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

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

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

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

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

9:00 a.m.

MR. FRAZIER: We are going to go ahead.

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

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

CHAIR MESERVE: Thank you, Tim.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

individual speaker.

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

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

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

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

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

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

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

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

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

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

Thank you.

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

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

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

MS. KILKELLY: Thank you, Mr. Chair.

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

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

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

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

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

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

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

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

So that's the work that we've been

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

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

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

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

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

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

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

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

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

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

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

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

where they would then say, "Do you get it?" And if I was asking that question, I knew that maybe 15 or 20 other people at that meeting were going to be getting that same information. It became a very collegial and very, very positive forum.

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

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

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

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

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

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

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

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

Thank you.

CHAIR MESERVE: Vicky?

MEMBER BAILEY: Hugh, I'm sorry,

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

MR. CURLEY: With the ISFSI here?

MEMBER BAILEY: Uh-hum.

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

CHAIR MESERVE: Susan?

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

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

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

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

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

CHAIR MESERVE: Thank you, Hugh.

MR. CURLEY: Thank you.

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

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

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

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

CHAIR MESERVE: Good. Thank you very much.

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

MR. NORTON: Good morning.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Specific activities should be conducted to include the compilation of existing routes that would be used to transport the material from its existing storage location to the appropriate waterways, railways, storage facilities; the identification of infrastructure improvements that are needed along these routes to support transportation of the material, and the compilation of the roles each responsible state and local entity is currently expected to play a role, and the identification of resources and the information that the states and the local officials and federal/private entities will need to accomplish the transportation activity.

Transportation activities should be informed by the successful shipment of

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

Two important matters related to our recommendation concern the governance of these activities. That is, who's going to manage the program and the source of the funds to effectively implement the mission? Discussed more fully in my prepared statements, I'll summarize by noting the myriad of recommendations concerning the establishment of a private or quasi-public corporation to take over the Department's non-policy-setting activities and the need to address the frustrations of many with the impact of the federal government budgeting process.

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

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

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

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

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

Thank you.

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

Do you have a quick question? Please, Suzanne?

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

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

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

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

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

Thank you.

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

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

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

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

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

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

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

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

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

CHAIR MESERVE: Right.

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

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

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

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

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

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

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

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

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

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

MR. NORTON: Thank you.

CHAIR MESERVE: We appreciate your coming.

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

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

You got the summary; now you get the rest.

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

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

On behalf of the Maine Yankee

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

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

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

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

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

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

provide an opportunity for new ideas.

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

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

That would be the next slide.

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

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

documents.

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

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

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

and to function as an advisory panel. Inaugural members of the CAP represented a broad cross-section of the community, including local business, town government, State government, emergency planning, marine resources, education, medicine, environmental interests, and the local group Friends of the Coast. Four of today's 10 members have served since the beginning, and many of the others have served for more than 10 years.

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

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

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

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

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

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

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

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

If only the spent fuel issue could

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

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

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

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

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

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

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

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

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

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

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

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

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

MS. KILKELLY: Sure.

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

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

other side of the river and folks took pictures.

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

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

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

MS. KILKELLY: Great.

CHAIR MESERVE: Any questions?

MS. KILKELLY: Thank you so much.

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

Let me indicate that we do have a

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

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

MR. KERRY: Thank you, Commissioner, Commissioner Eisenhower, Commissioner Bailey, and Mr. Frazier, thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

efficiency measures.

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

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

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

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

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

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

Thank you very much.

CHAIR MESERVE: Mr. Kerry, thank you.

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

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

CHAIR MESERVE: Very good.

MR. KERRY: Thank you, sir.

CHAIR MESERVE: Sure.

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

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

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

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

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

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

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

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

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

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

CHAIR MESERVE: Thank you very much.

MR. KERRY: Thank you.

CHAIR MESERVE: Let me now call on

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

Mr. Williams (sic), five minutes.

