered this ground already in the
13 presentations that have been made.

14 There is presumed economies of
15 scale, economic benefit to consolidating that
16 I think is quite obvious to everyone.

17 And the last one I think is very
18 important, to show that we can get something
19 done. This is in the matter of low-hanging
20 fruit perhaps.

21 The next slide, please. Oh,
22 excuse me. Slide 13.

1 So I ask this question
2 rhetorically: if your Commission is able to
3 conclude early on that doing something about
4 the decommissioned waste is going to come out
5 in your final report, why not put it in early
6 in the cycle of what gets done in government?
7 And that is to represent that this does not
8 conflict with any of your likely outcomes and
9 that we should get going with some early
10 planning.

11 Next slide, please.

12 So, if it were to be done to link
13 up with the fiscal year '12 budget cycle, the
14 Department could ask for what legislative
15 authority they currently say they lack for
16 storing commercial fuel and get that out of
17 the way, as well as get into some of the
18 preliminary planning. So, that's my
19 recommendation to the Commission.

20 I thank you for coming to
21 Wiscasset. It's very important to the people
22 here and at the other locations. Thank you

1 very much.

2 CHAIR MESERVE: Thank you, Mr.
3 O'Connell.

4 I have a question that perhaps was
5 precipitated by the fuller set of slides that
6 were provided in advance. Perhaps it was
7 someone else's.

8 But there was a comment made to
9 the effect that the existing contracts with
10 all the reactors have some terms as to the
11 order in which fuel was to be taken, with the
12 oldest fuel first.

13 MR. O'CONNELL: Right.

14 CHAIR MESERVE: And that there
15 might be some legal issues arising out of
16 those contracts if the fuel from the
17 decommissioned sites were to move to the head
18 of the queue.

19 MR. O'CONNELL: Right.

20 CHAIR MESERVE: As logical as that
21 would be, it may have some entanglements.
22 Have I misunderstood the situation?

1 MR. O'CONNELL: I would hope this
2 is in the category of things that we could
3 each do to kind of work through a greater
4 benefit at the front-end; namely, to set aside
5 that contractual obligation.

6 I cannot speak for the nuclear
7 industry or any of the owners, but I would
8 think that they would be encouraged by some
9 early movement and taking care of what I refer
10 to as a triage situation, that this is the
11 fuel that needs to be moved most rather than
12 based on what was in a contract signed 20
13 years ago.

14 CHAIR MESERVE: There might have
15 to be some agreements, then, get made
16 throughout the nuclear industry --

17 MR. O'CONNELL: Right.

18 CHAIR MESERVE: -- to proceed with
19 your recommendation.

20 MR. O'CONNELL: Yes.

21 CHAIR MESERVE: Let me turn now to
22 General Lewis Curtis, who is here representing

1 the Boothbay Harbor Emergency Services and, as
2 I understand it, has a perspective on the
3 Community Action Program.

4 GEN. CURTIS: Thank you, Mr.
5 Chairman.

6 I spent 34 years on active duty
7 with the Air Force.

8 CHAIR MESERVE: Could you move
9 your microphone closer?

10 GEN. CURTIS: Hello, microphone.

11 (Laughter.)

12 Sit steady; the end is near.

13 (Laughter.)

14 After 34 years on active duty, I
15 served as the logistics officer with
16 specializing in aircraft maintenance and
17 nuclear munitions. I also served as a Deputy
18 Director of Emergency Management for three
19 towns and provided the structure for emergency
20 planning for those towns and the county after
21 Maine Yankee ceased operation. I also spent
22 13 years here on the panel of Maine CAP.

1 I join Marge Kilkelly in welcoming
2 all of you as well.

3 As she indicated in her testimony,
4 the CAP has provided a regular opportunity for
5 input of public concerns regarding Maine
6 Yankee issues, and the CAP added immeasurably
7 to the decommissioning and transfer of the
8 spent nuclear fuel from pool storage to the
9 dry cask system we have today.

10 In my last four assignments on
11 active duty, the management control and
12 modification of Air Force nuclear weapons was
13 one of my responsibilities. In that capacity,
14 nuclear storage sites came under my purview as
15 well, and I can attest to the fact that the
16 level of security at our ISFSI, with its
17 reliance on local, county, and first State
18 responders, should there be an inadvertent or
19 deliberate attempt on intrusion, rivals those
20 facilities in the Air Force.

21 However, the reliance on this
22 external law enforcement places an added

1 burden on these resources. Centralized
2 storage of nuclear fuel from decommissioned
3 reactors with an independent security and
4 cohesive workforce would be much more
5 efficient.

6 Regarding the transportation of
7 spent nuclear fuel canisters, I am most
8 concerned about the deteriorating
9 infrastructure and the needs to strengthen
10 shipping/tracking systems alluded to by Mr.
11 Richardson.

12 With the closing of numerous
13 military installations resulting from the Base
14 Realignment and Closure Commission, fewer rail
15 and road movements are taking place from fewer
16 geographical locations. Our road and rail
17 arteries -- our arterieries, yes (laughter)
18 -- arteries will need to be refurbished,
19 including our local area.

20 Also, there is in existence a
21 movement monitoring system that we in the Air
22 Force call Bird Dog that needs to be

1 revitalized to track the movement of spent
2 nuclear fuels. At one time, Bird Dog was
3 available in every state. It no longer is in
4 existence in many states.

5 In the June 2000 (sic) Maine CAP
6 meeting, Chair KilKelly proposed two actions
7 for the CAP to consider. One was the
8 invitation which you have graciously responded
9 to, and the second was to send a letter to the
10 Secretary of Energy, Secretary of
11 Transportation, and the Northeast
12 congressional delegation urging that funding
13 for spent nuclear fuel transportation planning
14 and infrastructure be included in the FY10
15 budget. That, however, based on what happened
16 with the Administration's proposals, never
17 came to be. In the end, we didn't send the
18 letter, as the Administration was intent on
19 eliminating Yucca Mountain.

20 The CAP asks that you make this a
21 priority in your report to the Administration
22 for the upcoming FY budget. It will do little

1 good to move forward with centralized interim
2 storage, for example, if DOE has not developed
3 transportation casks for the spent fuel and
4 the necessary structures and infrastructure
5 upgrades have not been completed.

6 Centralized storage -- or spent
7 fuel from decommissioned sites in the long run
8 will be less costly and more efficient than
9 the present nine sites around the country. It
10 will enhance security and also reduce the
11 overall sites storing spent fuel, making no
12 sites available for other purposes to benefit
13 the communities and regions that they are in.
14 But to be successful, we've got to start this
15 planning now.

16 Thank you for the opportunity to
17 address you.

18 CHAIR MESERVE: Thank you, General
19 Curtis.

20 Let me ask my colleagues if they
21 have any questions for General Curtis or to
22 the panel.

1 MEMBER BAILEY: For Mr. O'Connell
2 and others, too, I was interested in your
3 dialog with Chairman Meserve on the queue for
4 the orphan sites. I was probably not as aware
5 of understanding there.

6 If we are looking at interim
7 storage, you're talking centralized interim
8 storage; it would be your thought that the
9 orphan sites would move first or is there
10 contracts that prevent that? Help me
11 understand.

12 MR. O'CONNELL: Well, I guess one
13 of the terms I have heard is granular. The
14 table of acceptance of the spent fuel is
15 literally based on oldest fuel first, and it
16 allocates it among the owners of the fuel
17 involved, and they get a place in the queue up
18 to a certain rate per year set forth in the
19 contract itself.

20 There has always been a provision
21 for trading places in the queue, either within
22 the same company or with another company. I

1 don't know how that was going to work out. It
2 obviously went to the back burner when nothing
3 was being moved. But there seems like there's
4 the opportunity to work out a tradeoff. It's
5 an opinion.

6 MEMBER BAILEY: The storage, this
7 interim storage, then, would it be my
8 understanding, then, that we would move it
9 again to another site, a permanent repository?

10 MR. O'CONNELL: There are two
11 scenarios that I foresee. One is a DOE-
12 managed central interim storage facility in
13 which DOE would accept the fuel, retain
14 ownership of it, and store it.

15 In a second scenario, there are
16 various efforts in which private or community-
17 based organizations step forward to
18 voluntarily host a facility. I think the
19 predicate in those cases is that DOE would
20 retain title once they accept it from the
21 utilities and, more or less, lease space at a
22 servicing facility, this interim storage

1 facility. A lot of that detail has been
2 discussed, but not firmed up in any way that
3 I'm aware of.

4 MEMBER BAILEY: Okay.

5 CHAIR MESERVE: I think that Ms.
6 Bailey was referring to an issue that nobody
7 has mentioned, and that is the concern that
8 has been expressed by some that, if one
9 creates an interim storage site and then,
10 ultimately, a disposal site elsewhere, that
11 you then are transporting the fuel twice and
12 handling it twice, and that that's been one of
13 the arguments for not having a storage
14 facility, but going directly to a disposal
15 facility, so you minimize the transportation
16 and handling of the material.

17 MR. O'CONNELL: That is correct.

18 The DOE study acknowledged that that would be
19 one of the limitations or one of the downsides
20 is that there would be a double handling. I
21 don't think that is an insurmountable concern.
22 But it is literally true that, unless you

1 coincidentally chose the site co-located with
2 the repository or reprocessing facility, which
3 was one of the items in the Global Nuclear
4 Energy Partnership Initiative, was to seek
5 inputs from communities around the country,
6 and I believe 11 responded, having some
7 interest in that program, mostly, I suspect,
8 with the prospect of being a reprocessing
9 facility with economic development, and so
10 forth.

11 CHAIR MESERVE: Susan?

12 MEMBER EISENHOWER: Yes, I just
13 had a sort of technical follow-up question.
14 I have been very interested in this question
15 of cask licensing and reloading because of the
16 information we got here about what would be
17 required to reload on site. So, let me just
18 use that information I got today and through
19 your testimony to go back to this question
20 about oldest fuel and jumping queue.

21 In cases in the past, was the
22 queue jumped because of licensing

1 considerations of the casks themselves? I
2 mean I would think in a way that the age of
3 the fuel may not be as important as when
4 relicensing comes up again and additional
5 expenses are incurred.

6 Maybe you could just speak to
7 that. I'm not exactly sure what my question
8 is, but I need more information.

9 MR. O'CONNELL: I don't think
10 there were any contractual arrangements that
11 were involved in the decision to create the
12 dry cask storage. It was just necessitated by
13 maxing out the capacity of the cooling pools
14 and not seeing DOE coming to accept the fuel,
15 filling the gap with the dry cask storage. I
16 don't think there were any impacts on losing
17 your place in line in that.

18 MEMBER EISENHOWER: I can see that
19 I had my tenses incorrect and, therefore, you
20 probably didn't get my question. I was
21 wondering about, we should put it in this
22 hypothetical situation where there would be

1 some effort to put orphan sites first and then
2 to find a priority for what goes first.

3 As part of the historical
4 background here and in terms of your
5 recommendation, would you argue -- do you
6 understand where I'm going with this? I'm on
7 your recommendation rather than taking fuel
8 rods out of cooling pools.

9 MR. O'CONNELL: Yes. I would
10 argue for the triage approach of who needs to
11 move first for what purpose, and fresh fuel
12 coming out of a pool would, though it might
13 have been -- well, I'm getting off-track
14 myself.

15 I think what would be helpful, and
16 I didn't go to your first meeting, but I think
17 a more detailed briefing by the DOE
18 contracting officer on this issue and somebody
19 from the nuclear industry would be very
20 helpful for the Subcommittee.

21 CHAIR MESERVE: Did you want to
22 follow up on that same point?

1 MR. WILDS: Yes.

2 CHAIR MESERVE: Mr. Wilds?

3 MR. WILDS: The queue is related
4 to the age of the fuel as it's brought out of
5 the reactor. The time and the clock starts on
6 the cask when it's loaded. So you can have a
7 situation where fuel that's not as old is in
8 a more critical time consideration because it
9 was placed in the cask before older fuel that
10 may be sitting in a pool right now. So there
11 is that conflict that will need to be
12 addressed in the future management of the
13 fuel.

14 MEMBER EISENHOWER: Thank you.
15 That was my question.

16 CHAIR MESERVE: Let me pursue sort
17 of a dilemma I think that you present, as
18 anyone thinks about a storage facility.

19 Several of the speakers have
20 appropriately mentioned that the
21 understandings they had when Maine Yankee, for
22 example, was operating was that the fuel was

1 going to be here for a limited time and that
2 it was going to leave, and that the Department
3 has reneged on a deal.

4 And it seems there may well be a
5 serious problem on establishing a storage site
6 because the idea of a storage site is it will
7 be there for a limited time, until there's a
8 disposal facility available. And the question
9 is, how long is it going to take to have such
10 a disposal facility? We've seen this to be
11 very difficult to establish a disposal
12 facility.

13 And unless you have assurance of
14 the existence of a disposal facility in a
15 defined period of time, I wonder whether
16 communities will be prepared to accept a
17 storage facility. I mean, as sensible as it
18 is as an interim step, it may be just too hard
19 a thing to do, given the history we have had
20 on the federal government keeping its
21 commitments with regard to moving fuel to a
22 disposal facility.

1 I invite any of you to comment on
2 how we break our way through that dilemma.

3 MR. CORT RICHARDSON: If I might
4 respond to that briefly, the concerns that you
5 have mentioned are actually embodied, as you
6 probably know, in the Nuclear Waste Policy
7 Act. I mean you would need to make changes to
8 the federal law in order to enable the
9 development of any meaningful scale interim
10 storage facility.

11 And that is not a trivial
12 undertaking. I mean there hasn't been any
13 amendments in nearly a decade, anyhow, since
14 2002, to the Nuclear Waste Policy Act. And
15 all of the changes that have been made to
16 federal policy over the last year or two with
17 the suspension of the Yucca Mountain Project
18 are just engineered through the Budget Act,
19 not through any changes in federal law.

20 I just wanted to add one other
21 thing, if I may, about interim storage. The
22 Chairman expressed the concern about the

1 question of moving the fuel twice. You know,
2 it would involve transportation and handling
3 and the rest of it. Quite true.

4 But if you look at the plans that
5 were underway for transportation to Yucca
6 Mountain, you realize that the transportation
7 program is not a trivial undertaking. It was
8 expected to last for 50 years to move all of
9 this waste.

10 So, when you talk about this
11 question of moving the waste twice, it is not
12 just sort of a nebulous plan. This is
13 something that would take a heck of a long
14 time, and it would be very complicated, and
15 there are many problems that have been
16 identified by many different parties and
17 raised in various proceedings, and so on,
18 about those transportation issues.

19 So, they're not insurmountable, in
20 my view, but they are very complex, and it is
21 true that you don't want to undertake it
22 lightly more than once.

1 I also really have to say that,
2 you know, there's a lot of wishful thinking
3 going on about this point about establishing
4 a voluntary community or a state, either for
5 an interim storage facility or for a permanent
6 repository. There is always going to be
7 opposition. The opposition will grow once the
8 proposal becomes more serious and the initial
9 proponents are subjected to growing scrutiny
10 from the public. This will always happen.
11 There will always be opposition.

12 So, I think this is sort of a
13 combination of wishful thinking and the
14 perennial search for the philosopher's stone
15 to try to find these alternative solutions.

16 Thank you.

17 CHAIR MESERVE: Susan?

18 MEMBER EISENHOWER: I am certainly
19 not sitting here -- I don't mean this comment
20 to come across as -- the point I want to make
21 is a point for the record, for those viewers
22 who are watching this on webcast. I do think

1 it's important also to remark on the fact that
2 the transportation of nuclear material has
3 been very safe. It has an excellent safety
4 record.

5 And if you were just to tune in on
6 this conversation today, you might get the
7 opposite impression from listening to the way
8 we are talking about this. I do think it
9 should be noted that this is another area that
10 has had remarkable success over the last 50
11 years.

12 MR. CORT RICHARDSON: I think most
13 of us would agree with that.

14 CHAIR MESERVE: Yes, very true.

15 Any other questions?

16 (No response.)

17 If not, we very much appreciate
18 the panel for their thoughtful comments. This
19 was very interesting and useful.

20 We now are going to turn to public
21 comments and a number of individuals who have
22 signed up. We are going to call on them in

1 the order in which they have been listed here.

2 Staff wants to confer with me.

3 Given the number of individuals
4 who have signed up and the interest in
5 assuring that all of them have an opportunity
6 to speak, we are going to limit the public
7 comments to four minutes each.

8 And let me explain that there is a
9 system of lights that are here. There's a
10 green light that is when you start. It
11 converts over to a yellow light when there is
12 one minute remaining, and then it will turn to
13 a red light when your time has expired.

14 And in order to allow the later
15 speakers to be able to have their chance to
16 speak to the Commission, I would ask that
17 everyone please abide by the time limitations,
18 as defined by the lights.

19 Our first speaker is Maria Holt.
20 Please come up to the podium.

21 Let me indicate that Betty King
22 will be next, followed by Matt Marston. In

1 order to make this efficient in getting to the
2 podium, I would just appreciate it if they
3 would come up near the front, so that when
4 their time comes, they can move to the podium
5 quickly.

6 MS. HOLT: Is this thing on?

7 CHAIR MESERVE: Yes, it is.

8 MS. HOLT: Thank you.

9 I'm Maria Holt with Coast Health
10 Research Group. My colleague, Betty King, is
11 here with me.

12 Together, and with others, we have
13 worked for 30 years studying about nuclear
14 power because we were concerned when we had
15 one in our neighborhood. So we did a lot of
16 work. We had doctors, physicists, housewives,
17 nurses. I am a retired public health nurse,
18 and Betty has a lot of experience in physics.

19 So I am going to try to keep this
20 to four minutes. If I can't, she will go on.
21 Thank you.

22 I should say thank you for coming,

1 Commission.

2 And I have known Marge Kilkelly
3 for a long time. We were in the legislature
4 together.

5 Thank you, too, Senator Marge.

6 We are engaged in putting together
7 the story of how a coalition of fairly
8 ordinary people, for the most part without
9 impressive credentials or connections in high
10 places, in finance or government, we were able
11 to mount an effort that ultimately resulted in
12 closing down a nuclear power plant.

13 The story leads through doubts,
14 dilemmas, despairs, fears, and fantasies,
15 toward the building of a solid base of
16 information and a powerful citizens'
17 referendum, which led to a series of
18 investigations by the Nuclear Power Regulatory
19 Agency.

20 The Maine Yankee Nuclear Power
21 Plant went overnight from being rated as one
22 of the best-run plants in the country to one

1 of the worst. The safety violations that were
2 cited proved too costly to remediate. It was
3 impossible to raise the necessary capital, and
4 in 1996 the plant was closed down after 24
5 years of operation, and many years short of
6 its expected lifetime.

7 The next phase of the drama
8 concerns the standards governing the shutdown
9 and cleanup operation, which left the town of
10 Wiscasset with 900 tons of radioactive waste
11 stored on site, as you have heard, and, you
12 know, concrete casks with a design lifetime of
13 50 years.

14 We are now 14 years into that
15 lifespan with no plan in sight for what
16 happens next. The residual radioactive
17 pollution in the soils and on the bottom of
18 the Bay will be with us for a good deal longer
19 than that.

20 Now that nuclear power is included
21 as a component of our energy future, as a
22 clean and green source of electricity, we feel

1 compelled to share our story and what we have
2 learned.

3 What we want to introduce into the
4 conversation is a discussion of the routine
5 radioactive releases into local soils, waters,
6 and air from the routine operation of a
7 nuclear power plant, the ways in which these
8 materials can bioconcentrate, the pathways by
9 which they can enter the human body, and the
10 probable detriments to the health of the
11 surrounding populations from these routine
12 releases.

13 According to the BEIR, the
14 Biological Effects of Ionizing Radiation
15 report, that has been released by the National
16 Academy of Sciences, a safe level or threshold
17 of ionizing radiation is none. Even the
18 lowest doses, meaning nearly zero, can cause
19 cancer. Worst yet, mortality from radiation-
20 induced cancer is 50 percent higher for women
21 and three to four times higher for female
22 babies and children.

1 A larger study, done also with the
2 CDC data by the Radiation and Human Health
3 Project on cancer incidents near U.S. nuclear
4 reactor power plants, showed the same results.
5 Archives of the Journal of Environmental
6 Health, 2003, that's from that.

7 CHAIR MESERVE: Ms. Holt, could
8 you please bring your notes to closure?

9 MS. HOLT: My colleague can read
10 the last three paragraphs or you can let me do
11 it.

12 CHAIR MESERVE: Let me suggest
13 that, if you have some more, that we would be
14 very happy to receive your statement for the
15 record.

16 MS. HOLT: I will give just a
17 minute more.

18 MS. KING: Mr. Chair, I will yield
19 my time.

20 MS. HOLT: A larger study done --

21 CHAIR MESERVE: I am sorry. You
22 are? You yield your time?

1 MS. KING: I will yield.

2 MS. HOLT: A study done by
3 epidemiologist Dr. Theodore Hoska, Dr. Peter
4 C. Hoska, and I myself, was presented at the
5 Seventh Annual Meeting of the American
6 Association of Cancer Research in Atlanta on
7 May 20th, 1987. It showed significant
8 increases in radiogenic leukemia in the seven
9 counties surrounding Maine Yankee after the
10 plant came online in 1972.

11 A case-controlled study of
12 childhood malignancies, also known as KiKK,
13 done in Germany in the areas around all German
14 nuclear plants, showed with high statistical
15 power a strongly increasing risk for childhood
16 malignancies with residential proximity to any
17 of the 16 German nuclear plants. The steepest
18 rise in risk occurs within 5 kilometers, but
19 significantly elevated risk extends to 50
20 kilometers.

21 Tests for possible confounders
22 found none, nor is chance a plausible

1 explanation. There is a huge and confusing
2 body of scientific literature on this subject,
3 and it seems to be possible to find one or
4 more reputable studies to support every
5 possible opinion.

6 Those responsible for evaluating a
7 policy of reintroducing nuclear power as a
8 component of energy policy need to be aware of
9 this controversy and respectful of those
10 voices that warn of danger.

11 And before I leave, I have a
12 question. Years ago, we were concerned about
13 Yucca Mountain, and we looked into that. And
14 there was a physicist working, and I can't
15 remember that man's name, but he was pro-nuke
16 and he was working on that mountain for
17 storage of high-level waste. And he, himself,
18 said there wasn't room for all the waste we
19 had then.

20 So I find it interesting that we
21 are talking about having to keep Yucca
22 Mountain open, and still wanting to go on

1 making more. So my question is, couldn't we
2 stop making it?

3 Thank you.

4 (Applause.)

5 CHAIR MESERVE: Thank you, Ms.

6 Holt.

7 MS. HOLT: Thank you. Thank you.

8 CHAIR MESERVE: We appreciate your
9 comments.

10 Our next speaker is Matt Marston.

11 Jack Cushing is then following Mr.
12 Marston.

13 MR. MARSTON: I will be brief.

14 My name is Matt Marston. I'm a
15 former Maine Yankee employee through the year
16 1997. I'm a U Maine graduate. I'm a Maine
17 registered professional engineer. I'm a Maine
18 small business owner, ratepayer, and a
19 taxpayer. And those are the positions from
20 which I take reference.

21 I have two comments. First, I
22 strongly advocate the positions that have been

1 discussed throughout the day with respect to
2 consolidated interim storage.

3 Further, the handful of sites like
4 Maine Yankee with an ISFSI but no operating
5 reactors should receive first priority, such
6 that we can minimize the cost associated with
7 long-term storage to the rate- and the
8 taxpayers.

9 And also, as has been stated, it
10 allows site decommissioning to be completed
11 and the sites to be released for reuse.

12 My second comment is a little
13 broader than that. In recent congressional
14 testimony, the DOE has acknowledged that the
15 move to discontinue the Yucca Mountain deep
16 geologic repository project was a policy
17 decision versus technical or science-based.
18 As I understand it, the Atomic Safety
19 Licensing Board recently ruled that the DOE
20 does not have the authority under the Nuclear
21 Waste Policy Act to withdraw the Yucca
22 Mountain license application.

1 I personally look forward to both
2 the NRC and the courts affirming this ruling,
3 such that the ratepayers' \$10 billion
4 investment will not have been wasted.

5 Thank you.

6 CHAIR MESERVE: Thank you, Mr.
7 Marston.

8 Our next speaker is Raymond
9 Shadis. And following Mr. Shadis, we have
10 Lisa Ledwidge.

11 Mr. Shadis?

12 MR. SHADIS: Thank you so much.

13 Nice to be speaking from a carbon
14 capture specimen right here.

15 My remarks are contained in the
16 folder that we gave you at length. I'm going
17 to see if I can plow through them, but, you
18 know, what the heck.

19 About three weeks ago, I was
20 contacted by a staff person on your Committee,
21 and I immediately then asked if I could have
22 a place on the agenda, and the answer was no.

1 So, I did prepare as if I, indeed, had a place
2 on the agenda.

3 I represent an organization called
4 Friends of the Coast. It's the only
5 environmental organization that was actively
6 engaged in the decommissioning of Maine
7 Yankee. I'm hoping that this Committee can
8 take some lessons from that involvement.

9 Maine Yankee Atomic Power Company,
10 at the onset of decommissioning in 1997, took
11 the great risk to invite the opposition, the
12 countervailing voices, if you will, to
13 participate in their Community Advisory Panel.
14 And I represented Friends of the Coast in that
15 process.

16 Through it, we were able to
17 negotiate a number of environmental
18 concessions, including the 10/4 site-release
19 standard that was negotiated and agreed to.
20 We had a contract with Maine Yankee on that
21 long before it ever went to the State for
22 their endorsement and putting it into

1 legislation.

2 In addition to that, we were able
3 to convince Maine Yankee to provide funding
4 for extensive marine sediment surveys,
5 shoreline environmental surveys. We have
6 permission to do test wells whenever we need
7 to or to take flora and fauna samples to
8 continue the environmental work.

9 In addition to that, we were able
10 to convince Maine Yankee to put in place a few
11 safety enhancements for the spent fuel
12 storage. Included in that is an earthen berm
13 which connects to a natural rise in the earth
14 and forms a three-sided, line-of-sight barrier
15 to provide some protection from the fuel from
16 either line-of-sight assault or aircraft
17 impact.

18 Additionally, we were able to
19 convince Maine Yankee that it would be a good
20 idea, instead of storing the fuel in a single
21 pad, to put in modular pads and deploy the
22 fuel in an arrangement, and I forget whether

1 it's six or eight casks to the modular pad.
2 But each pad has enough room to bring a
3 transporter in between the fuel.

4 In other words, if you have to
5 reach a cask in an emergency, you don't have
6 to move any fuel. You can get a transporter
7 in. So we were able to do that.

8 We also convinced them, although I
9 think it's now embodied in regulation, to
10 limit the amount of fuel, vehicle fuel, that
11 could be brought into the ISFSI. We were also
12 able to convince them to limit the use of de-
13 icing salts in and around the casks to
14 eliminate the possibility of corrosion,
15 unanticipated corrosion.

16 Was that my time?

17 CHAIR MESERVE: Yes, that was your
18 time.

19 MR. SHADIS: Gee, that's great.

20 (Laughter.)

21 CHAIR MESERVE: Mr. Shadis, we do
22 have your written statement and the materials,

1 and let me indicate we're very welcome to have
2 you supplement the record in writing, if you
3 want to have more than you have already
4 presented to us.

5 So, thank you very much.

6 MR. SHADIS: Thank you.

7 Are there any questions from the
8 Committee?

9 CHAIR MESERVE: Not at this time,
10 thank you.

11 MR. SHADIS: Thank you very much.

12 (Applause.)

13 I will just take the liberty here
14 to remark that out of sight of the public is
15 out of sight, and I fault your Committee for
16 that.

17 CHAIR MESERVE: Our next speaker
18 is Lisa Ledwidge. She will be followed by Bob
19 Halstead.

20 MR. HALSTEAD: Bob Halstead will
21 give comments at a later time.

22 MS. LEDWIDGE: My name is Lisa

1 Ledwidge, and I'm with the Institute for
2 Energy and Environmental Research. We're
3 located in Takoma Park, Maryland.

4 I just moved to Bath on Saturday
5 from Minnesota, so I can say now that I am a
6 resident of Maine. Although I am new to Maine
7 Yankee issues, I'm certainly not new to
8 nuclear power issues. I have been working on
9 them for about 10 or 15 years.

10 Your Subcommittee, as I understand
11 it, has been asked by the Blue Ribbon
12 Commission Co-Chairs to answer, quote, "Should
13 the United States change the way in which it
14 is storing used nuclear fuel and high-level
15 waste while one or more final disposal
16 locations are established?" Unquote.

17 Let me state at the outset that
18 the Institute for Energy and Environmental
19 Research, or IEER, supports a scientifically-
20 sound, deep geological disposal program, with
21 an emphasis there on scientifically-sound, as
22 the least-damaging choice for management long-

1 term of spent nuclear fuel and high-level
2 waste. This is a position that we have taken
3 after many years and a great deal of research
4 of the subject.

5 IEER helped draft and is a
6 signatory to the statement called Principles
7 for Safeguarding Nuclear Waste at Reactors,
8 which has been endorsed by more than 170
9 groups in 50 states. This six-point statement
10 calls for specific steps to protect the public
11 from the immediate threats posed by the
12 currently-vulnerable storage of commercial
13 spent fuel.

14 This statement recommends
15 temporary hardened, onsite storage to improve
16 security, and this statement has already been
17 recommended to the Commission in public
18 comment and in testimony before you.

19 It would be useful to have an
20 indication from the Subcommittee on your
21 thinking on these principles as you proceed,
22 and we would appreciate a timeframe as to when

1 you might actually consider these principles.

2 A detailed Subcommittee discussion
3 of the topic would have been particularly
4 welcome at this meeting, since the prospect of
5 the security of long-term storage at a closed
6 reactor site looms as a large one, but perhaps
7 this is on your agenda for your upcoming
8 meeting, which I believe is on the 19th.

9 IEER believes that a closed
10 reactor might be the best place at which the
11 principles for hardened onsite storage might
12 be implemented, provided state and local
13 governments assent to such an approach.

14 Money from the Nuclear Waste Fund
15 should be used for building hardened onsite
16 storage or HOSS facilities, since the federal
17 government failed so badly in keeping its
18 commitments regarding removing spent fuel from
19 reactor sites, a problem that will continue
20 for decades.

21 The public is getting no more
22 benefit from the Maine Yankee reactor, but as

1 a result of the failure of the federal
2 government, the public is stuck with the
3 liability, even though ratepayers paid to have
4 that taken care of.

5 The least the federal government
6 could do in such a situation is to ensure that
7 the waste is stored in the most secure way
8 possible, and that ratepayer funds are used
9 for this purpose.

10 I note that the principles call
11 for funds to be provided to state and local
12 government to monitor hardened onsite storage.

13 Thank you for your time and for
14 taking and posting public comment on your
15 website, but these comments will only be
16 meaningful if the public can begin to have
17 some sense, through listening to your open
18 deliberations, on how you are going to take
19 them into account. We look forward to your
20 discussions on the topic of hardened onsite
21 storage in the near future.

22 And I urge you in my last comment,

1 because there was talk about reprocessing, I
2 urge you to critically evaluate reprocessing,
3 which is sometimes misnamed recycling.
4 Besides the proliferation concerns associated
5 with reprocessing, which should not be
6 underestimated, it doesn't obviate the need
7 for a repository. This is outlined in detail
8 in the Global Nuclear Energy Partnership Draft
9 Environmental Impact Statement.

10 Thank you.

11 CHAIR MESERVE: Thank you for your
12 comments.

13 Our next speaker is Michael Mayhem
14 (sic), who will be followed by Roger Jones.

15 Four minutes, Mr. Mayhem (sic).

16 MR. MAYHEW: I'm Michael Mayhew.
17 I have been called "Mayhem" before.

18 (Laughter.)

19 I am a professional engineer and
20 an environmentalist. I've worked in the
21 energy field for over 30 years. I've worked
22 at the utilities. I've worked for ESCOs. I

1 run Heliotropic Technologies, an energy
2 service company and renewable energy company.

3 I was very active on the
4 referendum to shut Maine Yankee down. I'm a
5 Director of Friends of the Coast.

6 I think there's several
7 misconceptions with Wiscasset as representing
8 the local communities in acceptance of Maine
9 Yankee. The second referendum was
10 unsuccessful at shutting down Maine Yankee,
11 getting the State behind, although we came
12 close. Of the 10 communities in the Wiscasset
13 area, nine overwhelmingly voted to shut down
14 the plant because of the apparent risk to the
15 neighborhood. Wiscasset was the only
16 community in the area that voted to keep it
17 open.

18 Ten thousand years keeps being
19 cited as the life of the nuclear waste, which
20 I don't think really has a huge significant
21 point, due to the half-life of the various
22 ions. But if that is some type of lifetime

1 that you want to talk about, 10,000 years ago,
2 8000 BC, I don't believe 10,000 years from now
3 there will be a United States of America.

4 You know, what we're talking about
5 when we're talking about temporary storage,
6 anything we do, it's temporary storage. We're
7 going to move it. Ten thousand years is so
8 much beyond these casks we're talking about
9 with about 20-year issues. You know, look at
10 the significant digits. We're talking about
11 something of a great, huge magnitude that
12 we're going to move things several times.

13 The future of nuclear power, that
14 is such an arrogant situation. I mean to
15 impose that, when we've got sunlight from a
16 nuclear power station that is safe 93 million
17 miles away; we've got plenty of energy. We've
18 got tidal power. We've got conservation
19 megawatts that are just there to grasp. We
20 don't need, we cannot afford nuclear power.

21 You rolled into the cost of the
22 storage all these. And we are citizens. We

1 are paying for the cost of storage, whether
2 it's in your rate or your taxes. It's all
3 cost, and we're showing nuclear power to be
4 inexpensive. It is the most expensive
5 commercially-available power, and it should
6 not be promoted. We cannot afford it.

7 That's the gist of what I had to
8 say. Thank you.

9 CHAIR MESERVE: Thank you. I
10 apologize for mispronouncing your name. I
11 misread how it is written here.

12 MR. MAYHEW: No problem.

13 CHAIR MESERVE: Our next speaker
14 is Roger Jones.

15 MR. ROGER JONES: My name is Roger
16 Jones. I live on 144. It goes all the way to
17 the end of Westport Island.

18 Now when Maine Yankee was online,
19 it was the only evacuation route for Westport
20 residents and the people on the south end next
21 to the plant. Over the few years that the
22 plant has shut down and has caused this

1 storage site, which is no more than a dirty
2 bomb waiting to go off at some point, the road
3 has deteriorated. The State of Maine, the
4 Governor, and the DOT has told me they have no
5 way or are not willing to fix the road.

6 If there was an evacuation due to
7 any problem at that site, the people would not
8 be able to move themselves in a proper manner
9 to return from Westport to the mainland, pass
10 my house, and out of the evacuation area.

11 I have no answers. I don't know
12 if the Board can pressure this government or
13 the federal government to make this road be
14 put back in the shape that it was for an
15 evacuation route, and which it was first meant
16 to be.

17 Thank you very much.

18 CHAIR MESERVE: Thank you, Mr.
19 Jones.

20 Our next speaker is Clark Jones,
21 followed by Margaret Schuler.

22 MR. CLARK JONES: Yes, Clark

1 Jones. I come here for one reason, but I've
2 heard these people speak.

3 And as far as cancer goes, I grew
4 up here near Maine Yankee most of the time
5 when I was a kid and whenever I owned property
6 there. And my mother died of cancer before
7 Maine Yankee was ever built and two of my
8 neighbors. So, I don't think nuclear power
9 causes cancer. That's one thing.

10 And as far as nuclear power plants
11 and that waste down there, Ray Shadis, I think
12 he is more dangerous than Maine Yankee.

13 (Laughter.)

14 I would like to see another power
15 plant, nuclear one, go in there because we
16 have the waste there anyway. So, why not put
17 another plant there and make our light bill go
18 down, instead of like Ray Shadis, making our
19 light bill go up?

20 Thank you.

21 Yes, one more thing. I would like
22 to know if the people that own Maine Yankee,

1 how much money the government is giving them
2 to leave that waste there. I think if anybody
3 gets the money, it ought to be the town of
4 Wiscasset.

5 Thank you.

6 CHAIR MESERVE: Thank you, Mr.
7 Jones.

8 Our next speaker is Margaret
9 Schuler, followed by Kenneth Schuler.

10 MS. MARGARET SCHULER: Yes.

11 Hello. My name is Margaret Schuler, and I
12 have lived in Maine for over 60 years, and
13 I've seen a lot happen in Maine.

14 I've seen the fishing industry
15 collapse due to the government not taking care
16 of it. And I don't want the State of Maine to
17 fall apart because of some other reason like
18 nuclear power plants putting their waste out
19 into the Sheepscot River, and so forth.

20 What is government for? According
21 to Lincoln, it's to protect us from things we
22 cannot protect ourselves from. The government

1 is required to protect the public interest of
2 Maine, to uphold the people, the acts and law.
3 To protect the environment, we have the
4 Endangered Species Act, Endangered Marine
5 Mammal Act. I don't see very many endangered
6 species being protected in the Sheepscot River
7 right now.

8 I think there were five Atlantic
9 Salmon that went up the Sheepscot River. One
10 of the last sturgeon was found in the turbines
11 at the power plant.

12 The government has had 50 years to
13 plan for storage of this waste. I remember
14 when they came in and they convinced all the
15 hospitals, the VA, and this and that,
16 everything's going to be great; we're going to
17 go with nuclear power.

18 And tourism, one of our biggest
19 ways of bringing money into the State, I don't
20 think tourists really like industrial sites.

21 Stakeholders, they always talk
22 about stakeholders. Who are they? Can they

1 be trusted to protect the environment? Can we
2 trust the federal government?

3 Look at the mess created by
4 Minerals Management, a big oil spill.
5 Apparently, a lot of those people were
6 watching pornography instead of doing their
7 work because it has taken all summer to clean
8 up the oil spill.

9 And the U.S. Government I believe
10 should open Yucca Mountain to the nuclear
11 waste. That was part of the plan. We need a
12 place to put it. This idea that Olympia Snowe
13 and other people have that you can store waste
14 in places that -- volunteer sites, what does
15 that mean? Private industry takes over? I
16 think we need more, the strength of the
17 federal government to protect us from that.
18 I mean, who are we going to -- sell it to
19 China? I mean, what's the plan?

20 We have to get the nuclear fuel
21 out of Maine. That was the plan.

22 And shouldn't the business owners

1 of Maine Yankee, Vermont Yankee, Connecticut
2 Yankee be more responsible for the waste that
3 was created by Maine Yankee, as in the case of
4 British Petroleum, that they are held
5 accountable for the disaster they created?

6 Another thought is, what about
7 terrorism? We've had people show up at Maine
8 Yankee with guns shooting deer. This happened
9 several years ago, and there was nobody there.
10 There were no guards. Who's protecting this
11 site from terrorism?

12 The Obama Administration needs to
13 get a storage facility. We need to do that.

14 And as I said, I mean if you have
15 the Veterans' Administration, we have to fund
16 it. If you have the Nuclear Regulatory
17 Commission, we have to fund it. Whoever is
18 out there in the government, they have to fund
19 this. You can't fund things without money.
20 You've got to get it out.

21 Thank you.

22 CHAIR MESERVE: Thank you, Ms.

1 Schuler.

2 Our next speaker is Kenneth
3 Schuler, followed by Clay Turnbull.

4 MR. KENNETH SCHULER: Well, my
5 qualifications for being here is that I'm
6 insane. I just don't understand how we've
7 gotten to this insane position we're in.
8 Faith in government.

9 The little town of Hartford, 20
10 years ago, I was on their different boards of
11 government. The State sent somebody up and
12 told us our household garbage was too
13 dangerous to put next to the river. A month
14 later at the next meeting, somebody from Maine
15 Yankee came in and told me it was the best
16 place to put nuclear waste. From household
17 garbage to nuclear waste, one's dangerous and
18 one isn't.

19 Oh, I remember when we had the two
20 trains parked behind the Taste of Maine. They
21 looked like old cattle cars. They were full
22 of low-level nuclear waste. There they sat

1 behind the side of the hill on the tracks
2 looking like they're dripping, anyway.

3 Who made all this money with Maine
4 Yankee? Who's responsible for cleaning it up,
5 finding somebody who wants it? How much are
6 you paying? I have 11 acres on the
7 Damariscotta River. You know, you can find
8 somebody who wants it, if they have no morals,
9 if the price is right.

10 In town here and everywhere, we
11 don't talk about this to people. We don't
12 want our houses to go down in value. The last
13 thing you say at a meeting about Maine Yankee,
14 everyone goes "I hope this is short." They
15 want to sell their houses.

16 Repeat what my wife said, because
17 we were watching the news and it showed the
18 hunter that walked across Maine Yankee. A
19 local neighbor called, "Somebody's hunting on
20 the grounds." No guards.

21 And the last thing I found
22 interesting, somebody high up in Maine Yankee

1 -- I don't want to name his name -- was doing
2 some work for me, and he said, "We should get
3 together for a martini."

4 And I thought, a different
5 generation, I didn't drink martinis. Strictly
6 beer.

7 And he said, "No, Martini was the
8 code name."

9 I said, "What do you mean?"

10 He said, "If I got a call and it
11 said Martini, we were close to a meltdown, and
12 we all knew we had to get there quick." The
13 password, "Martini".

14 None of the roads are adequate
15 from Boothbay to the other gentleman. They're
16 all deteriorating. We can't even get across
17 the bridge. If this thing melts, we all might
18 as well just sit down and have a beer.

19 And I am insane because you're
20 insane. We're all insane for letting this
21 happen.

22 Thank you.

1 CHAIR MESERVE: Thank you, Mr.
2 Schuler.

3 Our next speaker is Clay Turnbull,
4 followed by David Hall.

5 MR. TURNBULL: It's really a
6 fascinating experience. I broke my ankle
7 recently, and I'm limping along, and I know
8 how the world looks from someone else's
9 perspective right now.

10 My name is Clay Turnbull. I live
11 in Townshend, Vermont, and work for a
12 citizens' organization, nonprofit organization
13 based in Brattleboro, the New England
14 Coalition on Nuclear Pollution.

15 Ms. Eisenhower, you had asked a
16 question earlier of Uldis Vanags. Has the
17 public always had these concerns about waste?
18 And I'll give you our perspective.

19 Back in 1971, the New England
20 Coalition raised these concerns before the
21 Atomic Energy Commission. We raised the
22 concern before Vermont Yankee generated one

1 watt of electricity.

2 At the time, we were interveners
3 in the licensing proceedings of Vermont
4 Yankee, and our position was that the issues
5 of high-level waste must be investigated and
6 analyzed using scientific methods. And those
7 concerns were brushed aside. AEC took them
8 off the table. "We will not talk about waste
9 during these licensing proceedings."

10 So, here we are 40 years later,
11 and I wasn't there then. You know, I was
12 still roaming around. But I know that my
13 forefathers that started the Coalition, whose
14 shoes I walk in proudly, had a good point
15 because 40 years later we're still here
16 asking, what are we going to do with the
17 waste?

18 The brightest minds in
19 engineering, the brightest minds in nuclear
20 engineering, the nuclear industry, the
21 brightest minds of people who oppose the
22 nuclear industry, still don't have an answer

1 to the question that lasts more than 20 years,
2 40 years, 60 years.

3 I have just a few thoughts of
4 things that we could do immediately. Some
5 you'll think are lofty, I'm sure; others more
6 pragmatic.

7 No. 1 would be to stop producing
8 it. If you believe that there's a place for
9 what we've already generated, great, let's
10 develop that, and then say, okay, boy, now
11 we've closed all the existing reactors that
12 have been aging; we have a great developed
13 storage process; we've had a little more time
14 to perfect our next round of new reactors.
15 So, in 20, 30, 40 years from now, let's talk
16 about the renaissance. But until then, you're
17 taking us, the industry is taking us down the
18 same road as we were 40 years ago.

19 What we can do immediately, if you
20 won't do that, is send -- in Vermont, I think
21 that we should send our waste to Maine because
22 you've already got some. You've already got

1 a situation here. I mean, clearly, I'm
2 facetious.

3 It's one thing that could be
4 happening right now as casks are filled -- as
5 we sit here, they are working on loading casks
6 at Vermont Yankee. I think we have five on
7 the pad. Is that right?

8 Is that the red light?

9 CHAIR MESERVE: Yes, your time is
10 over.

11 MR. TURNBULL: Okay.

12 CHAIR MESERVE: If you would just
13 finish up?

14 MR. TURNBULL: So, it's imperative
15 that the casks be protected. We are told by
16 NRC that it's not their prerogative, it's not
17 their realm to provide security. We assume
18 that the U.S. borders are protected by
19 Homeland Security. So our nuclear plants and
20 our waste need not be secured the way that I
21 believe, and the Coalition believes, they
22 should be line-of-sight protected, whether

1 it's earthen berms, concrete walls.

2 In Vermont, we were successful.
3 It took a nonprofit group to advocate to get
4 a visual barrier.

5 Thank you.

6 CHAIR MESERVE: Thank you.

7 MR. TURNBULL: I appreciate your
8 coming and hearing our concerns.

9 CHAIR MESERVE: Our next speaker
10 is David Hall, who is followed by Deb Katz.

11 MR. HALL: I'm David Hall. I'm
12 representing the Citizens Monitoring Network.

13 I think it's time we start looking
14 outside the box and making radioactive waste
15 safe, rather than just storing it. The goal
16 would be to get our radioactive waste down to
17 background radiation levels. I can think of
18 a couple of methods that could be started to
19 be involved.

20 Some material absorbs radiation.
21 Other materials give off radiation. With the
22 proper mix of the radioactive material with

1 the absorption material, you can make it non-
2 radioactive.

3 Or if you are doing a volume of
4 stuff, earth, you could also dilute it to the
5 extent where it was not radioactive. This
6 would solve a lot of problems, going in this
7 direction.

8 I don't think we have done enough
9 looking at that, a real solution. We just
10 keep looking at temporary storage.

11 CHAIR MESERVE: Thank you, Mr.
12 Hall.

13 Our next speaker is Deb Katz,
14 followed by Chris Williams.

15 MS. KATZ: Hi. My name is Deb
16 Katz. I'm with the Citizens Awareness
17 Network. I drove over five hours to get here
18 today, leaving before 4:30 in the morning.
19 So, these issues are real and immediate to me
20 and to my community.

21 I represent over 3500 people who
22 live in the pathway of Vermont Yankee and

1 Yankee Rowe and Connecticut Yankee. We were
2 involved in Atomic Safety and Licensing Board
3 hearings on Yankee Rowe and Connecticut
4 Yankee. We won a lawsuit against the NRC,
5 against the illegal decommissioning of Yankee
6 Rowe. And these issues are real and
7 immediate.

8 I live four and a half miles from
9 Yankee Rowe, which has 40 million curies of
10 high-level waste sitting on a pad next to a
11 local river, the Deerfield. I live 16 miles
12 from Vermont Yankee, where there is a fuel
13 pool suspended seven stories in the air
14 outside of containment with over 50 million
15 curies of just cesium in that pool, which is,
16 in fact, according to the National Academy of
17 Science, the most vulnerable reactor design to
18 terrorism in the country, the Mark 1 GE
19 Boiling Water Reactors.

20 That reactor is set to close in
21 2012, which means I will live between two
22 nuclear waste dumps. The NRC, the federal

1 government, utilities, and nuclear
2 corporations have abdicated their
3 responsibility to me, and it is unconscionable
4 and unacceptable that this is taking place.

5 It is unconscionable that my
6 grandson, who is outside because I'm taking
7 care of him, is going to have high-level waste
8 right near his home without any solution.

9 I must say I do not believe in
10 reprocessing. I think that's a really bad
11 idea, and it is just a way of moving very bad
12 ideas from one place to another and does not
13 answer the problem.

14 I think what the federal
15 government has to do at this point is to
16 acknowledge that it has abdicated its
17 responsibility and abandoned nuclear
18 communities. And part of the way to deal with
19 that is, in fact, to set up hardened onsite
20 storage at reactor sites.

21 It has been acknowledged by the
22 National Academy of Science in a 2005-06 study

1 that nuclear fuel pools as well as dry casks
2 are vulnerable to terrorism. The Rowe site
3 has 2,000 acres on which there is a pad for
4 the waste, 16 casks six feet apart, basically
5 open to the air. And it might as well have a
6 bull's eye on it saying, "Hit me."

7 Is it the first site to be hit in
8 America? No. But could it be? Yes. Is
9 Vermont Yankee -- well, when the 9/11 planes
10 flew over, they flew right by Vermont Yankee.
11 They, in fact, thought of hitting Indian Point
12 as the way to do it, not containment, which
13 is, of course, what is always raised as a
14 rubric in this, but in terms of the fuel
15 pools.

16 You know, the National Governors'
17 Council after 9/11 acknowledged that the fuel
18 pools were pre-deployed weapons of mass
19 destruction. That's what I live with in my
20 community, sandwiched between two.

21 And it, in fact, is essential that
22 these sites are hardened because this waste

1 isn't going to move in 20 years. It is not
2 going to move, in all likelihood in 100 years.
3 The idea of moving it from one site to an
4 interim site to another is an absurdity. It
5 is just an absurdity. It is an intellectual
6 idea that sounds good, but has very little
7 reality.

8 The casks should be double-walled.
9 They should be bermed-in. They should be more
10 than six feet apart.

11 And the issue, I want to say one
12 thing about transport, because, in fact, most
13 of the high-level waste that was going out to
14 Yucca was going through my community along the
15 B&M line, which is a rickety railroad that was
16 going to get millions of curies of high-level
17 waste. There have been accidents. There have
18 already been trains that have gone into the
19 Deerfield River. It has taken HazMat hours to
20 even get to the sites.