MR. WHITNEY: Thanks. My name is Brian Whitney, representing Senator Snowe. The Senator regrets that she couldn't be here personally this morning, but has asked that I read the following letter into the record:

"Dear Commissioners Meserve, Eisenhower, and Bailey:

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

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

"I join in welcoming you with the

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

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

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

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

unnecessarily prolonged an environmental hazard adjacent to the Sheepscot River.

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

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

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

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

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

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

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

"Sincerely, Olympia Snowe, United States Senator."

Thank you.

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

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

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

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

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

CHAIR MESERVE: Susan?

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

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

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

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

(Laughter.)

Thank you.

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

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

MR. WHITNEY: Great. Thank you

very much.

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

MR. CARD: Good morning.

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

"Dear Mr. Meserve and Mr. Sharp:

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

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

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

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

"Until DOE develops a plan to deal with the waste, decommissioned nuclear power plants like Maine Yankee here in Wiscasset have to store their spent nuclear fuel on site and charge ratepayers for the storage. Nationwide, the combination of fees for storage and paying out settlements for the lawsuits has already cost taxpayers hundreds of millions of dollars. In Maine, the annual cost to electric customers is $6 to $8 million to store the waste.

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

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

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

"Thank you for your work on this important matter.

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

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

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

MR. GRAHAM: Well, good morning.

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

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

Congressman Michaud asked me to read a letter.

"Dear Commissioners:

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

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

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

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

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

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

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

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

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

MR. GRAHAM: Thank you.

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

MR. BATTISTA: Thank you.

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

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

"Dear Members of the Blue Ribbon Commission:

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

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

jobs to Wiscasset and the surrounding region.

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

"Sincerely, Challie Pingree, Member of Congress".

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

CHAIR MESERVE: Thank you, Mr. Battista.

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

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

SELECTMAN POLEWARCZYK: Good morning.

Ed Polewarczyk, Wiscasset Selectman.

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

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

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

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

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

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

thing.

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

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

Thank you.

CHAIR MESERVE: Thank you.

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

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

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

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

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

We have one issue with that site,

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

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

CHAIR MESERVE: Thank you very much.

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

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

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

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

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

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

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

And the third part of that

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

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

CHAIR MESERVE: Mr. Richardson, thank you.

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

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

SELECTMAN GEORGE RICHARDSON: Thank you.

CHAIR MESERVE: We now have a

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

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

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

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

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

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

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

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

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

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

The facility should be an NRC-licensed facility.

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

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

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

Moving ahead in this fashion will have the following benefits:

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

nuclear power plant sites.

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

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

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

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

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

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

But having an interim storage

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

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

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

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

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

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

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

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

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

CHAIR MESERVE: Thank you.

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

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

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

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

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

Additional issues regarding the

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

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

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

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

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

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

(Laughter.)

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

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

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

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

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

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

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

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

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

decommissioned single sites available.

And that's it.

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

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

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

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

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

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

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

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

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

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

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

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

much.

CHAIR MESERVE: Thank you, Mr. Shea.

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

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

CHAIR MESERVE: Okay. Thank you.

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

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

MR. CORT RICHARDSON: Thank you.

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

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

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

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

The project was founded in 1994 to

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

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

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

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

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

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

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

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

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

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

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

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

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

the affected areas.

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

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

regional groups in your deliberations.

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

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

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

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

time has expired?

MR. CORT RICHARDSON: Yes.

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

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

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

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

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

CHAIR MESERVE: Mr. Wilds?

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

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

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

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

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

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

Presently, the size of the owner-

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

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

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

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

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

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

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

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

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

use restrictions.

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

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

Transportation --

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

MR. WILDS: I'm almost done.

Transportation and routing

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

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

And I would like to thank you for the opportunity.

CHAIR MESERVE: Thank you very much.

Mr. Vanags?

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

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

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

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

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

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

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

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

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

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

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

One of the issues examined by the Board is the production of spent nuclear fuel and the disposition of this used fuel. Several years ago, Vermont Yankee applied to the Public Service Board for a CPG to build an Independent Spent Fuel Storage Installation because, after 36 years of operation, it had maximized spent fuel for re-racking and needed to begin moving spent nuclear fuel to dry casks to preserve the ability for full-core offload.