21 CHAIR MESERVE: Could you please
22 wrap up your comments?

1 MS. KATZ: Thank you, and I hope
2 you actually do something.

3 CHAIR MESERVE: Thank you, Ms.
4 Katz.

5 Our next speaker is Chris
6 Williams.

7 MR. WILLIAMS: Good afternoon.
8 Thanks for coming out.

9 My name is Chris Williams. I work
10 with the Vermont Citizens Action Network. I
11 live in Hancock, Vermont. I'm also on the
12 Board of Directors of the Nuclear Information
13 and Resource Service out of Washington, D.C.

14 My comments are going to be very
15 brief.

16 First of all, I would like to add
17 onto an answer that was given by Uldis with
18 regard to how people in Vermont would react to
19 a solution to the high-level waste issue with
20 regard to relicensing.

21 Well, the license expires in 534
22 days. So, I really don't see that it's going

1 to be much of an issue because I don't think
2 we're going to be settling the high-level
3 waste issue in the next 534 days.

4 I would also like to point out
5 that in February of this year the Vermont
6 Senate voted 26 to 4 in favor of closing the
7 reactor on time in 2012.

8 My final comment, and this is for
9 the good of the planning that the Commission
10 has to do, has to do with recycling or
11 reprocessing. Reprocessing, in my estimation,
12 is the road to hell, both economically and
13 environmentally.

14 Additionally, any move by the
15 government or by the companies to move high-
16 level nuclear waste to a reprocessing facility
17 is going to be met with vigorous and ongoing
18 civil disobedience.

19 Thank you.

20 (Applause.)

21 CHAIR MESERVE: Thank you.

22 Mr. Halstead, this is your

1 opportunity to make a comment, if you choose
2 to.

3 MR. HALSTEAD: The next meeting,
4 Mr. Chairman.

5 CHAIR MESERVE: The next meeting?
6 Very good.

7 Well, we have come to the end of
8 those who have signed up to make public
9 statements.

10 I would like, on behalf of the
11 Commission and the Subcommittee, to indicate
12 that this has been a very interesting and I
13 think productive morning. It's been
14 interesting. We have heard a diversity of
15 views, as I had expected, and I think that we
16 have learned a lot.

17 I would like to thank a variety of
18 groups and individuals for making this meeting
19 so productive. The people from Maine Yankee
20 gave us, arranged for us to make a tour of the
21 site and to see the area where the reactor had
22 been this morning. We even got a chance to

1 visit the burrow of a woodchuck. I don't know
2 if my fellow Commissioners had noticed that.

3 We had a very pleasant dinner last
4 night with the community action program, and
5 Marge Kilkelly had hosted us, and has
6 obviously made a presentation this morning
7 that was helpful.

8 I would also like to thank the
9 Chewonki Center, who have made this space
10 available to them. I am dismayed that I've
11 come to Maine for my entire life and was not
12 previously familiar with this facility, and
13 it's really quite something.

14 And finally, I would like to thank
15 all the citizens who have joined us this
16 morning. This is obviously they're interested
17 in the Commission's work and issues related to
18 energy policy more generally. I think that we
19 have had a stimulating discussion. So, on
20 behalf of the Commission, I would like to
21 thank you all for joining us.

22 And let me turn to my fellow

1 Commissioners and see if they would want to
2 make a final statement before we adjourn.

3 MEMBER BAILEY: I would just echo
4 the comments of the Chairman. I have found
5 this morning very enlightening, listening to
6 all the comments, all the presenters on the
7 panel, and I think especially from the
8 citizens. And the public comments are really
9 quite helpful and underscore the passion with
10 which this issue is regarded across the
11 country, here certainly in this region, but
12 how important it is for our energy future.

13 So, thank you.

14 MEMBER EISENHOWER: Well, of
15 course, I would like to underscore what my two
16 colleagues have said. I have regarded this
17 trip as being very important, and I can't tell
18 you how much I personally appreciate
19 everything this community has done to take the
20 time from your busy schedules to meet with us,
21 to prepare lengthy testimony, to come, prepare
22 remarks, to speak to us.

1 I know that this is one of the
2 most difficult issues facing us in the energy
3 sector. I'm actually impressed by the fact
4 that so many people feel passionately about
5 this subject, have invested their time in
6 getting this right. I feel, actually, pretty
7 optimistic about the future.

8 Having spent a large part of my
9 career in parts of the world that do not have
10 developed democracies, I think what we have
11 seen today is another great example of how
12 people in this country are working together
13 for our common future.

14 Thank you.

15 CHAIR MESERVE: Vicky, Susan,
16 thank you.

17 This meeting is now adjourned.

18 (Whereupon, at 12:14 p.m., the
19 proceedings in the above-entitled matter were
20 adjourned.)

A				
abandoned 193:17	91:2	additional 35:2	16:5 18:11 20:16	138:12,20 139:21
abdicated 193:2,16	account 34:8	44:18 81:9 82:2	47:11 48:1,13	158:6 192:13
abide 154:17	172:19	98:22 104:14	50:19 51:11 52:1	194:5
ability 19:8 32:16	accountable 182:5	105:6 123:20	70:13 165:13	aircraft 137:16
124:12	accounts 23:10	127:6 146:4	advocate 98:21	166:16
able 9:4 12:15	104:13	Additionally	162:22 190:3	aired 125:18
16:14,20 17:3	accumulated 28:11	123:15 166:18	advocates 64:4	airport 88:20
19:12 20:21 21:8	accusations 51:6	197:14	AEC 187:7	ALARA 55:17
25:18 45:6 132:6	achieve 75:6 133:6	address 10:4 11:9	affect 109:20	Albert 60:20
133:6 134:2	acknowledge 71:3	39:16,20 40:3,18	affiliated 63:12	Alex 113:2
154:15 156:10	193:16	44:22 66:8 71:18	69:16	Alliance 86:16
165:16 166:2,9,18	acknowledged	84:7,11 103:10	affirming 164:2	allocates 142:16
167:7,12 177:8	144:18 163:14	107:19 108:22	afford 175:20	allow 43:15,17 95:6
above-entitled	193:21 194:17	116:11,21 118:6	176:6	118:11 154:14
201:19	acres 184:6 194:3	141:17	afternoon 196:7	allowing 89:18
absolutely 12:21	Act 27:19 28:2 36:8	addressed 74:2	age 119:12 146:2	91:6
absorbs 190:20	70:17 72:8 77:21	120:7 148:12	148:4	allows 21:20,22
absorption 191:1	95:5 99:4 101:12	addresses 109:6	agencies 55:21	163:10
absurdity 195:4,5	102:8 150:7,14,18	addressing 44:21	56:18,20 98:17	alluded 139:10
Academies 113:11	163:21 180:4,5	111:11	109:15 131:3	alternative 65:18
Academy 158:16	acted 81:22	adds 118:19	agency 108:10	152:15
192:16 193:22	action 7:20 51:15	adequate 185:14	115:21 122:5	alternatives 104:20
accept 11:5 36:3	80:20 137:3	adjacent 72:2	156:19	amendments
70:11 73:20 77:21	196:10 199:4	adjourn 200:2	agenda 10:8,22	150:13
82:1 86:21 143:13	actions 64:20 140:6	adjourned 201:17	164:22 165:2	America 175:3
143:20 146:14	active 30:22 84:14	201:20	171:7	194:8
149:16	137:6,14 138:11	Administration	agendas 19:1	American 50:11
acceptability	174:3	76:2 113:10 126:3	aging 114:6 188:12	160:5
112:14	actively 27:22	140:18,21 182:12	ago 15:18 47:12	America's 1:1 8:15
acceptable 56:7	165:5	182:15	92:18 100:10	64:2 67:16 72:11
acceptance 70:12	activities 21:4 31:1	Administrations	123:9 124:6	77:14 80:17 81:15
86:22 142:14	38:3,5,21 39:7,15	37:10 76:7	136:13 161:12	115:11
174:8	40:8 52:15 53:16	Administration's	164:19 175:1	amount 28:13
accepted 37:7 78:6	63:5 65:16 117:11	140:16	182:9 183:10	98:16 167:10
accepting 28:2 78:3	117:16,17 118:1	ado 13:18	188:18	analogous 126:16
accepts 75:2	119:15	adopted 40:9	agree 49:7 64:9	analysis 73:4
access 16:20 31:3	activity 20:10,19	advance 111:1	89:7 153:13	112:20 117:2
32:10 52:19 88:18	26:8 38:20	135:6	agreed 165:19	analyzed 117:8
88:18,19 99:21	acts 180:2	advanced 35:19	agreeing 77:12	187:6
accident 86:20,20	add 11:4 34:3 40:2	64:10	Agreement 111:15	and/or 62:21
117:2	65:9 69:5,9	advantage 116:16	agreements 108:6	angels 58:2
accidents 110:6	127:14 150:20	adverse 110:6	110:13 112:3	animals 57:18
117:7 195:17	196:16	advice 51:8,15 53:6	114:13 136:15	ankle 186:6
accommodate	added 104:11	advise 73:13	ahead 8:4 53:14	annual 20:10 78:17
124:20	138:6,22	advisory 2:8,9 4:8	94:18 102:2	160:5
accomplish 38:19	addition 73:17	4:9,10,13 8:19	129:17	annually 26:7
	125:8 166:2,9	13:1 14:13,21,22	air 54:18 137:7	anonymous 51:5

answer 30:3 34:1,2 46:5 76:15 96:17 97:19,21 164:22 169:12 187:22 193:13 196:17	38:9	169:11 186:15	50:7 59:9 60:1 96:15 99:10 103:1 112:20 140:3 141:12 149:8 199:10	143:17 186:13
answered 132:20	appropriately 75:1 84:16 148:20	asking 20:2 51:17 187:16	avoid 96:6	basic 56:1
answers 4:15,22 5:6,10,19,22 6:10 6:17,20,23 16:15 16:17 177:11	Appropriations 132:13	asks 140:20	aware 27:2 86:9 91:9 96:13 103:20 117:19 142:4 144:3 161:8	basically 88:1 104:12 105:1 194:4
anticipate 10:3	approval 125:12	assault 166:16	Awakenings 191:16	basics 53:3
anticipated 53:16	approves 87:3	assembled 81:14	awful 19:20	basis 11:20 36:4 117:7
anxiety 58:13	approximately 86:6	assent 171:13	a.m 1:19 8:2	Bath 12:4 169:4
anybody 179:2	April 8:20 50:13	assessment 51:5		Battista 2:13 5:15 82:15,17 84:20
anymore 130:15	Archives 159:5	asset 44:1	B	Bay 157:18
anyway 178:16 184:2	area 12:5 21:21 23:5 24:8 96:20 99:8,11,14 109:20 117:1 139:19 153:9 174:13,16 177:10 198:21	assignments 138:10	babies 158:22	BC 175:2
apart 179:17 194:4 195:10	areas 16:7 112:1 113:20 160:13	assistance 18:2 82:8	back 8:20 39:20 67:7 76:16 119:19 143:2 145:19 177:14 186:19	beautiful 12:5
apologize 74:14 84:22 176:10	arguably 131:1	associated 10:12 22:5 30:10,16 65:16 120:16 163:6 173:4	background 4:9 14:4 55:18 105:12 147:4 190:17	beer 185:6,18
apparent 174:14	argue 88:14,17 147:5,10	Association 2:20 6:18 111:14 131:17 160:6	back-end 112:8 127:20	began 47:11 53:18 54:12 56:20 58:12 122:14 123:8
apparently 42:2 181:5	argument 88:3,9 126:1	assume 76:8 189:17	back 86:22 193:10 193:11	beginning 15:18 52:9 53:10
Applause 162:4 168:12 197:20	arguments 144:13	assurance 149:13	badly 171:17	behalf 26:20 47:22 70:21 77:10 80:1 89:18 198:10 199:20
application 131:6 163:22	arising 31:6 135:15	assure 41:17	Bailey 2:2 9:9 18:9 22:22 23:8 26:15 44:20 47:5 60:10 67:11 70:10 92:11 98:8 100:16,18 142:1 143:6 144:4 144:6 200:3	BEIR 158:13
applied 119:5 124:6	arranged 198:20	Atlanta 160:6	base 86:3,3,4 88:4 89:8 139:13 156:15	believe 15:9 21:19 32:13,19 33:22 34:18 35:21 36:22 37:2,6 39:21 48:12 55:3 64:14 72:5,13 73:1,12 73:18 93:18 103:17 130:15 145:6 171:8 175:2 181:9 188:8 189:21 193:9
apply 48:17	arrangement 166:22	Atlantic 180:8	bargain 133:7	believes 171:9 189:21
appreciate 8:7 10:19 17:21 18:2 22:16,17 27:16 41:6 45:4,21 46:21 59:10 72:3 74:3 79:16 80:6 82:12 93:14 105:22 127:18 153:17 155:2 162:8 170:22 190:7 200:18	arrangements 146:10	Atomic 4:18,19 26:17,18 163:18 165:9 186:21 192:2	barrier 166:14 190:4	Bellamy's 25:21
appreciation 27:11 70:12	arranging 12:14 59:14	attempt 30:3 138:19	barriers 24:17	beneficial 66:14 95:7
approach 34:19 147:10 171:13	array 33:9	attempted 101:13	based 62:8 107:17 132:3 136:12 140:15 142:15	benefit 22:3 31:2 34:22 58:6 88:20 110:4 118:20 123:12,15 133:15 136:4 141:12 171:22
appropriate 30:22	arrays 69:10	attend 70:20 77:9		
	arrived 54:11	attendance 82:4		
	arrogant 175:14	attended 56:15		
	arteries 139:18	attention 37:12		
	artilleries 139:17 139:17	attest 138:15		
	aside 136:4 187:7	audience 57:21		
	asked 9:11 14:20 27:15 51:10 57:21 60:16 70:7 72:19 80:9 82:21 96:19 97:15 112:10 132:12 164:21	August 1:13 9:6 80:13		
		authorities 113:11		
		authority 36:9,10 113:3 134:15 163:20		
		available 11:13,18		

benefits 22:5 32:9 37:3,8 49:6 75:21 94:19 133:11	boiling 122:13 192:19	budget 134:13 140:15,22 150:18	cancer 158:19,20 159:3 160:6 178:3 178:6,9	124:12,19 141:3 146:1 157:12 167:1,13 175:8 189:4,5,15 194:1 194:4 195:8
berm 166:12	bolster 33:17	budgeted 40:7	canister 42:20	categories 30:13
bermed-in 195:9	bomb 177:2	budgeting 39:17 40:14	canisters 42:17 43:1 104:22 139:7	category 32:12 136:2
berms 190:1	Bond 71:5	build 19:6 35:15 99:11 124:7,17	cannister 44:15	cattle 183:21
best 37:18 171:10 183:15	Boothbay 2:21 6:21 137:1 185:15	building 17:12,12 156:15 171:15	CAP 15:15 45:7,19 50:3 51:8,14,18 51:20 52:2,12,13 52:19,21 53:2,5,8 53:11,22 54:17 55:1,15,21 56:4 56:12,21 57:3,22 58:10,12,19 83:2 137:22 138:4,6 140:5,7,20	caused 109:3 176:22
best-run 156:22	borders 189:18	builds 111:8	capabilities 33:19	causes 116:20 178:9
better 21:22 22:1 64:19,21	Boston 100:6	built 26:2 96:11 97:3 178:7	capable 40:10	causing 118:4
Betty 154:21 155:10,18	bottom 73:8 157:17	bull's 194:6	capacity 138:13 146:13	caution 87:6
beyond 22:3 48:9 175:8	bottom-line 41:15	burden 81:4 104:11 139:1	CAPs 12:19 45:22	CDAC 19:17
big 102:1,13 129:5 181:4	box 190:14	burdens 65:10 74:9	capture 164:14	CDACs 46:1
biggest 29:20 68:20 101:14 180:18	boy 89:4 188:10	burned 91:14	CAP's 54:7 55:3	CDC 159:2
bill 2:12 5:12 71:5 77:3 178:17,19	branch 122:5	burner 143:2	carbon 164:13	cease 29:2
billion 28:11 164:3	branches 107:12	burrow 199:1	Card 2:12 5:12 77:3,5 79:16	ceased 137:21
Billions 65:12	Brattleboro 186:13	business 23:14 29:17 43:18 44:7 52:4 87:22 100:12 118:9 162:18 181:22	care 11:8 136:9 172:4 179:15 193:7	ceasing 127:14
bioconcentrate 158:8	BRC 112:7 127:18 127:21	busy 200:20	careless 11:8 136:9 172:4 179:15 193:7	cell 25:22
Biological 158:14	breach 30:17 31:19 78:8	byproducts 55:9	career 201:9	Center 199:9
Bird 139:22 140:2	break 90:10 150:2	B&M 195:15	Carlsbad 111:18	central 95:13 143:12
bit 24:2 41:21	breather 95:15		carry 61:21 79:3	centralized 35:16 36:2,13 37:12 93:20 102:20 139:1 141:1,6 142:7
Blodgett 71:5	Brian 2:11,20 5:8 6:19 70:1,5 131:16	C	cars 183:21	CEO 4:18 26:16
Blue 1:1 8:15 10:3 11:8 27:13 64:2 67:15 72:10 73:13 77:13 80:17 81:14 83:4 93:14 95:19 103:18 105:10 107:20 115:6,11 129:19 169:11	brief 27:7 162:13 196:15	C 160:4	case 24:22 29:9 42:21 44:12 182:3	certain 75:8 142:18
blueberries 80:5	briefing 105:19 147:17	cables 100:3,5,8	cases 143:19 145:21	certainly 13:8 61:4 66:15 68:8 81:13 102:22 105:11 126:20 152:18 169:7 200:11
Board 50:19 71:4,6 122:20 123:5 124:4,7,17 125:9 163:19 177:12 192:2 196:12	briefly 103:12 150:4	calculation 36:22	case-controlled 160:11	certainty 129:1
boards 48:13 183:10	brightest 187:18,19 187:21	call 4:2 18:4 21:10 47:3 55:11 60:6 69:22 77:2 79:17 85:21 92:4 139:22 153:22 172:10 185:10	case 42:1 97:1 120:7,10,13 138:9 145:15 146:12,15 148:6,9 167:5	Certificate 122:18 123:3,8
Bob 168:18,20	bring 16:6 21:8 80:20 83:22 159:8 167:2	called 50:4 165:3 170:6 173:17 184:19	cases 42:2 44:11,13 119:10,12 120:14	certification 120:10,15
body 158:9 161:2	bringing 180:19	calls 170:10		cesium 192:15
	British 182:4	campaigns 109:19 112:21		CFR 116:15 117:14 118:22 119:4
	broad 33:9 52:3	cancel 110:9		chair 1:21 2:2 8:11
	broader 163:13	canceled 114:13		
	broad-based 35:15			
	broke 186:6			
	brought 56:16 58:11 148:4 167:11			
	brushed 187:7			

12:18 14:2,8,11 14:20 18:1 22:21 23:22 25:6,8 26:9 41:5 44:9,19 46:18,21 47:10 51:11 55:2 58:4 59:12,17,19 67:2 67:8,10 69:19,22 74:13 75:16 76:18 77:2 79:15 82:11 82:14 84:19 87:16 89:11 91:7,22 97:22 103:3 106:2 106:15 113:21 115:8 120:19 121:14 127:15 128:2,5 129:8,17 131:15 135:2,14 135:20 136:14,18 136:21 137:8 140:6 141:18 144:5 145:11 147:21 148:2,16 152:17 153:14 155:7 159:7,12,18 159:21 162:5,8 164:6 167:17,21 168:9,17 173:11 176:9,13 177:18 179:6 182:22 186:1 189:9,12 190:6,9 191:11 195:21 196:3 197:21 198:5 201:15 Chairman 4:5,13 18:8,11 19:16 26:14 40:15 47:5 98:7 131:20 137:5 142:3 150:22 198:4 200:4 Chairs 19:2 112:7 challenge 34:9 121:1 Challenger 86:19 challenges 42:15 43:14 83:10 113:8	Challie 84:9 chance 154:15 160:22 198:22 change 30:5 35:11 37:8,22 40:6 86:10 96:21 97:1 169:13 changes 97:9 102:9 102:10 109:2 117:6 150:7,15,19 changing 55:4 Chapin 1:19 characteristics 120:8 characterized 37:18 charge 78:13 122:6 charged 81:8 115:22 charges 102:9 Charter 102:10 Chellie 5:16 82:18 Chesterton 66:17 Chewonki 1:20,20 199:9 Chief 4:21 26:18 79:21 childhood 160:12 160:15 children 54:14 158:22 China 181:19 choice 169:22 choices 32:15 132:5 choose 76:20 120:6 198:1 chose 57:7 145:1 Chris 3:22 7:19 191:14 196:5,9 Chu 72:18 101:10 103:17 112:6 chunk 100:18 cited 157:2 174:19 citing 104:21 citizen 13:1 16:5 86:6 87:11 citizens 7:17,20 9:3	15:10 56:16 61:15 84:7 101:22 156:16 175:22 186:12 190:12 191:16 196:10 199:15 200:8 civil 197:18 civilian 37:16 110:16 claim 21:13 claims 131:9 Clark 3:15 7:12 177:20,22,22 Clay 3:18 7:15 183:3 186:3,10 clean 55:16,16 56:3 56:11 65:21 157:22 181:7 cleaned 57:13 cleaning 184:4 cleanup 20:21 21:1 157:9 clear 29:4 33:21 65:18 73:4 81:10 129:1 clearly 33:2 61:17 71:12 189:1 climate 100:14 clock 42:3 148:5 close 72:20 82:21 130:5 174:12 185:11 192:20 closed 93:6 109:5 157:4 171:5,9 188:11 closely 131:11 closer 137:9 closing 7:22 139:12 156:12 197:6 closure 139:14 159:8 coal 69:11 coalition 2:10 4:17 26:22 27:1,21 32:3 63:15 156:7 186:14,20 187:13 189:21	Coast 7:6 52:8 155:9 165:4,14 174:5 code 185:8 coherent 74:6 cohesive 139:4 coincidentally 145:1 collaborate 109:14 collapse 179:15 colleague 92:19 155:10 159:9 colleagues 25:9 48:1 141:20 200:16 collected 28:9 133:5 collective 103:13 collegial 20:5 Collins 2:12 5:12 77:4,7 79:13 colored 32:15 Columbia 86:20 combination 78:14 152:13 come 9:1,6 12:15 16:15 19:8 60:4 66:21 85:2 90:1 119:19 130:19 132:5 134:4 152:20 154:20 155:3 178:1 198:7 199:11 200:21 comes 10:18 22:9 76:13 104:11 105:3 146:4 155:4 coming 8:5 22:13 46:22 80:3 83:6 134:20 146:14 147:12 155:22 190:8 196:8 comment 11:15,19 45:18 82:15 87:9 135:8 150:1 152:19 163:12 170:18 172:14,22 197:8 198:1	COMMENTERS 3:6 comments 7:2 8:9 11:3 41:6 45:16 59:9,21 60:3 61:5 79:16 82:12 85:20 91:18 92:5 103:4 103:15 116:7 133:10 153:18,21 154:7 162:9,21 168:21 172:15 173:12 195:22 196:14 200:4,6,8 commercial 27:22 28:19 29:13 77:22 89:21 94:16,22 109:5,11 110:12 111:2 134:16 170:12 commercially-av... 176:5 Commission 1:1 8:15,20 10:4 11:9 12:18,22 13:21 17:2,3 19:16 21:16 27:13,18 28:8 32:4 34:4 35:22 36:18 64:2 64:3,11 67:15,15 72:10 73:2,13 77:13,16 80:2,17 80:20 81:15,20 83:5 87:6 93:15 95:20 103:9,18 104:18 105:10 107:21 112:12,16 115:7,11 118:21 122:17 129:19 132:5 134:2,19 139:14 154:16 156:1 169:12 170:17 182:17 186:21 197:9 198:11 199:20 Commissioner 42:15 60:9,9,10 96:19
--	---	---	---	--

<p>Commissioners 2:21 6:18 12:9 18:9 26:14 40:15 47:5 70:9,20 71:6 80:11 92:11 98:8 131:18,20 199:2 200:1</p> <p>Commission's 199:17</p> <p>commitment 22:18 30:21 33:18 51:12 52:12 56:22 83:3 94:21</p> <p>commitments 17:8 19:8 149:21 171:18</p> <p>committee 2:9 4:13 18:12 19:2,10 20:16 21:9 26:3 95:19 108:9 132:13 164:20 165:7 168:8,15</p> <p>committees 18:18 19:2 109:15</p> <p>commodity 102:18</p> <p>common 33:14 201:13</p> <p>communicate 15:5</p> <p>communicating 57:11 59:4</p> <p>communication 51:21</p> <p>communities 9:22 45:10,12 46:10 48:19 61:15 73:19 74:7 79:9 132:18 141:13 145:5 149:16 174:8,12 193:18</p> <p>community 2:7 4:8 4:9,10 8:19 14:12 14:21,22 15:2,6 16:20 19:4 20:15 22:15 23:2,3 25:12 45:5,7 46:15 47:10 48:1 48:12,14 49:10</p>	<p>50:16 51:9,11,17 52:3 54:7 58:21 61:14 69:15 70:13 75:6 83:3 84:15 94:11 137:3 143:16 152:4 165:13 174:16 191:20 194:20 195:14 199:4 200:19</p> <p>community's 70:14 71:10</p> <p>companies 18:21 18:21 26:21 27:20 31:13 197:15</p> <p>company 4:19,19 26:17,18 51:7,8 51:16 52:11,18 53:6,14 118:8 123:3 142:22,22 165:9 174:2,2</p> <p>company's 51:12</p> <p>compelled 158:1</p> <p>compilation 38:6 38:14</p> <p>complaints 54:2,13</p> <p>complete 36:4 37:20 38:2</p> <p>completed 141:5 163:10</p> <p>completely 17:17</p> <p>complex 31:16 66:3 66:22 151:20</p> <p>compliance 43:8</p> <p>complicated 114:5 151:14</p> <p>complicating 127:12</p> <p>comply 43:1 119:1</p> <p>complying 28:13</p> <p>component 63:2 157:21 161:8</p> <p>composition 18:18</p> <p>compounded 113:17</p> <p>comprehensive 62:3,19 81:16</p>	<p>comprised 108:15</p> <p>concentrated 21:21</p> <p>concept 37:1 43:6</p> <p>conceptual 133:2</p> <p>concern 19:11 21:14 39:6 51:12 53:17 58:13 61:10 93:10 105:3 128:7 144:7,21 150:22 186:22</p> <p>concerned 58:19 61:2 129:3 139:8 155:14 161:12</p> <p>concerning 39:12</p> <p>concerns 9:2 15:3 40:19 48:4 54:19 68:21 69:10,11,13 70:15 81:17 109:2 109:21 119:6 138:5 150:4 157:8 173:4 186:17,20 187:7 190:8</p> <p>concessions 165:18</p> <p>concise 73:4</p> <p>conclude 40:16 134:3</p> <p>concluded 133:1</p> <p>concrete 157:12 190:1</p> <p>conditions 37:22 114:3</p> <p>conduct 38:2 81:16 112:17 114:4</p> <p>conducted 38:6 39:1 111:20 114:14</p> <p>confer 154:2</p> <p>conference 2:16 6:4,9 50:13,21 92:7,16 103:7 107:10</p> <p>confidence 31:7 32:16,20 33:17 35:2 40:21 56:2 56:10,17</p> <p>confines 105:17</p> <p>conflict 49:14</p>	<p>60:16 134:8 148:11</p> <p>confounders 160:21</p> <p>confront 10:2</p> <p>confronting 33:5</p> <p>confusing 55:19 161:1</p> <p>Congress 33:10 36:7 76:1,1 82:10 84:10 131:9,12</p> <p>Congresses 37:9 76:7</p> <p>congressional 71:1 71:11 140:12 163:13</p> <p>Congressman 5:14 79:18,21 80:1,9</p> <p>Congresswoman 5:15 82:16,18 84:13</p> <p>connected 60:22</p> <p>Connecticut 2:8 4:14,18 18:12 20:22 23:12 24:3 24:9 25:1,13 26:17 43:19 48:2 50:19 115:16,22 182:1 192:1,3</p> <p>Connecticut's 115:17</p> <p>connections 156:9</p> <p>connects 166:13</p> <p>consensus 41:1 49:15 75:7 84:3</p> <p>consequence 87:20</p> <p>consequences 85:22 86:7 117:3 117:4,8</p> <p>conservation 62:9 175:18</p> <p>consider 21:17 93:17 140:7 171:1</p> <p>consideration 34:8 120:2 123:10 148:8</p> <p>considerations</p>	<p>29:1 146:1</p> <p>considered 73:21 121:9 126:12</p> <p>considering 42:18</p> <p>consistency 19:5,7</p> <p>consistent 19:13 25:18 56:3</p> <p>consistently 31:10</p> <p>consolidated 64:17 163:2</p> <p>consolidating 65:5 132:14 133:15</p> <p>consolidation 21:19 104:7</p> <p>constantly 125:22</p> <p>constituent 47:21</p> <p>constituents 53:18</p> <p>constraints 100:20</p> <p>constructed 28:5</p> <p>construction 35:3 94:12</p> <p>constructive 39:2</p> <p>consultative 110:1</p> <p>consumes 57:19</p> <p>contacted 164:20</p> <p>contacts 115:6</p> <p>contained 164:15</p> <p>containment 17:12 57:17 58:17 192:14 194:12</p> <p>contaminated 119:21</p> <p>contamination 89:2</p> <p>contemplating 35:2</p> <p>contextualize 60:19</p> <p>continually 35:10</p> <p>continue 14:17,17 41:17 42:13 102:5 111:10 119:5 123:2 125:9 132:9 166:8 171:19</p> <p>continued 5:1 6:1 7:1 15:18 31:1 33:1 46:3 123:16 124:1 126:13 127:5,13 128:11</p>
--	--	--	--	--

131:5 continues 81:4 93:9 continuing 40:20 84:6 123:9 contract 33:16 36:11 136:12 142:19 165:20 contracted 90:2 contracting 147:18 contractor 52:17 86:17 contracts 31:19 135:9,16 142:10 contractual 28:14 136:5 146:10 contract-holders 40:4 contributed 28:12 contributions 63:21 control 2:15 6:7 23:17 98:5,11,18 99:12 138:11 controlled 117:1 118:8 controls 23:18 controversy 161:9 convened 1:17 conversation 13:9 14:16 97:14 153:6 158:4 converting 91:13 converts 154:11 convince 166:3,10 166:19 167:12 convinced 167:8 180:14 cool 54:9 cooling 146:13 147:8 cooperation 111:7 cooperative 108:6 110:13 114:13 coordinate 62:2 Coordinating 121:5 cope 127:7	copies 96:15 112:6 copy 50:5,10 corporate 28:22 corporation 39:14 corporations 193:2 correct 44:10 91:19 106:7 144:17 corrosion 167:14 167:15 Cort 2:17 6:13 106:22 107:8 114:2 130:21 150:3 153:12 cost 30:9,13,16,19 32:12 33:2 41:20 56:8 64:18,21 65:7,10 71:22 73:11,22 78:16,18 81:7 96:6 102:21 104:4 118:16 163:6 175:21 176:1,3 costing 97:4 costly 95:3 141:8 157:2 costs 31:6 81:10 83:16 cost-effective 63:17 Council 47:13,16 107:9 194:17 Counsel 73:6 countervailing 165:12 counties 160:9 countries 46:10 90:18 91:11 country 9:17 39:2 66:14 70:21 71:19 72:4 73:4 87:14 90:21 109:16 141:9 145:5 156:22 192:18 200:11 201:12 county 71:6 137:20 138:17 couple 190:18 coupled 117:1	course 11:5 68:6,12 104:10 194:13 200:15 courts 78:7 164:2 cover 81:7 131:21 132:1 coverage 16:16 covered 133:12 Co-Chair 8:13 9:10 Co-Chairs 169:12 co-located 145:1 CPG 123:10 124:7 124:18,22 125:3,3 125:9 Crary 58:1 create 36:10 65:22 72:8 79:7 95:15 105:6 146:11 created 49:17 104:2 181:3 182:3 182:5 creates 144:9 creation 72:10 credentials 156:9 credibility 54:7 critical 39:20 46:16 57:13 71:9 73:1 148:8 critically 173:2 crops 57:18 cross-section 52:3 CSG 107:10,10,15 114:21 culture 55:4 62:6,7 62:8 66:1,1 curies 192:9,15 195:16 curious 87:18 130:2 Curley 2:8 4:12 18:4,6 23:7,9 24:5 25:7,15 50:18 current 33:6 74:1 76:6,7 currently 36:5 38:15 47:12 89:1 114:18 134:15	currently-vulner... 170:12 Curtis 2:21 6:22 136:22 137:4,10 141:19,21 Cushing 162:11 custodians 55:13 customers 78:18 cycle 36:16 39:21 55:8 111:1 112:9 127:20 134:6,13 C-O-N-T-E-N-T-S 4:1 5:1 6:1 7:1 <hr/> D <hr/> damages 31:14,22 32:1 Damariscotta 184:7 dancing 58:2 danger 161:10 dangerous 55:9 178:12 183:13,17 data 57:11 114:16 159:2 date 28:11 48:9 125:15,22 130:13 130:14 dates 125:19 126:2 David 3:20 7:17 186:4 190:10,11 day 46:9 72:21 83:21 163:1 days 196:22 197:3 day-long 53:12 de 167:12 deal 21:18 62:20 78:9 84:16 85:21 102:13 120:3 149:3 157:18 170:3 193:18 dealing 20:17 129:22 Dear 70:9 77:11 80:11 83:4 Deb 3:21 6:5 7:18 92:8 190:10	191:13,15 debating 124:1 Deborah 2:15 92:14 decade 111:20 150:13 decades 35:9 65:15 79:1 126:17 127:9 171:20 decay 119:12 decaying 113:16 December 103:16 decided 16:13 51:7 decision 16:3 18:14 72:13,20 73:5 93:11 110:8 122:22 130:5 146:11 163:17 decisionmakers 123:22 126:6 decisionmaking 15:11 49:20 decisions 29:2 48:21 decommissioned 132:15 decommission 18:14 116:8,14 119:15 decommissioned 9:15,19 13:11 15:20 64:7,13 65:4 73:15 77:19 78:10 80:15 84:5 93:6,8 94:5 95:6 103:1,22 104:8,10 118:22 119:3,14 120:6 132:10 134:4 135:17 139:2 141:7 decommissioning 2:9,9 4:13,16 18:11 20:16 26:22 27:21 29:6,8 32:2 33:13 48:8 49:3 50:4,17 51:22 52:15,16 53:4,22
--	--	--	---	---

56:1,9 58:14	108:7 111:19	developed 36:15,17	86:15 107:15	diversify 69:5
138:7 163:10	115:16,20 116:5	62:19 88:15 95:11	115:15 137:18	diversity 198:14
165:6,10 192:5	122:1,4 125:5,16	117:5 141:2	174:5	divest 66:3
decrease 102:14,21	128:20 131:2,3	188:12 201:10	Directors 196:12	Division 115:15
decreases 102:17	132:12 134:14	developing 66:13	dirty 177:1	116:3
deep 72:8 163:15	149:2	112:4	disagree 49:13	doctors 155:16
169:20	Department's	development 10:6	disagreement	documents 51:1
deer 182:8	39:14	23:5,14,15,19,20	56:18	52:20 114:21
Deerfield 192:11	depend 11:21	34:10 35:18 36:2	disaster 182:5	DOE 78:2,6,9
195:19	dependent 29:20	37:11 40:22 61:11	disconcerting	105:8 109:14
defense 39:1	66:2 68:7	61:17,20 62:1,11	55:20	112:3 113:9 121:4
109:10	Depending 117:21	65:16 88:2,17,21	discontinue 163:15	125:19 131:9
deferred 32:9	deploy 166:21	89:3 96:2 118:7	discovered 113:6	141:2 143:11,13
defined 149:15	deposited 28:10	118:10 121:10	discrete 34:7	143:19 144:18
154:18	Deputy 47:13	145:9 150:9	discretion 37:9	146:14 147:17
definitely 129:5	79:21 137:17	develops 78:9	discuss 80:13	163:14,19
definition 102:4	derived 63:5	deviance 86:22	discussed 8:20	DOE's 73:5 110:15
defunct 110:16	described 88:7	deviation 86:22	39:10 80:22 144:2	111:17
defunded 131:12	96:15	deviations 87:8	163:1	Dog 139:22 140:2
degradation	deserve 73:4	dialog 27:17 40:21	discussing 10:12	doing 17:1 30:12
119:11	design 117:7 120:7	142:3	discussion 32:14	42:19 66:20 102:5
delay 118:4,12	157:12 192:17	Dick 8:10,12	50:16 56:14 82:2	105:5 134:3 181:6
delayed 130:11	Designated 2:6	died 178:6	158:4 171:2	185:1 191:3
delaying 120:13	designed 14:22	different 16:7	199:19	dollars 32:2 65:12
delays 78:4 105:5	16:6 81:7	39:22 98:17 102:6	discussions 12:7	71:22 78:17 81:6
Delegate 92:19	designee 115:17	120:13 151:16	100:7 172:20	91:4 104:14
delegation 71:11	122:2	183:10 185:4	dismayed 199:10	dome 58:17
140:12	design-based 117:2	difficult 24:17	disobedience	Don 55:2,11
delegations 71:1	desk 11:17	32:13 69:7 111:5	197:18	doorstep 23:16
deliberate 138:19	despairs 156:14	149:11 201:2	disposal 10:13	dose 57:20
deliberations 113:1	despite 65:15 70:16	difficulties 68:17	35:14 37:6 63:4	doses 158:18
124:14 172:18	destruction 194:19	69:16	63:17 95:17	DOT 177:4
delighted 13:13	detail 17:18 144:1	digits 175:10	144:10,14 149:8	double 144:20
47:15 48:3	173:7	dilemma 17:5	149:10,11,14,22	double-walled
democracies	detailed 37:20	74:17 148:17	169:15,20	195:8
201:10	131:22 133:10	150:2	disposed 126:19	doubt 32:4 40:5
demonstrate 34:13	147:17 171:2	dilemmas 156:14	disposition 30:8	128:12
43:1,7 95:9,12	deteriorated 177:3	diligence 87:7	46:17 54:4 92:21	doubts 156:13
demonstrates	deteriorating 139:8	dilute 191:4	95:10 97:13	downsides 144:19
119:2	185:16	diminished 49:14	123:19 124:5	dozen 48:9
demonstrating	determine 31:21	diminishing 91:15	126:5 128:8	DPC 28:12,18
33:18	deterrence 25:4	dinner 199:3	distant 43:12	31:13
demonstration	deterrent 23:4,19	direction 65:18	distinguished	Dr 8:10 55:2 58:1
35:19	detriments 158:10	127:22 191:7	105:11 127:11	89:16 101:9 107:4
Department 36:12	develop 74:6 89:5	directly 15:5 17:4	distribution 63:20	107:7 115:14
48:9 71:20 78:1	93:20 104:19	57:15 68:9 144:14	District 6:6 92:9	160:3,3
98:19,19 106:9	188:10	Director 47:13	diverse 105:12	draft 170:5 173:8

drama 157:7	113:20	either 55:6 103:22	endorsement	enlightening 41:11
drills 57:16	economically-pr...	118:7 142:21	165:22	200:5
drink 185:5	79:6	152:4 166:16	energy 7:8 27:16	enormous 34:9
drinks 57:17	economies 133:14	elected 5:2 10:9	32:14 34:20 36:9	ensure 27:1 117:20
dripping 184:2	economy 101:7	59:20	36:12 48:10 61:5	172:6
driving 97:8	Ed 2:14,18 5:17	electric 4:19 26:18	61:11,16,18,19	ensuring 62:17
drove 191:17	6:14 84:22 85:5	78:18 123:13	62:1,2,4,5,9,13,17	118:4
dry 96:5,8 124:11	106:17 107:4	electrical 28:7 91:3	62:17,20,20,22	entanglements
138:9 146:12,15	educating 49:18	electricity 43:22	63:1,2,7 64:15,22	135:21
194:1	education 51:22	62:14,16 65:11	64:22 65:20 66:1	enter 158:9
due 57:5 60:15 78:4	52:6 75:5	68:8 157:22 187:1	67:14,20,21 68:2	Entergy 122:11
87:7 95:3 119:11	Edward 115:14	element 35:17 36:1	68:7,9,11,17 69:5	entertained 24:19
119:12 122:20	effect 99:4 135:9	37:5 48:15	69:18 71:18,21	enthusiastically
174:21 177:6	effective 112:22	elevated 160:19	72:13 73:15 78:2	132:16
179:15	effectively 31:10	eliminate 95:3	106:9 108:7 122:8	entire 71:10 199:11
dumb 16:14 19:22	39:9 59:4 108:11	167:14	122:10 125:6	entirety 67:5
49:22	110:10 116:21	eliminating 140:19	131:2 132:12	entities 38:19
.dumps 192:22	117:3	else's 135:7 186:8	140:10 145:4	entity 38:15
duty 137:6,14	effectiveness	embodied 150:5	157:21 161:8	environment 69:14
138:11	112:13	167:9	169:2,18 173:8,21	116:12 123:12
D.C 82:19 196:13	Effects 158:14	embrace 132:16	174:1,2 175:17	180:3 181:1
	efficiencies 62:14	emergency 2:21	186:21 199:18	environmental 7:9
	65:8	6:21 52:5 62:18	200:12 201:2	52:6 61:12,20
E	efficiency 62:9 65:1	62:19 116:19	Energy's 125:16	72:1 90:3 98:20
earlier 49:21 96:19	efficient 139:5	117:10,12 137:1	enforcement	115:16,20 119:7
186:16	141:8 155:1	137:18,19 167:5	138:22	159:5 165:5,17
earliest 32:22	efficiently 52:22	emphasis 169:21	engage 42:22 43:11	166:5,8 169:2,18
early 52:12 134:3,5	effort 40:17 45:21	emphasized 74:20	108:1,11	173:9
134:9 136:9	71:13 87:12	74:22	engaged 43:4 46:7	environmentalist
early-vintage	118:19 147:1	employee 162:15	114:10 156:6	173:20
122:13	156:11	empowered 19:21	165:6	environmentally
earth 166:13 191:4	efforts 35:14 37:14	enable 94:20 95:2	engagement 110:10	61:4 197:13
earthen 166:12	39:20 81:11	108:11 150:8	engineer 121:22	EPA 56:12
190:1	143:16	enabled 114:15	162:17 173:19	EPA's 55:19
easterly 89:19	eight 53:10 167:1	enacted 27:20	engineered 150:18	epidemiologist
Eastern 47:14	eighties 28:22	94:13	engineering 29:8	160:3
107:10	Einstein 60:20	enactment 36:7	187:19,20	epiphany 49:11
easy 9:5 126:14	Einstein's 102:4	encourage 121:8	England 2:16 6:9	equities 33:15
echo 200:3	Eisenhower 2:3	encouraged 55:12	9:18 10:1 68:11	36:21
economic 20:18	9:10 18:9 24:1	93:15 136:8	68:12 103:6,13,21	ERC 107:10
23:5,13,15,19,20	26:15 41:9 47:6	encouraging 62:11	186:13,19	ERC's 107:15
34:13 61:11,19	60:9 70:10 75:17	81:13	enhance 51:20	ESCOs 173:22
64:14 65:2 68:22	92:11 96:20 98:8	endangered 180:4	61:14 141:10	especially 77:15
79:9 123:12	129:12,18 145:12	180:4,5	enhanced 32:20	93:10 101:6 200:7
133:15 145:9	146:18 148:14	ended 110:10	34:14 88:4,11	essential 48:15
economically 61:4	152:18 186:15	endorsed 33:11	enhancements	49:16 111:9
197:12	200:14	170:8	166:11	194:21
economically-de...				

establish 128:21 149:11	excuse 58:4 133:22	explore 66:7	96:8,10 97:3,8	fears 156:14
established 30:8 36:19 49:15 51:20 54:6 61:21 108:16 169:16	execute 71:21	explosion 25:3	143:12,18,22	feasibility 114:6
establishing 117:12 149:5 152:3	execution 29:21	express 37:4 70:18	144:1,14,15 145:2	February 50:2 55:3 197:5
establishment 39:13	executive 108:9 115:21 122:5	expressed 144:8 150:22	145:9 148:18	federal 2:6 23:18 27:2 28:4 31:14 34:15 35:10 39:17 39:19 40:7 55:21 56:18 57:6 64:4 77:17,21 78:7 79:2 83:12 93:19 94:14,16,20 95:2 108:4 109:2,10,14 110:8 111:2 113:9 119:16 127:3 131:3 149:20 150:8,16,19 171:16 172:1,5 177:13 181:2,17 192:22 193:14
estimated 125:19	exemptions 87:4	expressing 40:16	149:8,10,12,14,17	failed 72:16 171:17
estimation 69:7 197:11	exist 25:11 36:16 118:12	extend 44:16 83:1 123:6	149:22 150:10	failure 31:15 33:1 71:20 77:17 95:4 119:12 125:16 172:1
evacuation 176:19 177:6,10,15	existed 110:14 130:3	extended 43:3	152:5 182:13	fair 10:21
evaluate 117:15 173:2	existence 58:15 139:20 140:4 149:14	extends 160:19	197:16 199:12	fairly 99:9,13 156:7
evaluating 161:6	existing 37:17,21 38:1,7,8 40:4,14 117:1,13 119:11 119:17 120:4,14 135:9 188:11	extension 42:18	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	Faith 183:8
evening 12:4,4 59:15	expansion 96:9	extensions 44:11	factor 22:9	fall 179:17
eventual 95:10	expect 43:10	extensive 111:22 112:2,19 166:4	factors 37:22	familiar 199:12
everybody 129:13	expected 38:15 40:8 123:1 151:8 157:6 198:15	extent 31:21 40:13 43:17 191:5	failed 72:16 171:17	fan 54:6,13
everyone's 106:8	expecting 102:6	external 121:5 138:22	failure 31:15 33:1 71:20 77:17 95:4 119:12 125:16 172:1	fans 54:9,20
everything's 180:16	expedited 64:11 74:21	extreme 85:12,14 87:7	factor 22:9	fantasies 156:14
evolution 130:6	expeditiously 74:2	extremes 85:11,17	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	far 14:4 49:5 71:14 75:13 102:8 178:3 178:10
exactly 146:7	expense 118:19	eye 51:3 194:6	factor 22:9	farmer 57:16
examination 40:3 123:10	expenses 146:5		factors 37:22	fascinating 186:6
examine 30:9	expensive 74:8 83:19 176:4	F	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	fashion 75:15 94:18 128:9
examined 33:4 124:3	experience 48:16 49:5 50:3 56:20 75:3 92:2 112:18 155:18 186:6	face 113:8	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	fashions 34:5
examining 39:22 65:13	experiences 121:19	faced 80:19	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	fault 168:15
example 23:12 121:4 131:6 141:2 148:22 201:11	expertise 16:7 106:13	faces 19:5,7	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	fauna 166:7
exceed 11:22	experts 84:17	facetious 189:2	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	favor 56:5 197:6
exceeded 58:5	expiration 120:10	facilitated 53:12	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	favorably 34:18
exceeding 57:19	expire 122:20	facilities 10:11 22:14 28:1 35:1 36:3,6,14,16,20 38:2,10 84:5 88:8 93:21 105:7 109:11 111:1 114:7 117:9 118:19 120:6 138:20 171:16	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	fear 20:18,18,19,20 22:9
excellent 41:12 121:4 153:3	expired 114:1 154:13	facility 21:3 23:3 23:11 28:5 29:14 29:17 35:4 37:12 40:18 41:18 43:16 68:19 69:2,8 78:5 83:7,17 84:14 86:13 90:16,19 91:9 93:6 94:3,4,6 94:10,15 96:1,1,6	fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	
exception 21:2	expires 196:21		fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	
excess 28:11 91:12	explain 154:8		fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	
exchange 26:6 107:13	explanation 161:1		fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	
exchangers 54:8	explicitly 36:8		fact 15:15,19 29:18 44:10 59:9 74:1 88:3 100:21 104:22 138:15 153:1 192:16 193:19 194:11,21 195:12 201:3	

200:2	flora 166:7	forward 12:7 13:20	33:12,19 34:16	194:17
finally 114:19	floundered 72:9	13:21 16:16,18	35:7,13 36:5,16	fuels 66:2 140:2
199:14	flow 32:9 65:8	18:22 19:8 40:20	37:16 39:21 41:2	fuel-handling
finance 156:10	focal 13:8	74:5 82:5 83:21	42:11 44:5 48:4,6	119:18,19 120:15
financial 94:11	focus 13:15 67:21	84:6 93:11 96:14	48:21 53:4 54:5,9	fulfill 52:12 94:21
financing 94:12	80:18 116:8	97:11 115:6 125:5	54:22 55:8,14	fulfilling 33:16
find 81:21 85:10	folder 164:16	141:1 143:17	61:8 62:13 63:4	full 18:22 21:1 31:3
147:2 152:15	folks 13:13 16:8,11	164:1 172:19	63:10,11,18 64:6	32:10,14 112:11
161:3,20 184:7	59:1 105:11	fossil 66:2	65:4,6,14 74:21	117:10 183:21
finding 123:16	follow 131:11	fossil-fueling-dep...	75:22 77:22 78:3	fuller 135:5
184:5	147:22	62:6	78:12 80:14 83:14	fully 28:13 34:3
findings 112:14	followed 107:6	foster 107:12	83:15,18,19,22	39:10 43:5 46:5
finfish 90:4	154:22 168:18	fostering 62:12	84:4 85:13,22	93:8 125:18
fingered 131:10	173:14 177:21	fosters 111:7	87:21 88:4,11	full-core 124:12,21
finish 189:13	179:9 183:3 186:4	found 25:21 45:2	89:9 90:17,20	function 52:1,22
finished 17:9,17	190:10 191:14	49:12 160:22	91:11,13 93:4,8	116:4
fired 24:20	following 70:8	180:10 184:21	93:21 94:5,16,16	fund 28:10 63:20
firmed 144:2	93:22 94:19	200:4	94:22 95:10,14,16	94:9 99:3 101:20
first 12:13 20:7	162:11 164:9	Foundation 1:20	96:3,12 109:10	128:21 171:14
28:19 30:16 42:7	follow-up 145:13	8:8	110:13,20 111:1	182:15,17,18,19
45:17 52:13 53:1	Force 2:17,18,19	founded 107:22	112:9 116:16	funded 108:5
53:5,8 60:6,18	6:12 106:18 107:3	four 52:8 98:17	117:16,18,20	funding 140:12
92:6 94:6 97:17	108:15,19 109:6	138:10 154:7	118:2,3,12,13	166:3
106:21 107:5	109:13 114:9	155:20 158:21	119:9 120:4,9	funds 39:8 81:6
135:12 138:17	115:19 122:3	173:15 192:8	121:11 123:19,20	172:8,11
142:9,15 147:1,2	137:7 138:12,20	FRA 114:9	124:4,5,8,10,11	further 13:18
147:11,16 154:19	139:22	framework 117:14	124:20 125:2,7,12	23:20 35:18 44:17
162:21 163:5	forefathers 187:13	frankly 58:14	125:17,20 126:5,8	49:19 76:19 98:3
177:15 194:7	forefront 56:16	133:11	126:20 127:8,12	163:3
196:16	foregone 31:2	Frazier 2:6 4:3 8:3	127:20 128:8,17	future 1:1 8:16
firsthand 9:2 77:16	foreign 90:18	60:10	128:22 129:6	32:14 35:14 37:9
129:22	foresee 143:11	freeing 43:15	130:1 132:14	43:12,15 67:16
first-come/first-s...	forever 24:13	frequently 26:5	133:1 134:16	71:10 72:11 76:1
11:20	forget 166:22	fresh 147:11	135:11,12,16	77:14 80:14,18
first-of-its-kind	form 21:19 51:7	Friends 7:6 52:7	136:11 138:8	81:15 92:22 95:21
56:13	62:20	165:4,14 174:5	139:2,7 140:13	97:11 110:12
fiscal 134:13	formal 27:5	front 155:3	141:3,7,11 142:14	115:7,12 117:6,15
fisherman 89:21	formed 27:1,21	front-end 136:4	142:15,16 143:13	117:17 118:1,3,10
fishing 101:4	112:3	fruit 133:20	144:11 145:20	118:11 120:3
179:14	former 68:14 81:3	frustration 129:21	146:3,14 147:7,11	121:10 123:1
fits 37:19	83:7 162:15	130:3	148:4,7,9,13,22	148:12 157:21
five 11:22 20:7,9	forms 62:17 69:18	frustrations 39:16	149:21 151:1	172:21 175:13
60:2 70:3 85:2	166:14	FSACs 45:22	166:11,15,20,22	200:12 201:7,13
103:21 180:8	forth 142:18	fuel 9:14,19 10:13	167:3,6,10,10	FY 140:22
189:6 191:17	145:10 179:19	16:4 21:18 28:3	169:14 170:1,13	FY10 140:14
fix 177:5	forum 20:6 114:22	29:5,11,19,22	171:18 181:20	
flew 194:10,10	121:7	30:6 32:6,18	192:12 194:1,14	

G 2:21 6:22	171:21 174:11	154:6 155:19	110:8	groups 39:4 110:14
gain 114:16	201:6	164:16 172:18	Governor 2:10	111:13 113:1
gap 146:15	gist 176:7	175:7,12 180:16	60:7,14 71:2,11	129:20 170:9
garbage 183:12,17	give 11:7,9 14:3	180:16 181:18	177:4	198:18
gas 24:19,21 25:2	16:14 35:1 78:20	187:16 191:6	Governors 2:16 6:9	grow 152:7
62:15,16	100:19 159:16	193:7 195:1,2,13	66:12 103:6,12,16	growing 84:3 152:9
gasification 69:11	168:21 186:18	195:14,16 196:14	104:16,17 105:14	GTCC 36:5
gather 41:14	190:21	196:22 197:2,17	105:21 111:14	guard 42:11
114:15	given 32:8 39:19	good 8:12 26:9,13	194:16	guards 182:10
gathering 27:11	76:1 113:22 120:2	53:2 59:12 64:14	Governor's 61:16	184:20
GE 192:18	149:19 154:3	67:8 77:5 79:19	gracious 12:3	guess 87:9 142:12
gee 68:15 167:19	196:17	85:3 86:21 87:13	graciously 140:8	guns 182:8
geese 17:13	giving 15:4 179:1	92:10 122:19	graduate 162:16	G.K 66:17
Gen 6:22 137:4,10	Global 145:3 173:8	123:4,8 124:2	Graham 2:12 5:13	
general 73:6 108:2	go 8:3 17:19 25:19	141:1 157:18	79:17,19,20 82:12	H
116:17 123:17	29:17 43:17 44:6	166:19 187:14	82:13	half 192:8
136:22 141:18,21	90:1 98:2 101:17	195:6 196:7 197:9	grandson 193:6	half-life 174:21
generally 76:12	106:21 107:5	198:6	granted 36:8 44:10	Hall 1:19 3:20 7:17
199:18	118:8 129:17	gotten 183:7	124:18,22 125:4	186:4 190:10,11
generate 65:11	132:2,11 133:8	governance 39:6	granting 124:16	190:11 191:12
generated 77:22	145:19 147:16	40:1	granular 142:13	Halstead 168:19,20
99:3 186:22 188:9	155:20 161:22	governing 157:8	grappled 55:15	168:20 197:22
generating 35:3	177:2 178:15,17	government 5:5	grasp 175:19	198:3
43:22	178:19 180:17	28:2 31:7,14	gratitude 40:17	Hancock 196:11
generation 28:7	184:12	39:17 40:7 42:12	70:19	handful 163:3
32:19 123:13	goal 44:8 190:15	44:5 52:4,5 55:22	great 16:16 59:16	handling 144:12,16
185:5	goals 61:19 63:16	64:4 77:21 78:8	76:22 165:11	144:20 151:2
generations 55:10	64:9	79:2,8 83:12 91:2	167:19 170:3	hands 83:18
generator 51:4	goes 147:2 176:16	93:19 94:14,20	175:11 180:16	handy 76:14
113:18	178:3 184:14	95:2 107:12	188:9,12 201:11	happen 22:10
generators 109:17	going 8:3,9 9:13,21	112:11 122:6	greater 21:9 136:3	97:18 152:10
gentleman 185:15	13:5,15 16:1,2	127:3 134:6	greater-than-Cla...	179:13 185:21
geographical	20:4,12,13 21:17	149:20 156:10	30:1 48:5	happened 16:11
139:16	25:20 39:7 42:17	171:17 172:2,5,12	green 154:10	140:15 182:8
geography 24:17	49:7 57:1 59:4	177:12,13 179:1	157:22	happening 189:4
geologic 163:16	60:19 61:3,13	179:15,20,22	greenfields 17:11	happens 157:16
geological 35:12	62:5 66:13 90:10	180:12 181:2,9,17	grew 178:3	happy 60:17 76:15
72:8 93:12 169:20	90:11 95:20 96:21	182:18 183:8,11	grid 68:11	82:4 96:17 97:21
George 2:14 5:21	97:9,18 101:9	193:1,15 197:15	ground 133:12	159:14
71:3 89:14,15	102:8,12,13	governments 30:20	grounds 184:20	Harbor 2:21 6:21
91:20	103:15 105:6,16	32:8 47:14,17	groundwater 57:9	137:1
Georgia 90:17	106:16 116:6	94:1 107:9 108:21	89:2	hard 83:2 86:18
German 160:13,17	128:18 129:2,14	171:13	group 52:7 63:15	126:1 149:18
Germany 160:13	132:5 134:4,9	government's	85:15,19 87:18	hardened 170:15
gestation 10:6	143:1 144:14	29:21 30:17 31:18	92:17 105:11	171:11,15 172:12
getting 20:4 46:16	147:6 149:1,2,9	32:16 33:6,18	121:5 155:10	172:20 193:19
147:13 155:1	152:3,6 153:20,22	34:15 39:20 77:17	190:3	194:22

harder 26:6 31:5	highly 55:9	host 8:8 143:18	IEER 169:19 170:5	impressed 25:10
Hartford 183:9	highway 88:18	hosted 56:12 199:5	171:9	201:3
hastily 54:17	high-level 2:17,18	hosting 37:4	illegal 192:5	impression 153:7
hat 86:11	2:19 6:12 29:12	hosts 37:7	immeasurably	impressive 156:9
hate 101:5	29:19 30:7 32:18	hour 28:6	138:6	improve 170:15
hats 86:10	33:19 37:17 41:2	hours 191:17	immediate 170:11	improvements
hazard 72:2	50:12 63:18 64:6	195:19	191:19 192:7	38:11
HazMat 195:19	92:17 94:17	house 47:19 132:13	immediately	improving 62:13
head 58:3 135:17	106:17 107:2,16	177:10	164:21 188:4,19	114:6
health 155:9,17	109:8 110:19	household 183:12	immune 69:17	inactivity 67:22
158:10 159:2,6	113:13 115:18	183:16	impact 30:14 32:7	inadvertent 138:18
hear 9:1 10:1 15:2	122:2 161:17	houses 184:12,15	39:17 56:8,17	Inaugural 52:2
17:4,21 32:5	169:14 170:1	housewives 155:16	69:14 77:16 101:6	incentives 45:13
70:14 84:2 85:20	187:5 192:10	Hudson 55:2	123:11 166:17	94:11
106:16 129:14,21	193:7 195:13,16	huge 161:1 174:20	173:9	incessant 54:13
heard 45:5 49:13	196:19 197:2	175:11	impacted 17:5	incident 111:22
50:18 58:20,21	hill 184:1	Hugh 2:8 4:12 18:4	impacts 109:1	incidents 110:6
88:9 92:18 95:8	hilly 24:16	22:22 25:6 50:18	146:16	159:3
142:13 157:11	hinted 24:2	human 158:9 159:2	impasse 71:18 74:2	include 10:8 35:5,8
178:2 198:14	historical 147:3	hundreds 32:1	imperative 63:6	38:6 39:2 63:16
hearing 9:13,21	history 34:14 39:19	78:16	80:19 93:18	72:16
75:8 80:7 190:8	113:4 149:19	hunter 184:18	189:14	included 14:7
hearings 125:15	hit 194:6,7	hunting 184:19	implement 32:17	50:22 140:14
192:3	hitting 194:11	Hydro-Quebec	39:9	157:20 166:12
heartfelt 83:1	hold 108:20 129:15	100:5	implementation	including 9:17 52:4
heat 54:8	holding 119:4	Hyland 2:15 6:8	33:7 40:1	112:19 114:21
heck 151:13 164:18	Holt 3:8 7:4 154:19	98:4,7 103:3	implemented 31:11	139:19 165:18
held 52:20 53:22	155:6,8,9 159:7,9	hypothetical	34:21 37:19 96:5	income 20:18
58:20 125:15	159:16,20 160:2	146:22	96:8 117:17 132:6	inconsistency 56:7
182:4	162:6,7		171:12	inconsistent 55:22
Heliotropic 174:1	home 193:8	I	imploded 58:18	75:9
hell 197:12	Homeland 189:19	icing 167:13	importance 74:20	inconvenient
Hello 137:10	honest 51:18	idea 45:8,9 100:19	75:4	100:22
179:11	honor 12:22	149:6 166:20	important 13:22	incorrect 146:19
help 79:8 82:5 96:9	hope 29:4 82:5 84:2	181:12 193:11	17:3 18:17,20	increase 86:5 89:7
107:14 142:10	94:7 127:10 136:1	195:3,6	22:12,16 27:14	119:20
helped 19:6 170:5	184:14 196:1	ideal 46:12 88:16	30:9 39:5 52:14	increased 118:17
helpful 21:7 24:11	hoped 46:8	ideally 36:15	62:10 63:8 66:5,6	119:22
128:13 147:15,20	hopeful 66:21	ideas 15:3 50:1	68:13 77:15 79:12	increases 160:8
199:7 200:9	127:21	76:4 107:13	81:19 108:20	increasing 160:15
hesitate 82:6	hopefully 20:12	193:12	113:9 114:15	incurred 31:22
Hi 191:15	130:18	identification	133:18 134:21	146:5
high 108:13 112:18	hoping 67:12 165:7	38:11,16	146:3 153:1	indefinite 30:11
156:9 160:14	Hoska 160:3,4	identified 53:17	200:12,17	54:3 119:8
184:22 197:15	hospitality 59:14	151:16	impose 175:15	indefinitely 126:21
higher 100:13,16	hospitals 180:15	identifies 62:4	imposed 28:6	Independence
158:20,21	HOSS 171:16	identifying 73:19	impossible 157:3	61:17

independent 9:14 29:5 48:6 51:5 62:7 63:9 116:16 118:2 124:8 139:3	152:8 initiative 44:14 145:4 input 49:10 76:19 138:5 inputs 145:5 insane 183:6,7 185:19,20,20 insanity 102:4 insights 114:16 Installation 9:15 29:6 48:7 63:10 116:17 118:3 124:8 installations 139:13 installed 54:8 instance 42:1 instances 48:18 Institute 7:8 34:20 169:1,18 instructing 94:14 insurmountable 29:7 121:2 144:21 151:19 integral 45:20 integrate 61:11,13 integrated 34:19 35:7 36:1 37:5 intellectual 195:5 intend 27:6 34:3 43:10 44:6 intended 47:2 63:22 126:22 intending 29:17 intensified 130:9 intensive 31:17 intensively 49:2 intent 42:9 140:18 intentioned 37:18 interest 27:11 37:4 39:4 102:11 112:9 116:1 122:7 145:7 154:4 180:1 interested 109:18 142:2 145:14 199:16	interesting 45:3 153:19 161:20 184:22 198:12,14 interests 52:7 108:2 110:15 interim 35:16 65:13 93:4,20 94:15 95:22 96:10 102:20 110:22 141:1 142:6,7 143:7,12,22 144:9 149:18 150:9,21 152:5 163:2 195:4 internally 52:19 International 42:21 50:11 interrupted 131:13 intervened 128:15 interveners 187:2 introduce 8:10 108:22 158:3 intrusion 138:19 inventories 37:21 inventory 36:4 invest 65:21 invested 49:17 201:5 investigate 27:15 investigated 187:5 investigation 114:14 investigations 156:18 investment 164:4 invitation 8:18 70:13 140:8 invite 85:1 150:1 165:11 invited 9:1 inviting 46:15 80:12 103:10 105:20 involve 76:6 151:2 involved 111:10 132:20 142:17 146:11 190:19 192:2	involvement 23:3 39:3 45:19 50:16 51:21 112:22 121:2 165:8 involving 49:1 in-depth 112:17 ionizing 116:2 158:14,17 ions 174:22 irrigates 57:18 ISFSI 9:15 13:4 15:21 17:10 20:11 21:2 22:10 23:7 48:7 63:13 124:17 124:18 138:16 163:4 167:11 ISFSIs 10:1 64:17 Island 54:12 89:19 97:7 101:3 176:17 ISO 68:12 isolating 54:10 Isolation 111:17 isotopes 102:15,16 issuance 123:9 issue 10:3 13:16 33:4 54:6,21,22 55:22 68:20 71:9 84:8 88:22 101:15 103:14 104:15,17 125:15 126:12,14 126:16 127:4,12 127:12 128:1,9,13 129:6,22 144:6 147:18 195:11 196:19 197:1,3 200:10 issued 122:19 issues 8:21 10:2,12 13:2 15:6 20:17 27:2,14 37:13 39:21 41:22 45:1 45:11 53:17 54:1 57:2 61:12 68:1 70:14 80:19 92:20 93:2,3 95:18 98:13,22 101:8 103:19 104:2	105:4,13,14 106:14 108:3 109:4,7,20 110:3 114:3 116:7,11 119:7 121:3 123:13 124:3 128:7 135:15 138:6 151:18 169:7,8 175:9 187:4 191:19 192:6 199:17 201:2 items 145:3 <hr/> J <hr/> Jack 162:11 Jameson 92:19 Jay 2:15 6:8 98:4 Jersey 100:6 job 16:13 17:17 76:9 102:1 jobs 79:8 82:20 84:1 John 2:10,12,16 5:5,13 6:9 60:6 79:17,20 99:17 103:5 join 9:11 12:6 70:22 138:1 joined 9:8 199:15 joining 12:20 27:8 108:18 199:21 jointly 109:18 Jones 3:14,15 7:11 7:12 173:14 176:14,15,16 177:19,20,22 178:1 179:7 Journal 159:5 judgments 31:22 July 64:1,10 jumped 145:22 jumping 145:20 June 140:5 jurisdictions 111:8 justification 72:17 <hr/> K <hr/>
--	--	--	--	---

Katz 3:21 7:18 190:10 191:13,15 191:16 196:1,4	150:6 151:1 152:2 157:12 164:18 175:4,9 177:11 178:22 184:7 186:7 187:11,12 194:16 199:1 201:1	lead 40:22 49:10 119:22 leaders 9:2 leads 82:1 156:13 learn 19:20 43:5 learned 15:14 17:1 48:16 53:3 86:18 86:21 112:20 158:2 198:16 learning 46:9 56:19 lease 94:14 143:21 least-damaging 169:22 leave 74:7 149:2 161:11 179:2 leaving 15:22 191:18 led 29:1 72:9 156:17 Ledwidge 3:12 7:8 164:10 168:18,22 169:1 left 15:20 44:4 67:7 92:3 126:5 157:9 legacy 33:12 legal 72:17 135:15 legislation 94:13 102:10 166:1 legislative 134:14 legislators 92:8 123:15 128:14 130:11 legislature 47:18 156:3 Legislatures 6:5 92:16 length 56:9 164:16 lengthy 200:21 lessen 22:9 lessons 15:13 46:9 48:16 86:18 112:20 165:8 letter 64:1,10 70:8 72:18 75:19 77:10 80:10 82:22 87:2 103:16,19 104:6 105:9,18 112:6	140:9,18 letting 185:20 let's 87:12 129:10 131:15 132:22 188:9,15 leukemia 160:8 level 26:1 48:17 51:12 57:6,14 100:12,15,19,21 106:13 108:14 112:19 138:16 158:16 197:16 levels 190:17 Lewis 2:21 6:22 136:22 liabilities 31:18 liability 172:3 liaison 51:9 liberty 168:13 license 42:5,16,18 43:3 44:11,15,16 116:17 122:17,18 122:22 131:6 163:22 196:21 licensed 36:14 42:3 94:4 105:2 116:15 118:22 licensee 117:15 licensees 31:12 licenses 42:20 119:4 licensing 42:14 78:5 93:12 94:2 94:11 145:15,22 163:19 187:3,9 192:2 life 43:3 50:15 61:14 89:22 174:19 199:11 lifespan 157:15 lifetime 157:6,12 174:22 lifetimes 20:13 light 33:6 46:11 60:1,3,5 93:10 154:10,11,13 178:17,19 189:8	lightly 151:22 lights 154:9,18 likelihood 195:2 limit 57:9,20 116:6 118:10 154:6 167:10,12 limitations 144:19 154:17 limited 11:19 24:3 24:6 124:19 149:1 149:7 limited-capacity 124:17 limits 89:2 117:3 limping 186:7 Lincoln 71:6 179:21 line 73:8 88:19 146:17 195:15 line-of-sight 166:14 166:16 189:22 link 134:12 Lisa 3:12 7:8 164:10 168:18,22 list 34:6 94:8 133:11 listed 154:1 listen 48:3 listening 49:18 153:7 172:17 200:5 literally 130:11 142:15 144:22 literature 161:2 litigation 31:15 101:21 little 37:20 40:5 41:14 97:10 140:22 163:12 183:9 188:13 195:6 live 8:21 10:16 86:12 176:16 186:10 191:22 192:8,11,21 194:19 196:11 lived 47:19 179:12
	L			
keep 11:2 13:15 54:9,15 83:15,17 155:19 161:21 174:16 191:10 keeping 10:22 104:12 149:20 171:17 keeps 17:15,16 174:18 Kenneth 3:17 7:14 179:9 183:2,4 Kerry 2:10 5:5 60:6,8 67:2,6,9 68:4 69:21 97:15 99:17 key 45:1,11 51:11 98:13 101:8 110:3 110:15 111:8 kicked 126:17 kid 178:5 KiKK 160:12 Kilkelly 2:7 4:7,10 8:18 12:17 14:6 14:10 27:9 47:1,4 47:9 58:8 59:16 59:18 89:17 138:1 140:6 156:2 199:5 kilometers 160:18 160:20 kind 8:17 21:13 23:19 136:3 King 154:21 155:10 159:18 160:1 knew 20:2 21:11 185:12 know 12:4 19:17 22:17 24:22 26:1 44:13 45:15 46:4 49:12 66:2 76:2 84:17 93:5 97:19 99:7 106:11 129:14,19 130:2 130:12 143:1	knowledge 92:1 knowledgeable 16:9 known 156:2 160:12 knows 28:8 81:1			

loaded 148:6	172:19 175:9	63:9,14 64:7,20	178:18 190:14	185:13
loading 189:5	181:3	65:4,21 66:9,10	198:18	martinis 185:5
lobster 80:5 101:2	looked 17:13	68:6,8,10,16,20	malignancies	Maryland 92:20
local 5:2 9:2 25:12	161:13 183:21	69:2,5,8 70:12	160:12,16	169:3
27:12 30:19 32:7	looking 45:8 60:19	71:22 73:11,16	Mammal 180:5	mass 194:18
34:9,10 38:15,18	69:13 142:6 184:2	74:4 76:12 77:15	man 55:11	Massachusetts
48:17 52:4,7	190:13 191:9,10	78:11,17 80:3,4	manage 39:8 55:8	48:2
56:13 59:20 66:11	looks 186:8	80:15,19 81:3,5	managed 85:9	material 13:12
69:15 71:12 75:5	looms 171:6	81:22 82:20 83:7	143:12	29:12 30:1 31:9
88:19 94:1 138:17	loopholes 82:21	83:7,10 85:7,8	management 18:21	32:6,21 38:8,13
139:19 158:5	lose 89:9 120:14	86:1 87:4 89:20	19:7,13 21:18	39:1 48:11 55:6
171:12 172:11	losing 146:16	89:22 90:1,3,7	31:9 32:17 33:20	75:3 91:16 144:16
174:8 184:19	loss 20:18 88:6	92:7,9,15 93:3,5	34:16 35:7,13	153:2 190:20,22
192:11	lost 83:20	94:7 98:5,10 99:1	37:5 41:1 50:12	191:1
localities 37:3	lot 19:20 23:11	99:19 100:14	110:17,19 118:18	materials 11:6,11
located 72:15	58:12 85:10 89:8	101:4,14,15	120:4 137:18	33:13 63:5 64:12
113:19 122:12	95:8 101:18,19	122:15 137:21,22	138:11 148:12	111:7 115:3 158:8
169:3	144:1 152:2	138:5 140:5	169:22 181:4	167:22 190:21
location 38:9 73:10	155:15,18 179:13	148:21 156:20	Manager 71:8	Matt 3:9 7:5
79:4 133:3	181:5 191:6	160:9 162:15,16	98:10	154:22 162:10,14
locations 30:8	198:16	162:16,17 163:4	managing 10:10	matter 10:3 79:12
36:15 73:19 119:9	lower 64:18 73:11	165:6,9,20 166:3	78:2 111:6 112:18	89:9 131:9 133:19
119:21 134:22	lowest 158:18	166:10,19 169:6,6	mandated 79:3	201:19
139:16 169:16	low-hanging	171:22 174:4,8,10	mandatory 28:14	matters 39:5
lofty 188:5	133:19	176:18 177:3	manner 51:14	108:12 116:2
logical 135:20	low-level 101:12,13	178:4,7,12,22	111:7 177:8	122:7
logistics 137:15	101:16 183:22	179:12,13,16	man's 161:15	maximized 124:10
long 15:16 41:19		180:2 181:21	March 122:20	maximum 34:21
61:9 71:15 78:4	M	182:1,3,7 183:14	125:2	maxing 146:13
82:1 97:10 141:7	M 79:13	183:20 184:3,13	Margaret 3:16	Mayhem 173:13,15
149:9 151:13	magnitude 175:11	184:18,22 188:21	7:13 177:21 179:8	173:17
156:3 165:21	mail 132:20	198:19 199:11	179:10,11	Mayhew 3:13 7:10
169:22	main 61:10	Mainers 81:5	Marge 2:7 4:7,10	173:16,16 176:12
longer 63:1,11	Maine 1:21 2:7,9	maineyankee.com	8:18,19 12:12	mean 43:18,19
65:11 67:20 68:9	2:10,15,15 4:8,9	50:8	14:2 18:7,17	75:14 146:2
140:3 157:18	4:10,16,21 5:5 6:4	Maine's 61:15 62:3	19:21 27:9 47:9	149:17 150:7,12
long-lived 102:15	6:7 8:18,21,22 9:6	63:2 97:16 98:14	58:4 89:17 138:1	152:19 175:14
long-term 31:8	9:16 13:2,7,15	mainland 177:9	156:2,5 199:5	181:15,18,19
35:8 55:5 68:22	14:12,19 25:11	maintain 108:8	Maria 3:8 7:4	182:14 185:9
74:8 96:3 110:19	26:12,19 27:9	maintaining 65:10	154:19 155:9	189:1
127:1 163:7 171:5	29:5,10 43:20	118:17	marine 52:5 166:4	meaning 158:18
look 12:7 13:20,21	47:10,17,20,21,22	maintenance 106:6	180:4	meaningful 111:3
21:17 22:7 34:18	50:3,7,17 51:2,10	137:16	Mark 192:18	126:2 150:9
40:20 45:12 61:8	51:16,22 52:13,20	major 19:18 25:2	Marston 3:9 7:5	172:16
74:5 83:21 84:6	53:21 54:8,11,12	makeup 17:1	154:22 162:10,12	means 62:4 116:17
91:18 97:11 115:5	56:21 57:7,13	making 90:11	162:13,14 164:7	192:21
151:4 164:1	60:13 61:7,18	141:11 162:1,2	martini 185:3,7,11	meant 25:16 59:3

177:15	111:15	201:15	154:12 159:17	morning 8:12 9:9
measure 31:5	mention 18:15	mess 181:3	minutes 11:22 60:2	9:22 10:17 11:14
32:13 58:9 59:6	mentioned 14:13	message 22:13,16	70:3 85:2 154:7	12:3,6,16 13:4,20
measured 57:15	18:10,17 87:19	messages 75:9	155:20 173:15	15:12 17:10 25:20
measures 65:1	90:7 99:17 101:3	met 14:19 19:15	misconceptions	26:13 70:7 77:5,7
media 21:22	101:10 106:5	20:7,8 53:8,11	174:7	79:19 85:4 92:10
medicine 52:6	144:7 148:20	197:17	misintroducing	107:21 108:18
meet 16:1 26:5	150:5	meters 100:13	74:14	115:13 116:6
53:19 95:4 109:21	merit 21:20 39:22	methods 187:6	mismanaged 131:1	191:18 198:13,22
200:20	merits 73:5	190:18	misnamed 173:3	199:6,16 200:5
meeting 1:7 8:7	Meserve 1:21 2:2	metric 71:13 81:2	mispronounced	mortality 158:19
11:13,14 16:1,2	4:5 8:10,11,13	Mexico 111:18	85:1	mother 178:6
20:3 26:7 53:19	14:2,8 18:1,8	Michael 3:13 7:10	mispronouncing	mount 156:11
54:17 56:15,19	22:21 23:22 25:6	173:13,16	176:10	mountain 55:7
58:20 80:13 116:9	25:8 26:9,14 41:5	Michaud 2:12 5:14	misread 176:11	65:17 72:15,20
129:20 140:6	44:9,19 46:18,21	79:18 80:1,9	mission 39:9 44:4	73:7 75:11 78:6
147:16 160:5	47:5 58:4 59:12	82:10	127:18	93:12 110:9 126:4
171:4,8 183:14	59:17,19 67:2,8	Michaud's 79:21	misunderstood	130:5,10 131:14
184:13 198:3,5,18	67:10 69:19,22	microphone 137:9	135:22	140:19 150:17
201:17	70:9 74:13 75:16	137:10	mitigate 117:19	151:6 161:13,16
meetings 28:9	76:18 77:2,11	microphones 10:20	mitigation 118:4	161:22 163:15,22
52:13 53:9,14	79:15 82:11,14	mid 28:21	118:13	181:10
54:1 57:3 58:12	84:19 87:16 89:11	mid-coast 101:4	mix 190:22	move 15:12 29:22
meets 61:19	89:16 91:7,22	mid-nineties 28:22	mode 113:13	75:1 82:5 135:17
megawatt 28:6	92:11 97:22 98:7	Mike 5:14 79:21	model 50:4 112:3	137:8 141:1 142:9
megawatts 175:19	103:3 106:2,15	82:9	modeled 57:15	143:8 147:11
meltdown 185:11	113:21 115:8	mile 24:14	modification	151:8 155:4
melts 185:17	120:19 121:14	miles 175:17 192:8	138:12	163:15 167:6
member 22:22 23:8	127:15 128:2,5	192:11	modifications	175:7,12 177:8
24:1 27:20 41:9	129:8,17 131:15	military 139:13	54:20	195:1,2 197:14,15
44:20 57:21 58:1	135:2,14,20	million 28:13 78:18	modular 166:21	moved 94:6 96:12
63:14 67:11 71:4	136:14,18,21	81:9 86:2 99:5	167:1	136:11 143:3
75:17 82:10 84:10	137:8 141:18	133:3 175:16	momentary 54:2	169:4
92:15 129:12,18	142:3 144:5	192:9,14	moments 49:11	movement 120:8
142:1 143:6 144:4	145:11 147:21	millions 32:2 71:22	money 98:16 99:2	136:9 139:21
145:12 146:18	148:2,16 152:17	78:17 81:6 83:16	101:18,20,21	140:1
148:14 152:18	153:14 155:7	91:4 104:13	128:22 171:14	movements 114:5
200:3,14	159:7,12,21 162:5	195:16	179:1,3 180:19	139:15
members 2:1 12:18	162:8 164:6	millirem 55:17,19	182:19 184:3	moving 16:3 94:18
12:19 26:3 28:12	167:17,21 168:9	57:8,22	monitor 172:12	124:11 125:5
31:13 32:3 33:10	168:17 173:11	mind 11:2 13:16	monitoring 7:17	130:1 149:21
45:22 51:14,17	176:9,13 177:18	minds 187:18,19,21	139:21 190:12	151:1,11 193:11
52:2,8,19 53:2	179:6 182:22	Minerals 181:4	month 183:13	195:3
60:12 80:3 83:1,4	186:1 189:9,12	minimize 73:22	monthly 20:7 53:9	multiple 31:20
107:19 108:19	190:6,9 191:11	144:15 163:6	months 92:18	40:11 118:18
126:7	195:21 196:3	Minnesota 169:5	Montpelier 107:17	119:8,20 120:16
Memorandum	197:21 198:5	minute 60:4 86:10	morals 184:8	multi-modal 114:5

multi-purpose 44:14	178:4 193:8	97:2 100:6,6	not-too 43:11	147:19 150:6,14
multi-year 114:10	nearest 24:14	103:6,13,20 111:6	NRC 29:9 36:14	153:2 155:13
munitions 137:17	nearly 48:8 150:13	111:18 119:10	42:20 44:10 51:4	156:12,18,20
mutual 28:14 110:4	158:18	130:4 169:6,7	55:16 56:12 57:2	157:20 158:7
myriad 39:12	nebulous 151:12	186:13,19 188:14	87:3 94:3 119:13	159:3 160:14,17
<hr/> N <hr/>	necessarily 40:3	news 184:17	122:22 164:2	161:7 163:20
NAC 42:21	necessary 30:21	newspapers 16:17	189:16 192:4,22	169:8,14 170:1,7
name 8:12 25:21	35:13 37:15 52:21	115:2	nuclear 1:1 4:21	171:14 173:8
26:15 70:4 74:15	141:4 157:3	Nice 164:13	8:15 16:10 19:15	174:19 175:13,16
79:20 85:1 92:14	necessitated 146:12	Nick 2:13 5:15	19:17 26:19 27:4	175:20 176:3
107:8 115:14	Neck 1:20	82:15	27:19 28:1,3,10	178:8,10,15
121:21 161:15	need 33:11,17	night 59:15 199:4	29:19 32:19 34:19	179:18 180:17
162:14 168:22	38:19 39:15 40:3	nine 63:11 141:9	35:3 36:8 37:16	181:10,20 182:16
176:10,15 179:11	40:6 96:6 97:10	174:13	37:17 39:21 40:19	183:16,17,22
185:1,1,8 186:10	114:4 139:18	Ninth 50:11	41:2 44:1 48:4,21	186:14 187:19,20
191:15 196:9	146:8 148:11	noise 54:3,6,14	50:5,11 53:3 54:5	187:22 189:19
narrow 99:9	150:7 161:8 166:6	non 39:14 191:1	55:6,8 63:1,4,5,12	192:22 193:1,17
NARUC 131:17	173:6 175:20	nonprofit 107:11	63:15,20 64:3,6	194:1 196:12
NASA's 86:16	181:11,16 182:13	186:12 190:3	64:12 65:3,5,14	197:16
nation 92:21 101:9	189:20	non-government	67:16,20 68:2,17	nuclear-powered
109:22 127:22	needed 38:12 59:6	39:3	68:19 69:2,6,17	68:10
130:19	79:8 124:10	non-technical	70:15,17 71:14,19	number 10:21
national 2:20 6:18	needs 37:12 66:8	49:19	71:21 72:6,7,11	11:21 13:9 15:21
48:18 49:3 63:6	75:7 96:22 97:12	north 99:18	73:10,14,15,20	16:6 17:9,20
64:15 73:18 92:7	109:21 136:11	Northeast 2:17,18	74:6 77:14,18,20	20:17 33:3 65:6
92:16 107:11	139:9,22 147:10	2:19 6:3,12 92:3	77:22 78:1,10,12	81:6 87:3 100:11
110:9,21 111:4,11	182:12	107:2,16 108:3,13	80:14,17 81:3,11	102:3 115:3
112:18 113:3,10	negative 110:6	108:19 109:6,13	81:15 85:16 90:17	153:21 154:3
114:22 121:6	neglect 89:3	113:8,15 114:9	90:20 94:9,22	165:17
131:17 158:15	negotiate 165:17	115:2,18 122:2	95:1,4,10,14,16	numbers 100:12
192:16 193:22	negotiated 165:19	140:11	95:21 96:4,7	numerous 33:10
194:16	NEI 34:20 35:5	northeastern	97:12,17 99:2,4	127:2 139:12
Nationwide 78:14	neighbor 47:20	106:17 108:10,16	102:7 105:12	nurse 155:17
nation's 32:14	184:19	Norton 2:9 4:17	108:20 109:9,11	nurses 155:17
37:14 41:2 112:8	neighborhood	26:12,13,16 41:6	110:13,20 112:9	NWSC 64:3
natural 24:16	155:15 174:15	41:10 42:7 44:9	113:18 114:12,22	<hr/> O <hr/>
62:15,16 166:13	neighbors 54:2,13	44:12 45:17 46:18	115:12 118:21	Obama 81:14
naturally-occurr...	178:8	46:20 75:21 96:19	120:4 121:22	182:12
55:18	Network 7:17,20	note 10:15 28:16	122:11,11,16	objective 133:6
NCSL 92:20 93:2	190:12 191:17	62:10 63:8 68:14	123:19 124:4,11	obligation 30:18
96:13	196:10	74:16 113:9	124:20 125:2,7,10	33:7 42:9 78:8
near 35:8 36:18	never 19:15 49:11	172:10	125:12,20 126:20	136:5
114:10 123:1	126:22 140:16	noted 42:15 104:9	126:21 127:5,8,20	obligations 28:15
137:12 155:3	new 2:16 6:9 9:17	105:9 153:9	132:19 136:6,16	33:16 42:12 95:5
159:3 172:21	10:1 14:21 34:5	notes 159:8	137:17 138:8,12	119:16
	35:3 40:2 50:1	noticed 199:2	138:14 139:2,7	observation 132:4
	68:11,12 92:22	noting 39:11	140:2,13 145:3	

observed 58:22 75:4	142:15 145:20	127:14	outlined 42:8 119:16 173:7	6:2,23 8:19 13:2 14:13,21,22 16:5
obstacle 44:8	Olympia 5:9 74:10 181:12	opinion 143:5 161:5	outreach 18:20 75:5 84:15	16:8 47:11 48:1 51:11 52:1 53:15
obstructions 24:16	once 16:1 53:19 57:21 100:1	opinions 85:17 126:16	outset 52:20 169:17	53:16,18 92:1 127:11 129:13,16
obtain 119:13	143:20 151:22 152:7	opportunities 15:7 15:14	outside 105:17 190:14 192:14	137:22 141:22 153:18 165:13
obviate 173:6	one's 183:17	opportunity 15:1,5 16:15 22:8 27:17	193:6	200:7
obvious 29:15 46:6 133:16	ongoing 27:17 30:17 197:17	50:1 59:10,20 83:20 89:18 91:6	outstanding 99:2	panelists 17:20 106:13
obviously 10:5 42:7 42:9 43:13 44:7	online 160:10 176:18	92:12 107:18 112:11 115:5,12	outweighed 49:5	Panel's 70:13
45:4 76:19 143:2 199:6,16	onset 165:10	121:13 129:9 132:17 138:4	overall 89:4 123:14 141:11	papers 16:20
occurs 160:18	onsite 30:11 117:15 119:8 170:15	141:16 143:4 154:5 198:1	overnight 156:21	paragraphs 159:10
offer 11:7 76:5	on-the-ground 27:12	oppose 187:21	overseen 29:9	Park 169:3
offering 27:10	open 27:17 31:3 46:15 51:21	opposed 102:18 124:15	oversight 30:22 32:8 98:14,16	parked 183:20
Office 2:10,11,12 2:12,13 47:14	171:11,15 172:12 172:20 193:19	154:5 198:1	99:1	part 16:13 35:6 57:5 90:22 105:18
61:16,21 98:20 110:16	openly 40:11	opposite 153:7	overstate 25:17	116:15,19 117:14 119:1,4 131:2
officer 4:21 26:19 137:15 147:18	operate 14:17,18 35:9 104:1	opposition 49:9 152:7,7,11 165:11	overwhelmingly 174:13	147:3 156:8 181:11 193:18
offices 1:19 66:12	operated 28:18 64:18 111:19	optimistic 127:21 201:7	owned 178:5	201:8
Official 2:6	operating 27:22 35:1 40:11 43:7	24:3,6 53:4 65:14 66:8 118:14	owner 116:22 162:18	partial 30:17
officials 10:9,10 38:18 59:21 71:12	181:10 194:5	121:10	owners 27:3 136:7 142:16 181:22	partially 94:21
90:8 107:14 108:1 108:10	opening 4:4,6,12 12:10,13 14:3 18:5	op-ed 115:1	ownership 117:22 143:14	participants 28:19
Officials/Designees 5:3	openly 40:11	Orbiter 86:15	owner-controlled 99:8,14	participate 165:13
offload 124:13,21	operate 14:17,18 35:9 104:1	order 4:2 37:7 75:6 91:2 97:3 107:13	O'Connell 2:20 6:19 131:16,19	participation 45:18 46:3 50:5 71:3
offset 81:9	operated 28:18 64:18 111:19	135:11 150:8 154:1,14 155:1	135:3,13,19 136:1 136:17,20 142:1	111:3 112:12
offshore 82:21	operating 27:22 35:1 40:11 43:7	ordinary 156:8	142:12 143:10 144:17 146:9	particular 30:14 49:8 100:1
offsite 117:3,8,10 117:17	63:12 103:22 104:9 109:5 119:1	organization 40:10 107:11 165:3,5	147:9	particularly 110:11 113:18 171:3
off-sea 100:8	122:17 148:22 163:4	186:12,12		parties 109:18 110:5 124:15
off-track 147:13	operation 28:20 114:8 122:14	organizations 33:4 33:9 128:15	P	151:16
oftentimes 68:5	123:2,6,11,16,22 124:2,9 125:10	143:17	packet 105:19	partner 121:3
Oh 133:21 183:19	126:13 127:5,13 128:11 137:21	orphan 22:14 142:4,9 147:1	pad 166:21 167:1,2 189:7 192:10	partnership 121:9 145:4 173:8
oil 181:4,8	157:5,9 158:6	ought 179:3	194:3	parts 201:9
okay 12:12 14:8 106:15 129:18	operations 29:3,13 38:1 52:16 86:15	outcome 49:14	pads 166:21	pass 177:9
144:4 188:10 189:11		outcomes 134:8	paid 37:3 79:1 98:15 99:2 106:5	passion 200:9
old 53:2 57:17 148:7 183:21			172:3	passionately 201:4
older 148:9			panel 2:8 4:8,9,10	password 185:13
oldest 135:12				path 96:14 97:10
				pathway 95:9

191:22	permits 125:1	placing 80:18	pleasant 199:3	161:7,8 163:16,21
pathways 158:8	person 25:19 77:9	plan 33:11 53:13	please 41:8 58:7	199:18
Paul 58:1	83:8 164:20	55:4,5,7 62:4,20	70:11 87:6,11	policymakers 27:2
pay 128:18 129:2	personally 70:7	63:2 66:13 67:21	133:9,21 134:11	66:12 95:14
paying 78:15 83:15	74:3 106:11 164:1	78:9 109:18	154:17,20 159:8	policy-setting
176:1 184:6	200:18	126:10 128:16	195:21	39:15
payments 95:3	perspective 46:14	129:7 130:19	pleased 9:3 12:2,6	political 69:6 76:6
people 9:22 10:21	48:14 65:3,20	151:12 157:15	pleasure 9:7 12:21	politically 25:4
11:21 16:6 17:4	137:2 186:9,18	180:13 181:11,19	77:6	pollution 157:17
20:3 21:11 30:11	pertaining 108:3	181:21	plentiful 80:5	186:14
49:12,20 54:14	109:7	planes 194:9	plenty 175:17	pool 54:10 104:2
59:5 61:1 66:18	pertains 110:11	plankton 90:4	plow 164:17	138:8 147:12
68:15,18 85:12,15	Peter 160:3	planning 52:5 62:1	plus 55:17	148:10 192:13,15
97:16 99:11	Petroleum 182:4	110:2,11 111:5,12	plutonium 91:12	pools 146:13 147:8
101:19 129:21	phase 76:15 97:9	116:19 117:10,12	podium 85:2	194:1,15,18
134:21 156:8	157:7	134:10,18 137:20	154:20 155:2,4	populations 158:11
176:20 177:7	phases 10:6	140:13 141:15	point 13:8 15:19	pornography 181:6
178:2,22 180:2	Phil 9:10	197:9	24:20 33:22 46:4	portion 86:4
181:5,13 182:7	philosopher's	plans 37:21 112:5	46:16 68:7 69:1	pose 90:11
184:11 187:21	152:14	151:4	88:17 99:8 100:17	posed 30:4 34:1
191:21 196:18	phone 25:22	plant 4:14 9:18	100:18 105:2	170:11
198:19 201:4,12	photos 29:16	14:15,16 15:1,4,6	119:9 126:1	position 56:5,6
percent 86:2,7	physical 24:6	15:19 18:12,13	130:16 147:22	64:10 76:3 97:16
158:20	physicist 161:14	24:7,18,20 25:2	152:3,20,21	103:12 105:21
perception 68:5	physicists 155:16	26:22 27:21 32:3	174:21 177:2	170:2 183:7 187:4
perennial 152:14	physics 155:18	44:2 48:8 49:3	187:14 193:15	positions 93:2
perfect 188:14	picked 126:19	53:3 54:11 58:14	194:11 197:4	96:14 108:20
perform 31:15	picture 89:4	58:15 93:8 94:5	points 41:12	162:19,22
119:15 125:16	pictures 59:2	95:1,6 99:18	Polewarczyk 2:14	positive 20:6 25:16
performance 34:15	piece 13:3 17:14	123:17 128:11	5:17 84:22 85:3,5	26:4 32:7
performs 42:12	102:14	156:12,21 157:4	88:13	possession 64:5
44:6	Pilot 111:17	158:7 160:10	policies 35:10 63:7	possibility 75:12
period 11:15,19	pin 58:3	174:14 176:21,22	75:22 108:4	167:14
28:21 40:12 41:19	Pingree 2:13 5:16	178:15,17 180:11	110:18	possible 17:4 33:1
44:17 149:15	82:16,18 84:9	plants 2:10 4:17	policy 27:19 31:8	40:13 85:14 90:13
periodically 85:20	place 14:14 15:16	13:10 27:4 33:5	34:5 36:8 48:21	104:20 106:11
periods 127:9	81:4 84:15 118:10	34:22 38:4 40:20	49:8 61:12 62:2	132:4 160:21
permanent 10:13	129:6 139:15	43:7 48:13 63:12	64:15 65:2,20	161:3,5 172:8
63:19 65:13 143:9	142:17 146:17	69:12 73:16 77:19	66:22 67:14,14	possibly 99:10
152:5	164:22 165:1	78:1,11 96:4,7	70:17 71:21 72:8	post 52:14
permanently 29:2	166:10 171:10	109:12 113:19	73:2 77:20 84:5	posting 172:14
36:5	181:12 183:16	114:12,15 156:22	93:2 95:4,16	potential 37:7 56:8
permanently-shu...	188:8 193:4,12	159:4 160:14,17	96:13 99:4 101:12	83:17 100:3
27:4 32:22 33:5	placed 81:5 148:9	178:10 179:18	102:8 104:20	102:10 117:6,11
34:22 38:4 40:19	places 13:17 127:4	189:19	107:14 109:3	118:6,11
permission 107:6	138:22 142:21	plausible 160:22	111:12 114:22	potentially 46:11
124:16 166:6	156:10 181:14	play 30:21 38:16	115:1 150:6,14,16	102:17 114:5

117:18 119:22	101:7 104:1 116:9	147:2 163:5	productive 13:20	proposals 140:16
power 4:19 16:10	131:5 141:9	private 39:13	198:13,19	proposed 69:12
26:17 27:4 44:1	148:17	143:16 181:15	productively 87:22	99:18 140:6
53:3 69:17 78:1	presentation 41:11	probable 158:10	professional	prospect 127:7
78:10 88:18 95:1	50:20 59:13 128:3	probably 18:19	162:17 173:19	145:8 171:4
95:21 96:4,7	199:6	24:12,13 89:7	profile 69:5	protect 44:5 170:10
97:12,17 99:3,18	presentations 11:3	99:15,16 142:4	profoundly 72:16	179:21,22 180:1,3
100:5,9 104:1	101:11 133:13	146:20 150:6	program 2:15 6:7	181:1,17
109:11 113:19	presented 15:15	problem 23:21	14:3 32:17,21	protected 64:19
114:12 122:11	50:10 127:11	66:22 80:21 88:14	34:16 35:7,17	180:6 189:15,18
123:13 125:10,17	160:4 168:4	96:22 129:4	39:8 40:2,6 86:14	189:22
125:20 126:22	presenter 57:3	130:21 149:5	86:17,19 87:12	protecting 182:10
155:14 156:12,18	presenters 11:1	171:19 176:12	91:13 98:6,11,18	protection 40:4
156:20 157:20	200:6	177:7 193:13	131:1 132:4 137:3	98:20 115:17,21
158:7 159:4	presently 100:7	problematic 24:21	145:7 151:7	166:15
160:15 161:7	116:22 126:9	problems 68:16	169:20 199:4	proudly 187:14
165:9 169:8	presents 74:17	105:7 114:11	programs 31:8	proved 157:2
175:13,16,18,20	preserve 124:12	116:10 120:16	35:8 108:5	provide 15:1 27:17
176:3,5 178:8,10	preserving 124:21	151:15 191:6	progress 73:9	34:21 48:13 50:1
178:14 179:18	President 4:18	procedures 112:2	75:12 93:11 131:4	51:8 53:6 72:4
180:11,17	26:16 27:15 81:14	114:8	131:7,13	73:2 76:20 96:1
powerful 156:16	presiding 1:22	proceed 136:18	project 17:9 49:2	112:10 114:19
PowerPoint 47:2	pressure 177:12	170:21	53:22 72:20	127:22 131:22
pragmatic 188:6	presumed 133:14	proceedings 10:16	107:17,22 108:5	166:3,15 189:17
precious 23:17	prettiest 90:6	123:7 128:16	108:17 109:14	provided 18:3
precipitated 135:5	pretty 18:19 102:1	151:17 187:3,9	111:17 115:1	28:17 50:6,9
predicate 143:19	201:6	201:19	125:5 126:4 130:5	52:21 53:15 88:8
predict 100:14	prevent 142:10	proceeds 28:5	150:17 159:3	112:6 135:6
preferable 73:11	previous 75:20	process 21:7 29:8	163:16	137:19 138:4
75:13	previously 14:13	39:18 40:14 42:4	projected 44:18	171:12 172:11
preferred 113:13	52:19 87:20	42:17,22 43:4,11	projects 50:5 65:17	providing 17:18
preliminary 134:18	199:12	46:7,12 51:19	proliferation 173:4	51:14 60:2 71:17
premise 33:14	pre-deployed	56:1,8,22 58:11	prolonged 72:1	provision 142:20
132:3,8	194:18	58:20,21,22 76:6	promised 28:2	proximate 36:15
prepare 165:1	price 62:21 184:9	76:15 82:5 93:16	promising 80:16	proximity 160:16
200:21,21	primarily 98:18	105:5 110:1	promote 123:17	pro-nuke 161:15
prepared 39:10	99:7 101:15	112:12 131:11	promoted 176:6	public 3:6 7:2 10:9
53:6 66:4 76:13	primary 63:2 108:8	165:15 188:13	prompt 33:11 65:3	11:15,18 19:11
132:17 149:16	prime 86:16	processed 29:10	proper 87:5,8	21:9 22:1,2 31:2,6
preparedness	principles 93:22	processing 63:3	177:8 190:22	33:17 35:15 45:18
62:18	170:6,21 171:1,11	produce 126:8	properly 34:21	49:18 50:4 51:3
Preparing 50:15	172:10	produced 29:10	126:19	51:21 52:13 54:1
prerogative 189:16	prior 28:8 47:16	32:18 123:21	property 17:15	55:20 56:2,10,17
prescribed 72:7	120:9	124:20 125:2	86:5 88:10 99:6	58:10,13 66:22
presence 55:12	prioritize 73:14	producing 188:7	178:5	67:13 95:14,16
81:2	priority 36:4,10	production 86:15	proponents 152:9	98:19,21 107:14
present 2:1,5 33:8	78:21 140:21	124:4	proposal 152:8	108:2 110:7 111:8

111:22 112:13 122:1,4,7,18,19 123:4,4,8,14 124:1,2,7 126:7 126:18 127:1 128:10 129:9 130:7 138:5 152:10 153:20 154:6 155:17 168:14 170:10,17 171:21 172:2,14 172:16 180:1 186:17 198:8 200:8	qualifications 118:18 183:5 qualified 46:5 quality 61:14,20 quarterly 20:8 53:19 quasi-public 39:13 question 19:9,22,22 20:2 21:12 30:4 34:1 41:7,15,19 42:14 46:6 67:11 84:11 87:17 90:14 91:1 96:18 97:17 106:4 126:6 128:3 129:11,15 132:8 134:1 135:4 145:13,14,19 146:7,20 148:15 149:8 151:1,11 161:12 162:1 186:16 188:1	quotient 21:10,21	81:8 91:3 101:19 101:21 102:21 104:14 106:6 133:5 164:3 172:3	196:22 199:13 200:8
publicly 11:13 public's 32:15 116:1 published 115:2 pump 69:14 pump-and-store 99:17 purpose 43:22 108:8 147:11 172:9 purposes 63:22 79:6 88:1,1 95:8 116:19 141:12 pursue 111:5 148:16 pursued 35:20 purview 138:14 pushed 125:22 put 80:7 86:11 87:11 118:9 128:22 132:21 134:5 146:21 147:1 166:10,21 177:14 178:16 181:12 183:13,16 putting 156:6 165:22 179:18 puzzle 102:14 P-R-O-C-E-E-D-... 8:1 p.m 201:18	questions 4:15,22 5:6,10,19,22 6:10 6:17,20,23 16:14 29:20 41:13 49:22 59:17 72:19 76:16 90:12 91:18 96:18 97:21 98:1,3 105:13 114:4 128:18 141:21 153:15 168:7 question-and 76:14 queue 135:18 142:3 142:17,21 145:20 145:22 148:3 quick 23:1 41:7 106:4 128:3 185:12 quickly 88:15 155:5 quite 25:13 99:9 133:16 151:3 199:13 200:9 quo 30:10 73:12 quote 60:20 66:17 102:4 169:12 quotes 102:3	radiation 2:15 6:7 20:20 21:11 55:18 56:14 98:5,11,18 115:15 116:2,3 158:14,17,19 159:2 190:17,20 190:21 radioactive 2:17,18 2:19 6:12 29:12 50:12 55:9 63:18 64:6 94:17 106:18 107:3,16 108:4,12 108:14 109:3,8,19 110:2,16 111:4,11 113:17 115:18 122:3 157:10,16 158:5 190:14,16 190:22 191:2,5 radiogenic 160:8 radiologically 55:16 57:14 radiologist 58:1 rail 24:8,10 88:18 113:12 139:14,16 railroad 113:10,16 114:6 195:15 railways 38:10 raise 23:1 114:3 157:3 raised 21:14 103:19 104:16,18 105:15 128:14 151:17 186:20,21 194:13 raises 57:18 ranged 54:1 rate 142:18 163:7 176:2 rated 156:21 ratepayer 162:18 172:8 ratepayers 63:21 64:21 65:8 71:22 73:3,11 78:13,22	rattles 60:21 Ray 178:11,18 Raymond 3:10 7:6 164:8 reach 82:7 112:3 167:5 reached 49:16 react 196:18 reactions 110:7 reactor 29:14 64:7 85:16 111:2 119:1 122:14 125:18,21 148:5 159:4 171:6 171:10,19,22 192:17,20 193:20 197:7 198:21 reactors 28:18,20 78:22 91:14 92:22 109:5 135:10 139:3 163:5 170:7 188:11,14 192:19 read 23:9 70:8 77:9 80:10 82:22 159:9 readily 16:21 55:1 real 15:13 21:19 22:3 24:11 26:4 49:4 59:6 86:8 131:4 191:9,19 192:6 Realignment 139:14 realistically 55:7 reality 68:5,6 69:3 69:6 195:7 realize 100:11 131:11 151:6 really 12:5,5 13:14 14:22 17:21 56:11 85:11 103:11 105:21 130:17 131:8 152:1 174:20 180:20 186:5 193:10	realm 189:17 reason 111:9 178:1 179:17 reasonable 68:18 reasons 34:17 68:18,22 99:16 receive 11:12 68:10 159:14 163:5 received 72:21 receiving 54:12 receptive 105:13 recertification 119:13 recession 79:10 recommend 35:22 64:11 recommendation 36:22 39:6 72:14 134:19 136:19 147:5,7 recommendations 33:15 34:7 35:5,6 36:18 39:12 40:9 71:17 72:4 73:3 93:18 104:19 112:15 recommended 34:19 170:17 recommends 170:14 record 27:6 50:6,9 59:10 67:5,7 70:8 77:10 90:10 152:21 153:4 159:15 168:2 recover 31:14 79:9 recoverable 106:8 recovers 102:15 recycle 87:12 recycled 126:19 recycling 95:17 173:3 197:10 red 60:5 154:13 189:8 redevelop 81:12
Q				

83:20 117:10	regrets 9:12 70:6 77:8	relocated 133:2	74:5 82:1 132:18	80:7 119:10
redeveloped 17:16	regrettable 72:16	remain 116:18	134:5 140:21	145:17 180:1
79:5	regular 57:3 138:4	117:4 127:21	158:15	requirements 32:8
redevelopment	regularly 53:7	remained 70:16	reported 16:19	43:2,8,9 70:17
21:4 24:4 43:16	regulated 116:18	71:14 116:14	repository 28:4	119:2,3
117:22 118:15	regulation 167:9	remaining 29:20	35:12 63:19 65:19	requires 123:3,10
reduce 65:6 73:22	regulators 19:14	30:1 60:4 154:12	72:9,15 73:18	requiring 118:21
141:10	19:21 25:17	remains 9:19 48:5	75:12 93:13	research 7:9 35:18
reduced 31:6	regulatory 2:21	73:15	110:10,22 143:9	65:15 90:13 96:2
reduction 62:21	6:18 19:4,16 43:9	remark 153:1	145:2 152:6	109:10 155:10
reevaluate 127:19	117:14 118:21	168:14	163:16 173:7	160:6 169:2,19
refer 136:9	119:3 122:17	remarkable 153:10	represent 13:9	170:3
reference 162:20	131:17 156:18	remarkably 110:5	122:7 134:7 165:3	reserved 36:11
referendum 156:17	182:16	remarks 4:4,6,12	191:21	resident 57:16 85:7
174:4,9	reinforce 84:3	5:2 7:22 12:10,13	Representative	86:11 87:5,10
referring 144:6	reinforcing 119:5	14:4 18:5 66:4,16	2:12,13 92:6	97:6 101:2 169:6
refocused 37:13	reintroducing	67:12 76:13	representatives	residential 160:16
reform 63:19	161:7	164:15 200:22	106:20 108:15	residents 54:18
refurbished 139:18	reiterate 103:12	remediate 157:2	represented 52:2	85:10 86:8 101:15
regard 116:1,13	105:20	remember 161:15	165:14	176:20
118:16 122:10	related 31:8 37:13	180:13 183:19	representing 5:5,9	residual 157:16
149:21 196:18,20	39:5 61:6 75:22	remote 21:3 24:15	5:12,14,15 33:9	resolution 57:2,6
regarded 200:10	100:7 105:4	removal 32:5 33:12	60:7 70:1,5 77:3,7	66:21 80:21
200:16	109:20 116:7,11	64:12,16 65:3	79:18 82:16 98:5	114:22
regarding 37:15	118:1 119:6 148:3	74:22 78:21 86:3	103:6 107:2	resolve 109:20
71:19 72:19 92:21	199:17	104:7	108:10 109:15	127:19 128:1
93:4 95:16 98:14	relating 61:22	remove 71:13	116:1 131:16	resolved 55:1 95:17
98:22 103:18	116:2	94:22 104:21	136:22 174:7	110:4 128:9
113:7 122:8	relationship 25:10	119:17 125:6	190:12	resolving 54:20
126:13 138:5	relatively 130:4	removed 75:14	represents 86:2	resource 31:16
139:6 171:18	relatively-flat 24:8	79:7 81:11 88:5	133:4	99:6,21 101:5
regards 82:9	released 158:15	127:2	reprocess 90:19	113:5 196:13
region 66:15 84:1	163:11	removes 32:21	reprocesses 90:17	resources 30:21
104:4,9,15 105:7	releases 158:5,12	removing 10:13	reprocessing 90:16	38:17 52:6,21
105:14 108:3	reliability 123:12	48:10 73:9 74:20	102:12 111:1	61:18 62:1,8
109:22 121:20	reliable 65:21	75:13 83:13 84:4	145:2,8 173:1,2,5	65:22 87:13 99:15
200:11	reliance 138:17,21	125:17,20 171:18	193:10 197:11,11	114:18 139:1
regional 34:11	relicensing 42:1	renaissance 188:16	197:16	respect 10:5 163:1
36:21 47:14 48:17	105:4 146:4	reneged 149:3	reputable 161:4	respectful 161:9
63:6 66:11 104:1	196:20	renewable 62:8,12	request 67:4 77:13	respective 56:14
107:10 109:7	relieve 64:20	64:22 65:22 174:2	104:18	108:21
110:14 111:13	relieving 65:9	renewal 122:22	requesting 125:11	respects 9:7
113:1 114:14	reload 145:17	repairs 51:4	require 110:20	respond 105:9
regions 109:16	reloaded 119:10	Repeat 184:16	117:9 120:12,15	150:4
112:4 141:13	reloading 120:12	replied 58:2	128:21	responded 140:8
registered 162:17	145:15	report 10:7 50:2,6	required 29:11	145:6
registration 11:17		50:10 52:15 55:3	34:12 48:10 77:21	responders 138:18

response 62:18 72:22 91:19 153:16	re-racking 124:10	177:2,5,13 188:18 197:12	153:3 157:1 163:18 166:11 192:2	169:21
responsibilities 29:22 61:22 138:13	rhetorically 134:2	roads 185:14	Sally 92:19	scientists 100:14
responsibility 42:10 64:4,5 77:18 79:3 193:3 193:17	Ribbon 1:1 8:15 10:4 11:8 27:13 64:2 67:15 72:10 73:13 77:13 80:17 81:15 83:4 93:15 95:19 103:18 105:10 107:20 115:6,11 129:19 169:11	roaming 187:12	Salmon 180:9	scrutiny 152:9
responsible 10:10 33:8 38:14 78:2 116:4 126:8 161:6 182:2 184:4	Richard 1:21 2:2 4:5	rods 147:8	salts 167:13	sea 100:12,15,18,21
rest 47:8 54:10 59:8 66:4 70:19 71:1 89:16 109:22 151:3	Richardson 2:14 2:17 5:21 6:13 71:4 89:14,15 91:7,20 106:21,22 107:8 113:21 114:2 130:21 139:11 150:3 153:12	Roger 3:14 7:11 173:14 176:14,15 176:15	sandwiched 194:20	search 152:14
restoration 21:1	rickety 195:15	role 15:10 30:22 38:16 49:19 56:22 94:2	sat 183:22	second 30:19 104:17 140:9 143:15 163:12 174:9
restrict 103:15	right 44:14,17,19 66:19,20 83:14 87:8 125:3 135:13 135:19 136:17 148:10 164:14 180:7 184:9 186:9 189:4,7 193:8 194:10 201:6	roles 38:14	satisfactory 72:22 128:10	Secretary 27:16 36:9 71:17 72:5 72:12,18 73:14 103:17 111:15 112:6,10 140:10 140:10
restrictions 118:9 120:1	rise 100:21 160:18 166:13	rolled 175:21	Saturday 169:4	sector 201:3
result 36:17 54:19 65:7 86:4 102:6 117:8 172:1	risk 112:13 119:20 127:4 160:15,18 160:19 165:11 174:14	Ron 25:21	Savannah 90:16 91:10	secure 73:10 83:16 172:7
resulted 110:3 123:22 156:11	river 17:13 24:11 59:1 72:2 90:16 91:10 179:19 180:6,9 183:13 184:7 192:11 195:19	room 61:2 161:18 167:2	save 82:20 91:2	secured 189:20
resulting 30:20 139:13	road 1:20 24:14,15 126:17 139:15,16	round 188:14	saw 17:14 43:14	securely 29:14 42:11
results 29:11 159:4		route 114:7 176:19 177:15	saying 25:9 66:18 194:6	security 41:18 61:19 64:3,15 68:16,22 73:22 116:11 118:16,19 118:20 119:2 121:1 138:16 139:3 141:10 170:16 171:5 189:17,19
resume 98:2 114:17		routes 36:19 38:7 38:12	scale 48:18 133:15 150:9	see 12:9 14:2 15:12 17:8 21:16 22:8 74:17 75:14 77:16 84:2 85:16 98:2 101:5 146:18 164:17 178:14 180:5 196:22 198:21 200:1
retain 143:13,20		routine 95:12 158:4,6,11	scapegoat 131:10	seeing 146:14
retired 86:13,14 155:17		routing 120:22	scared 21:12	seek 145:4
retrievability 101:9 101:16		Rowe 43:20 192:1 192:3,6,9 194:2	scenario 35:14 143:15	seeking 125:9 126:4 128:20
return 177:9		rubric 194:14	scenarios 143:11	seemingly 54:3
reuse 163:11		ruled 78:7 163:19	schedule 11:1 53:15 125:6	seemingly 54:3
revenues 31:2 79:8		ruling 164:2	scheduled 54:18 57:3	seen 87:2 149:10 179:13,14 201:11
reverse 72:14		run 24:14 32:1 141:7 174:1	schedules 200:20	selection 52:16
review 53:12 74:4 81:16 112:17		running 42:4	scheduling 60:15	
reviewing 51:15 74:5		rural 113:19	school 56:13	
revitalized 140:1			Schuler 3:16,17 7:13,14 177:21 179:9,9,10,11 183:1,3,4 186:2	
revolved 20:17			Science 113:11 192:17 193:22	
			sciences 16:10 158:16	
			science-based 163:17	
			scientific 15:11 57:11 161:2 187:6	
			scientifically 169:19	
			scientifically-sou...	

94:2 114:7	107:11	show 31:22 47:2 133:18 182:7	sir 67:9	193:20 194:22 195:20
Selectman 5:18,21 84:21 85:3,6,9 87:10 88:13 89:13 89:15 91:20	sessions 53:12	showed 159:4 160:7,14 184:17	sister 97:6	site-release 165:18
Selectmen 71:5,7	set 19:1 135:5 136:4 142:18 192:20 193:19	showing 176:3	sit 89:6 137:12 185:18 189:5	siting 37:2 45:10 46:7,12 69:2 127:8
sell 181:18 184:15	setting 24:7	shut 9:18 174:4,13 176:22	site 8:22 9:16,16,20 19:13 22:4 23:6 23:20 29:5 30:2 31:4 32:10 43:14 56:2,10 57:13 63:9 64:17 66:9 67:22 68:1,19 69:8,13 75:2 78:12 80:15 81:3 81:12 83:22 88:16 88:22 93:9 94:2 99:16,19 100:1 101:13,13 114:11 117:4 119:18,20 120:9 126:22 127:8 143:9 144:9 144:10 145:1,17 149:5,6 157:11 163:10 171:6 177:1,7 182:11 194:2,7 195:3,4 198:21	sits 20:11
Sen 6:5 92:10	settlement 95:3	shutdown 36:6 52:15 78:21 157:8	situation 13:10 74:4 118:7 135:22 136:10 146:22 148:7 172:6 175:14 189:1	sitting 16:12 61:1 148:10 152:19 192:10
Senate 47:19 92:7 92:15 197:6	settlements 78:15	shutting 174:10	situations 34:9 66:10 121:19	six 47:19 53:9 103:21 132:11 167:1 194:4 195:10
Senate/National 6:4	settling 197:2	Shuttle 86:14,17,19	six-point 170:9	sizable 99:13 100:17
Senator 2:11,12,15 5:9,12 16:12 68:14 70:2,5,6 74:11 75:18 76:2 76:20 77:3,7,8 79:14 84:12 92:8 156:5	seven 72:19 96:11 160:8 192:13	sic 70:1,3 140:5 173:14,15	size 116:22 124:18	skilled 16:9
Senator's 75:10	seven-year 53:21	side 24:10 28:14 59:1 184:1	slides 47:2 131:21 132:1 135:5	sleep 54:14
send 9:12 11:7 140:9,17 188:20 188:21	Shadis 3:10 7:6 164:9,9,11,12 167:19,21 168:6 168:11 178:11,18	sight 157:15 168:14 168:15	slide 50:14 132:11 133:8,21,22 134:11	small 162:18
sends 77:8	share 50:21 51:13 83:9 158:1	sign 11:17 81:14	slides 47:2 131:21 132:1 135:5	slip 99:21
sense 37:20 38:2 75:8 172:17	shared 104:3	signatory 170:6	smaller 22:15	Smith 71:7
sensible 149:17	sharing 75:18	signed 36:11 136:12 153:22 154:4 198:8	Smith 71:7	Snowe 2:11 5:9 70:2,5 74:10 76:3 181:12
sent 22:13 183:11	Sharp 9:11 77:11	significant 15:10 15:13 37:1 44:8 46:11 58:9 93:10 160:7 174:20 175:10	Snowe's 75:18 84:12	Society's 50:11
separate 57:8	Shea 2:16 6:9 103:6 103:8 106:3,10	significantly 160:19	soils 157:17 158:5	solar 69:10
September 53:10	shed 46:11	similar 16:10 18:19 25:13 43:6 81:17 83:11	sole 37:9 43:21	solid 156:15
series 156:17	Sheepscot 72:2 179:19 180:6,9	simple 133:7		
serious 56:16 111:21 112:9 149:5 152:8	Sheridan 71:5	Simpson 2:15 6:5 92:8,10,14		
seriously 22:18 42:10 57:1	shielded 40:13	simultaneously 74:22		
serve 47:12 51:9	shipment 38:22 108:4 109:19 110:2 114:8	Sincerely 74:10 79:13 84:9		
served 47:17 52:8 52:10 137:15,17	shipments 111:21 112:19	single 72:14 103:1 120:5 166:20		
service 72:3 122:1 122:4,19 123:4 124:7 174:2 196:13	shipping 113:12	single-asset 43:18 43:21		
services 2:22 6:21 62:15 137:1	shipping/tracking 139:10	single-unit 27:3 28:18 30:14 36:6 38:3 116:7,14 119:14		
servicing 143:22	shoes 187:14			
serving 51:18	shooting 182:8			
	shoreline 166:5			
	short 34:1 41:14 45:15 157:5 184:14			
	short-term 73:21 88:6			

solution 73:21 81:21 191:9 193:8 196:19	191:13 196:5	spring 25:2	107:14 108:1,21 110:14 111:3,16 112:4,11,22 115:22 121:2,22 122:6 123:4 132:7 138:17 140:3 152:4 165:21 169:17 171:12 172:11 174:11 177:3 179:16 180:19 183:11	stockpiling 128:17
solutions 152:15	speakers 74:19 75:20 148:19 154:15	spur 24:8	stated 73:6 112:7 163:9	stone 152:14
solve 191:6	speaking 164:13	staff 12:18 14:19 17:11 19:3 76:12 79:22 108:9 113:3 118:17 154:2 164:20	statement 14:7 27:5 28:17 44:22 58:6 67:5 75:11 103:5 129:9 131:22 159:14 167:22 170:6,9,14 170:16 173:9 200:2	stood 17:10
solved 121:3	special 80:18 83:9	staffer 84:12	statements 10:8 11:5 33:22 39:11 90:11 198:9	stop 16:1,2 21:4 93:11 105:16 126:4 162:2 188:7
somebody 147:18 183:11,14 184:5,8 184:22	specializing 137:16	stakeholder 31:7 34:11 108:1 110:15	states 28:20 37:4 38:17 74:11 78:22 79:14 81:18 87:11 102:1 103:21 104:2 108:11,16 109:3,15 111:10 112:10 121:19 140:4 169:13 170:9 175:3	stopped 18:13
Somebody's 184:19	species 180:4,6	stakeholders 27:13 32:5 33:10 39:3 40:11 49:2 81:21 121:6 180:21,22	State-initiated 51:4	storage 1:4 6:2 8:6 8:14 9:14 10:14 17:5 28:4 29:6 30:11,13 31:1 35:16 36:2,13 37:12 38:9,10 44:13,15 48:6,20 53:5 54:4 55:5 63:3,10,11,17 65:14 67:18 69:14 78:5,13,15 81:7 91:4 92:2,22 93:4 93:21 94:15 95:13 95:22 96:3,5,8,9 96:10,20 97:2 102:21 107:20 110:22 115:10 116:16 118:2,3 119:8 120:5,11 124:8 125:1 128:22 138:8,14 139:2 141:2,6 142:7,8 143:6,7 143:12,22 144:9 144:13 146:12,15 148:18 149:5,6,17 150:10,21 152:5 161:17 163:2,7 166:12 170:12,15 171:5,11,16 172:12,21 175:5,6 175:22 176:1 177:1 180:13 182:13 188:13 191:10 193:20
somewhat 74:17	specific 29:1 38:5 40:18 42:22 72:19 170:10	stakeholder 31:7 34:11 108:1 110:15	State/Regional 6:2	station 122:11 126:9 127:6 175:16
soon 85:14 104:20	specifically 27:10 35:21 72:7 76:3 116:3,10 120:7 125:11	stalled 81:12	statistical 160:14	status 30:10 73:12
sorry 22:22 83:8 106:12,19 129:10 159:21	specimen 164:14	standalone 64:16	steady 137:12	steam 51:3
sort 12:10 75:6 97:8,13 101:6 130:6 145:13 148:16 151:12 152:12	spend 51:17	standard 36:11 55:17 56:3,5 57:8 165:19	steep 143:17 149:18	steps 52:11 170:10
sorts 10:2	spent 9:14 10:13 21:18 29:18 33:12 33:19 37:16 41:2 48:4,6,20 53:4 54:4,9,22 61:8 63:10,11,17 64:5 64:22 65:3,5,13 65:14 71:19 75:22 77:18 78:12 80:14 83:13,18,22 84:4 85:13,22 87:20 88:4 89:9 90:17 90:20 97:7 101:18 109:9 110:12,20 116:16 118:2 120:4 121:10 123:19 124:4,8,10 124:11,20 125:2 125:12,17,20 126:5,8,20 127:8 127:12 128:8,22 137:6,21 138:8 139:7 140:1,13 141:3,6,11 142:14 166:11 170:1,13 171:18 201:8	standards 56:15 114:8 157:8	stimulating 199:19	stockpile 91:15
sought 122:21	standpoint 23:2 67:13 130:22	start 18:16,16 24:15 27:8 103:9 141:14 154:10 190:13	store 78:12,19 83:19 104:12 125:12 143:14 181:13	
sound 63:6 66:21 84:5 169:20	start 18:16,16 24:15 27:8 103:9 141:14 154:10 190:13	started 15:17 20:15 83:13 129:20 187:13 190:18	stored 29:14 36:5	
sounds 25:12 133:6 195:6	starting 28:3 93:7 131:3	starts 37:19 148:5		
source 39:8 68:2 157:22	state 5:2 6:5 24:14 29:10 30:20 32:7 33:6 34:10 38:15 47:13,17 52:5 57:7,9 59:20 61:6 61:22 62:2,3 63:7 63:14 66:15 67:14 67:21 68:3,6,14 68:15 81:5 92:8 92:16 93:3 94:1 94:10 98:13,15,17 98:21 99:1 100:13 101:7,14 107:9,12			
south 176:20	spoken 129:16			
southern 122:12	spread 98:16			
so-called 90:6				
space 86:14,16 94:15 143:21 199:9				
speak 10:18,19,19 11:16 25:9 60:16 69:1 84:18 89:18 91:6 92:12 93:1 115:5,12 136:6 146:6 154:6,16 178:2 200:22				
speaker 12:1 26:11 154:19 162:10 164:8 168:17 173:13 176:13 177:20 179:8 183:2 186:3 190:9				

48:5 64:18 70:15 93:9 105:1 126:21 127:1 157:11 172:7 stories 192:13 storing 13:12 30:6 61:8 79:1 134:16 141:11 166:20 169:14 190:15 story 13:14 156:7 156:13 158:1 strategic 35:17,22 102:16 strategies 111:6 strategy 36:1 46:17 63:15 72:6 74:7 112:8 stray 105:17 strength 181:16 strengthen 139:9 stretching 127:9 Strictly 185:5 stringent 57:7 strong 56:6 126:15 strongly 73:17 160:15 162:22 structure 137:19 structures 40:1 119:18 141:4 stuck 129:3 172:2 studies 90:3,4 96:2 161:4 study 114:10,17 132:14 144:18 159:1,20 160:2,11 193:22 studying 155:13 stuff 191:4 surgeon 180:10 Subcommittee 1:4 1:17 8:6,14 9:10 30:5 34:2 45:2 60:13 67:17 89:17 90:12 107:20 109:1 112:17 114:20 115:10 147:20 169:10	170:20 171:2 198:11 subject 35:10 37:8 75:22 116:18 161:2 170:4 201:5 subjected 152:9 submit 67:4 submitted 27:6 67:6 substantial 32:11 81:4 substantive 80:21 succeed 35:9 success 45:20 58:10 59:7 153:10 successful 38:22 110:18 141:14 190:2 successfully 111:20 sued 31:13 sufficient 72:17 suggest 84:13 159:12 suggested 75:21 suggestion 74:18 summarize 14:9 27:7 39:11 summary 47:7 summer 51:7 54:11 80:4 181:7 sunlight 175:15 supplement 168:2 supplementary 11:6 supply 62:21,22 support 18:22 19:3 34:4,11 35:15 38:12 43:2 46:3 73:18 94:10 96:2 96:14 111:9,22 112:21 113:12 124:15 128:11 161:4 supported 104:6 supports 61:17 169:19 supposed 83:13	sure 10:17 45:17 58:8 67:10 87:7 102:7 113:5 146:7 188:5 surrounding 55:4 84:1 158:11 160:9 surveys 166:4,5 Susan 2:3 5:12 9:9 23:22 75:16 79:13 129:11 145:11 152:17 201:15 suspect 145:7 suspended 192:13 suspension 150:17 sustainable 62:7 66:1 sustained 31:10 40:12 41:1 Suzanne 41:8 swift 80:20 switchyard 99:13 100:2 system 34:20 37:6 60:1 112:22 138:9 139:21 154:9 systems 62:15 139:10	talk 85:9 100:11 121:18 132:18,19 151:10 173:1 175:1 180:21 184:11 187:8 188:15 talked 99:7,22 129:20 talking 13:5 54:4 97:16 100:4 101:19 142:7 153:8 161:21 175:4,5,8,10 task 2:17,18,19 6:12 29:8 106:18 107:3 108:14,19 109:6,13 114:9 115:19 122:3 Taste 183:20 tax 82:21 86:3,3,4 88:3 89:8 104:11 taxes 86:5 88:10 176:2 taxpayer 162:19 taxpayers 65:9 78:16 91:3 97:4 101:20,22 102:22 163:8 teachers 82:20 technical 43:8 49:20 145:13 163:17 technically 99:10 technologies 34:14 35:19 174:1 telecommunicati... 122:8 tell 13:14 19:18 121:18 200:17 telling 130:12 temporary 41:18 170:15 175:5,6 191:10 ten 47:18 96:11 133:8 174:18 175:7 tend 85:21	tenses 146:19 term 170:1 terminated 65:17 110:17 terms 13:11 15:14 16:3,9 104:4 133:7 135:10 142:13 147:4 194:14 terrorism 20:20 182:7,11 192:18 194:2 terrorist 64:19 test 166:6 testimony 27:7 41:16 42:8 87:19 124:14 125:14 138:3 145:19 163:14 170:18 200:21 Tests 160:21 thank 8:5,11 12:14 12:17 13:19 14:1 14:10 17:22 18:1 18:6,6,8 22:11,20 25:6,7 26:9 41:4,5 41:9 42:6 44:21 45:17 46:2,18,20 47:4 59:8,11,12 59:14,18 60:8,10 67:1,2,9 69:19,21 71:16 74:12,13 75:17 76:11,22 77:12 79:11,15 80:3,8,12 82:11 82:13,17 83:1,3,6 84:19 87:15,16 89:11,16 91:5,8 91:17,21 92:12 97:20,22 98:8 103:3,8 105:19,22 106:2,15,22 115:4 115:9 121:12,14 121:17 129:12 131:19 134:20,22 135:2 137:4 141:16,18 148:14
T				
table 9:8 130:10 142:14 187:8 tackles 27:14 take 22:18 39:14 42:10 56:4,6 76:5 76:16 77:17 80:20 116:15 132:22 149:9 151:13 162:20 165:8 166:7 168:13 172:18 200:19 taken 51:16 103:13 135:11 170:2 172:4 181:7 195:19 takes 75:7 114:17 181:15 Takoma 169:3				

152:16 155:8,21 155:22 156:5 162:3,5,7,7 164:5 164:6,12 168:5,6 168:10,11 172:13 173:10,11 176:8,9 177:17,18 178:20 179:5,6 182:21,22 185:22 186:1 190:5,6 191:11 196:1,3 197:19,21 198:17 199:8,14 199:21 200:13 201:14,16 thankfully 20:21 thanking 103:9 Thanks 70:4 196:8 Theodore 160:3 theology 19:18 thing 44:4 86:21 87:1 102:5 149:19 150:21 155:6 178:9,21 184:13 184:21 185:17 189:3 195:12 things 21:6,16 22:4 22:4 24:22 45:13 88:20 104:4,22 136:2 175:12 179:21 182:19 188:4 think 12:12 15:11 18:19 21:6 22:2 22:12,14,15 23:4 23:11,13 25:3,8 26:3,5 30:9,12 45:19 46:6,13 58:9 61:7 62:10 66:5,6 68:1,4,13 68:20 75:1 84:12 87:19 90:7 95:18 102:20 103:20 105:16,18 133:16 133:17 136:8 143:18 144:5,21 146:2,9,16 147:15 147:16 148:17	152:12,22 153:8 153:12 167:9 174:6,20 178:8,11 179:2 180:8,20 181:16 188:5,20 189:6 190:13,17 191:8 193:10,14 197:1 198:13,15 199:18 200:7 201:10 thinking 152:2,13 170:21 thinks 148:18 third 31:5 32:12 68:7 85:19 87:18 90:22 thought 34:6 41:10 142:8 182:6 185:4 194:11 thoughtful 93:16 153:18 thoughts 83:9 188:3 thousand 174:18 175:7 thousands 111:21 threat 73:22 102:16 117:2,16 117:19 118:5,12 118:13 threaten 117:18 118:3 threats 83:17 117:7 170:11 three 26:21 30:13 45:20 46:1 107:1 107:12 137:18 158:21 159:10 164:19 three-and-a-half 24:13 three-part 90:14 three-sided 166:14 threshold 158:16 Thrower 113:2 114:20 tidal 175:18	Tim 2:6 4:3 8:11 time 10:17 11:18 11:21 16:12 25:22 33:1 40:12 41:14 41:19 44:17 45:15 46:8 49:17 56:9 58:5 61:9 66:4 73:8 75:8 88:10 88:14 97:20 100:19 102:12 104:1 105:3 114:1 127:9 130:3,10 131:5 140:2 148:5 148:8 149:1,7,15 151:14 154:13,17 155:4 156:3 159:19,22 167:16 167:18 168:9,21 172:13 178:4 187:2 188:13 189:9 190:13 197:7 200:20 201:5 timeframe 123:5 170:22 timeframes 34:12 timely 51:13 63:16 times 127:2 158:21 175:12 time-consuming 31:16 timing 89:10 title 67:16 143:20 today 8:17 9:4,13 11:7 12:20 13:6 18:16 22:12 26:20 50:22 55:13 61:2 61:5 70:20 81:8 82:4,6,19 84:3 92:13 93:1,7 95:8 100:13 103:10 107:1 115:5 138:9 145:18 153:6 191:18 201:11 today's 11:12 13:8 52:8 116:9 told 127:1 130:13	130:14 177:4 183:12,15 189:15 tons 71:13 81:2 157:10 top 94:8 topic 171:3 172:20 touch 109:4 tour 29:5 198:20 tourism 180:18 tourists 180:20 town 2:14,14 52:4 71:8 90:8 157:9 179:3 183:9 184:10 towns 20:19 137:19 137:20 Townshend 186:11 track 114:7 140:1 tracks 184:1 tradeoff 143:4 trading 142:21 tragedy 25:2 training 118:17 trains 183:20 195:18 transcript 11:12 transfer 97:4 138:7 transferred 118:1 transform 62:5 transitioned 121:6 transmission 62:15 88:19 100:3,5,8 transparency 49:16,17 transport 37:16 38:8 44:16 195:12 transportation 1:4 2:17,18,19 6:3,12 8:6,14 36:19 37:14 38:13,20,21 48:20 62:13 63:3 67:17 92:2 95:13 106:18 107:3,17 107:19 108:12,14 109:8,17 110:3,12 111:4,12,16 112:5 113:7 114:11	115:10,19 116:12 120:3,11,13,18,22 121:4 122:3 139:6 140:11,13 141:3 144:15 151:2,5,6 151:18 153:2 transported 110:21 transporter 167:3 167:6 transporting 113:13 144:11 transuranic 109:9 111:16 traveled 48:3 triage 136:10 147:10 tribes 109:16 trip 200:17 trivial 150:11 151:7 true 90:15 144:22 151:3,21 153:14 trust 19:6 23:2 26:1 49:14 181:2 trusted 181:1 truth 100:21 try 10:4 61:10 97:16 152:15 155:19 trying 118:8 TUESDAY 1:12 tune 153:5 turbines 180:10 turn 12:8 129:10 131:15 136:21 153:20 154:12 199:22 Turnbull 3:18 7:15 183:3 186:3,5,10 189:11,14 190:7 tutorial 53:2 twice 144:11,12 151:1,11 two 39:5 45:9 50:22 55:21 56:18 85:8 85:11 106:19 108:18 140:6
--	--	--	---	--

143:10 150:16 162:21 178:7 183:19 192:21 194:20 200:15 type 24:18 117:6,21 174:22	undertaken 40:9 40:10 undertaking 49:4 93:16 127:19 150:12 151:7 underwater 100:3 100:4,8 underway 12:11 151:5 unfortunate 72:5 Unfortunately 131:8 unhappiness 130:7 unintended 85:22 86:7 unique 27:3 48:14 116:9 120:8 unit 64:18 united 28:20 66:11 71:12 74:10 79:14 81:18 86:16 87:11 102:1 169:13 175:3 units 13:11 103:22 104:3,10 Universe 60:21 unknown 22:10 127:8 unnecessarily 72:1 Unquote 169:16 unreasonable 118:14 unrestricted 32:10 unsuccessful 174:10 upcoming 140:22 171:7 upgrades 141:5 upgrading 62:14 uphold 180:2 upriver 25:1 urge 64:11 78:20 112:16 172:22 173:2 urging 140:12 usable 102:15 use 61:18 87:13	116:11,13,21 118:9 119:6 120:1 123:20 145:18 167:12 useful 153:19 170:19 usually 76:14 utilities 36:12 43:21 132:19 143:21 173:22 193:1 utility 2:21 6:18 98:15 131:18 utilized 36:3 utilizing 90:19 utmost 78:20 U.S 30:5 108:6 118:20 159:3 181:9 189:18	123:2,11,20 124:6 124:16,19 125:1,8 125:10 126:9,13 127:5,13 128:7,21 129:6 182:1 186:11,22 187:3 188:20 189:6 190:2 191:22 192:12 194:9,10 196:10,11,18 197:5 Vermonters 126:12 127:7 129:2 Vermont's 122:6 versus 66:1 163:17 Veterans 182:15 viability 34:13 84:18 viable 68:2 73:2 Vice 55:1 vicinity 8:22 113:17 Vicky 2:2 9:9 22:21 201:15 view 30:11 151:20 viewers 152:21 views 198:15 vigorous 197:17 village 90:6 violations 51:6 157:1 vision 61:6 visit 29:16 40:17 77:14 83:6 199:1 visited 13:4 17:9,10 visual 190:4 vitality 81:19 vociferous 49:9 voices 49:12 161:10 165:12 volume 102:17 191:3 voluntarily 75:2 143:18 voluntary 37:2 45:10 152:4 volunteer 73:20	181:14 vote 68:19 voted 174:13,16 197:6 voting 82:20 vulnerable 192:17 194:2
<hr/> U <hr/>			<hr/> W <hr/>	
U 162:16 Uh-hum 23:8 Uldis 2:19 6:16 107:4 121:21 186:16 196:17 ultimate 46:17 95:17 ultimately 144:10 156:11 unable 9:11 70:20 unacceptable 71:18 193:4 unanticipated 167:15 uncertainty 116:20 123:18 unconscionable 193:3,5 underestimated 49:21 173:6 underlying 43:21 undermining 112:13 underscore 200:9 200:15 understand 16:19 47:1 56:21 57:12 66:7 126:15 137:2 142:11 147:6 163:18 169:10 183:6 understanding 67:19 125:4 128:6 142:5 143:8 understandings 148:21 understood 67:12 undertake 13:22 151:21			waited 81:22 waiting 79:2 177:2 walk 187:14 walked 184:18 walls 190:1 want 8:5 10:15 13:14 45:12 50:21 70:18 71:2 86:9 99:11 103:8 105:19 129:3 147:21 151:21 152:20 158:3 168:3 175:1 179:16 184:12,15 185:1 195:11 200:1 wanted 18:15 22:7 44:20 83:8 150:20 wanting 161:22 wants 75:14 154:2 184:5,8 warm 54:16 warmest 82:9 warn 161:10 warrants 64:15 Washington 196:13 wasn't 161:18 187:11 waste 2:17,18,19 6:12 27:19 28:10 29:12,19 30:1,7 32:18 33:12,20 36:8 37:17 41:3 48:5 50:12 55:5 63:4,15,18,20 64:6,16,19 65:15 70:15 71:14,19,21	
	<hr/> V <hr/>	VA 180:15 vagaries 40:14 valuable 87:13 113:4 114:16 value 37:1 88:7 184:12 valued 86:1 Vanags 2:19 6:16 107:4,7 121:16,17 121:21 127:17 128:4,12 130:8 186:16 variety 128:6 198:17 various 34:13 143:16 151:17 174:21 Vegas 50:13 vegetables 57:19 vehicle 167:10 venture 14:21 verify 91:19 Vermont 7:20 107:18 121:22 122:1,10,12,12,13 122:16,19,21		

72:6,7 73:10,14 73:20 74:7 75:13 77:18,20 78:6,10 78:19,21 79:1,7 81:3,7,11 90:18 90:20 92:17,21 94:9,17 95:4 97:18 99:3,4 101:12,13,16,20 102:8,17,18,19 104:7,13,21 105:1 106:18 107:3,16 108:4,12,14 109:9 109:9,17,19 110:2 110:17,20,21 111:4,11,17,17 112:4,19 113:14 113:18 115:1,18 122:3 134:4 150:6 150:14 151:9,11 157:10 161:17,18 163:21 169:15 170:2,7 171:14 172:7 174:19 178:11,16 179:2 179:18 180:13 181:11,13 182:2 183:16,17,22 186:17 187:5,8,17 188:21 189:20 190:14,16 192:10 192:22 193:7 194:4,22 195:13 195:17 196:19 197:3,16 wasted 164:4 wastewater 122:9 watched 17:13 89:22 90:1 97:8 watching 152:22 181:6 184:17 water 57:17 122:8 122:14 192:19 waterfront 99:20 waters 158:5 waterways 38:9 watt 187:1	way 30:6 40:6 46:8 82:7 91:14 97:1 134:17 144:2 146:2 150:2 153:7 169:13 172:7 176:16 177:5 189:20 193:11,18 194:12 Wayne 2:9 4:17 26:11,15 ways 58:16 109:21 158:7 180:19 weapons 91:12 138:12 194:18 weapons-usable 91:15 weatherization 62:12 webcast 10:16 152:22 website 50:7 172:15 weekly 16:17 weeks 53:10 54:19 164:19 weigh 123:14 weighing 126:7 weight 130:6 welcome 4:2 12:22 60:13 70:11 76:19 80:2 90:5,9 107:18 168:1 171:4 welcoming 27:9 70:22 138:1 welfare 123:17 wells 166:6 well-advanced 31:20 well-established 31:19 well-known 28:1 went 143:2 156:21 165:21 180:9 weren't 21:12 Western 111:14 Westport 2:14 5:21	54:12 71:4 89:14 89:19 97:7 101:3 176:17,19 177:9 we'll 10:1 we're 9:3,13,21 10:5 12:2,5 13:5 15:22 16:2 20:9 26:7 41:14 42:17 45:15 55:12 106:16 129:14 168:1 169:2 175:4 175:5,6,8,10,12 176:3 180:16 183:7 185:20 187:15 197:2 we've 16:22 17:17 25:9 69:9,11 87:19 88:9,17 141:14 149:10 175:15,17,17,18 182:7 183:6 188:9 188:11,13 WGA 112:2,7 Whitney 2:11 5:8 70:4,5 74:14 75:10 76:8,22 wife 184:16 Wilds 2:18 6:14 106:17 107:4,7 115:8,9,14 120:19 120:21 148:1,2,3 Williams 3:22 7:19 70:1,3 191:14 196:6,7,9 willing 14:20 46:15 177:5 willingness 44:22 74:3 wind 69:10 73:6 100:9 113:22 127:16 windows 54:15 WIPP 111:19 Wiscasset 1:21 2:14 5:18 12:22 13:7 18:8 27:10 47:20 55:6 70:16	71:7 74:4,8 75:4 77:14 78:11 79:5 80:13 81:17 84:1 84:7,22 85:5,10 85:13 86:6,8,12 87:10 88:11 90:6 134:21 157:10 174:7,12,15 179:4 Wiscasset's 71:8 wish 11:16 69:4 wished 60:14 wishes 11:6 wishful 152:2,13 withdraw 163:21 withheld 88:2 women 158:20 won 192:4 wonder 149:15 wonderful 8:7 18:7 wondering 126:18 146:21 woodchuck 199:1 words 167:4 work 13:22 16:22 30:4 34:4 40:22 45:6 46:8 47:16 48:15 49:4 53:13 57:1 70:21 71:16 79:11 80:6 83:2 84:6 92:20 93:14 93:19 104:19 107:9 130:20 136:3 143:1,4 155:16 166:8 181:7 185:2 186:11 196:9 199:17 workable 45:14 81:21 worked 23:14 155:13 173:20,21 173:22 workforce 139:4 working 13:2,21 74:6 86:13 92:17 100:20 108:9 121:5 161:14,16	169:8 189:5 201:12 works 81:20 world 61:3 66:18 66:19,20 186:8 201:9 worst 157:1 158:19 worth 133:4 wrap 58:7 120:20 195:22 writing 168:2 written 11:5 42:8 55:2 167:22 176:11 wrong 66:17 74:15 83:18 101:17 wrote 8:19 72:12 103:16
Y				
Yankee 2:7,8,9 4:8 4:9,10,14,16,18 4:19,21 8:19,21 8:22 9:16 13:2,7 14:12,19 18:12 20:22 23:12 24:3 24:9 25:1,11,14 26:12,17,18,19,21 29:5 31:12 43:20 43:20,20 47:10,21 47:21,22 50:3,7 50:17,19 51:2,10 51:16 52:13,20 53:21 54:8,12 56:21 57:13 63:9 64:8 66:9 68:8,16 70:13 73:16 78:11 80:15 81:3 83:7 83:10 86:1 87:4 89:20 90:1,1,3 93:5 99:19 122:12 122:13,15 123:2 123:11,20 124:6 124:16,19 125:1,8 125:11 126:14 127:5,13 128:8,22 137:21 138:6				

148:21 156:20	year's 133:4	57:20	1987 80:22 160:7	28th 64:1
160:9 162:15	yellow 60:3 154:11	100 100:16 195:2	1994 107:22	<hr/>
163:4 165:7,9,20	yield 159:18,22	103 6:9	1995 51:2 93:7	3
166:3,10,19 169:7	160:1	106 6:10	108:17	<hr/>
171:22 174:4,9,10	York 100:6	107 6:12,13	1996 157:4	30 155:13 173:21
176:18 178:4,7,12	Yucca 55:7 65:16	11 33:8 145:6 184:6	1997 18:13 51:2,7	188:15
178:22 182:1,1,2	72:15,20 73:7	115 6:14	162:16 165:10	30th 50:13
182:3,8 183:15	75:11 78:5 93:12	12 4:6 134:13	1998 18:13 28:4	34 86:13 137:6,14
184:4,13,18,22	110:9 125:4 126:4	12:14 201:18	53:11 54:8 77:20	3500 191:21
186:22 187:4	130:5,10 131:14	120,000 100:10	83:14	36 124:9,19
189:6 191:22	140:19 150:17	121 6:16	1999 53:9	<hr/>
192:1,1,3,4,5,9,12	151:5 161:13,21	128 6:17	<hr/>	4
194:9,10 198:19	163:15,21 181:10	13 13:3 14:14 15:18	2	<hr/>
Yankee's 51:22	195:14	47:11 98:11	2 60:14	4 197:6
65:5 122:16 126:9	<hr/>	133:22 137:22	2,000 194:3	4-millirem 57:8
year 16:2 53:1,5,11	Z	131 6:18	20 20:3 23:15 42:3	4:30 191:18
53:13,13,20 72:13	zero 158:18	135 6:20	100:15,18 105:2	40 44:18 187:10,15
83:16 98:15	zones 117:12	137 6:21	123:21 125:13	188:2,15,18 192:9
103:17 115:3	<hr/>	14 4:9 157:14	127:6 132:7,9	41 4:22
130:12 134:13	\$	141 6:23	136:12 183:9	47 4:9
142:18 150:16	\$10 164:3	144 176:16	188:1,15 195:1	485 1:20
162:15 197:5	\$185 99:5	15 20:3 55:19 169:9	20th 160:7	<hr/>
years 13:3 14:14	\$220,000 98:14	15th 6:6 92:9	20-year 42:16	5
15:18 20:8,9	\$34 28:11	150 56:15	44:16 122:21	5 100:12 160:18
23:15 42:3 44:18	\$35 86:1	153 7:2	175:9	50 53:22 61:8
47:12,18,18 48:7	\$6 78:18 81:9	155 7:4	2000 140:5	116:15,19 117:14
48:9 51:18 52:10	\$700 28:12	16 47:18 160:17	2001 27:1 50:13	119:1,4 151:8
53:8 55:14 57:4	\$740 133:3	192:11 194:4	2002 53:18 150:14	153:10 157:13
61:7,8 82:2 85:8	\$8 78:18 81:9	162 7:5	2003 159:6	158:20 160:19
86:13 96:11 97:7	<hr/>	164 7:6	2005 50:2 131:4	170:9 180:12
98:12 99:22 100:1	0	168 7:8	2005-06 193:22	192:14
100:10,16 105:2	06 131:4	170 170:8	2007 33:7 132:13	50-year 61:6
123:8,21 124:6,9	<hr/>	173 7:10	2009 72:11 114:21	500 55:10
125:13,21 127:6	1	176 7:11	2010 1:13 64:1,10	534 196:21 197:3
131:1 132:7,9	1 60:13 90:15 188:7	177 7:12	112:5	550 71:13 81:2
136:13 137:6,14	192:18	179 7:13	2012 122:20 123:3	59 5:2
137:22 151:8	10 1:13 52:8,10	18 4:12	125:2 126:14	<hr/>
153:11 155:13	57:7,22 108:10,15	183 7:14	127:14 192:21	6
157:5,5,13,14	116:15 117:14	186 7:15	197:7	<hr/>
161:12 169:9	118:22 119:4	19th 171:8	2032 123:6 124:21	60 5:5 179:12 188:2
170:3 173:21	169:9 174:12	190 7:17	125:10	67 5:6
174:18 175:1,2,7	10th 80:13	191 7:18	22 4:15	<hr/>
176:21 179:12	10,000 55:14 61:7	196 7:19	22nd 122:20	7
180:12 182:9	175:1,2	1971 186:19	24 157:4	<hr/>
183:10 187:10,15	10,000-year 55:11	1972 122:14 160:10	24th 112:5	7 86:2,6
188:1,2,2,15,18	10-year 28:21	198 7:22	25 55:17 125:21	70 5:8
195:1,2	10/4 165:18	1982 27:20 72:8	26 4:16 197:6	700 82:20
	10/4-millirem			74 5:10
				77 5:12
				79 5:13
				<hr/>
				8
				<hr/>

84:2,4
8000 175:2
82 5:15
85 5:17
87 5:19
89 5:21

9

9th 103:17
9/11 194:9,17
9:00 1:17 8:2
900 157:10
91 5:22
92 6:2,4
93 175:16
98 6:7