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

However, the CPG granted to

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

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

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

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

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

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

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

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

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

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

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

CHAIR MESERVE: Can I ask that you wind up?

MR. VANAGS: Yes, I'm done.

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

resolve this issue.

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

MR. VANAGS: Yes.

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

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

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

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

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

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

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

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

CHAIR MESERVE: Go ahead.

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

the moving of the used fuel.

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

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

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

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

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

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

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

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

slides. I will just cover a few of them.

If we can go to the next one?

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

If we could go to slide six?

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

But let's take what they

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

If I could go to slide ten, please?

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

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

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

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

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

Next slide, please.

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

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

very much.

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

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

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

MR. O'CONNELL: Right.

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

MR. O'CONNELL: Right.

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

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

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

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

MR. O'CONNELL: Right.

CHAIR MESERVE: -- to proceed with your recommendation.

MR. O'CONNELL: Yes.

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

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

GEN. CURTIS: Thank you, Mr. Chairman.

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

CHAIR MESERVE: Could you move your microphone closer?

GEN. CURTIS: Hello, microphone.

(Laughter.)

Sit steady; the end is near.

(Laughter.)

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you for the opportunity to address you.

CHAIR MESERVE: Thank you, General Curtis.

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

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

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

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

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

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

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

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

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

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

MEMBER BAILEY: Okay.

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

MR. O'CONNELL: That is correct. The DOE study acknowledged that that would be one of the limitations or one of the downsides is that there would be a double handling. I don't think that is an insurmountable concern. But it is literally true that, unless you

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

CHAIR MESERVE: Susan?

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

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

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

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

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

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

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

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

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

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

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

MR. WILDS: Yes.

CHAIR MESERVE: Mr. Wilds?

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

MEMBER EISENHOWER: Thank you. That was my question.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Thank you.

CHAIR MESERVE: Susan?

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

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

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

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

CHAIR MESERVE: Yes, very true.

Any other questions?

(No response.)

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

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

the order in which they have been listed here.

Staff wants to confer with me.

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

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

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

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

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

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

MS. HOLT: Is this thing on?

CHAIR MESERVE: Yes, it is.

MS. HOLT: Thank you.

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

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

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

I should say thank you for coming,

Commission.

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

Thank you, too, Senator Marge.

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

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

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

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

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

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

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

compelled to share our story and what we have learned.

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

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

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

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

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

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

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

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

MS. HOLT: A larger study done --

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

MS. KING: I will yield.

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

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

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

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

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

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

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

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

Thank you.

(Applause.)

CHAIR MESERVE: Thank you, Ms. Holt.

MS. HOLT: Thank you. Thank you.

CHAIR MESERVE: We appreciate your comments.

Our next speaker is Matt Marston.

Jack Cushing is then following Mr. Marston.

MR. MARSTON: I will be brief.

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

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

discussed throughout the day with respect to consolidated interim storage.

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

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

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

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

Thank you.

CHAIR MESERVE: Thank you, Mr. Marston.

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

Mr. Shadis?

MR. SHADIS: Thank you so much.

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

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

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

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

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

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

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

legislation.

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

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

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

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

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

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

Was that my time?

CHAIR MESERVE: Yes, that was your time.

MR. SHADIS: Gee, that's great.

(Laughter.)

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

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

So, thank you very much.

MR. SHADIS: Thank you.

Are there any questions from the Committee?

CHAIR MESERVE: Not at this time, thank you.

MR. SHADIS: Thank you very much.

(Applause.)

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

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

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

MS. LEDWIDGE: My name is Lisa

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

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

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

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

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

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

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

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

you might actually consider these principles.

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

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

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

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

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

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

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

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

And I urge you in my last comment,

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

Thank you.

CHAIR MESERVE: Thank you for your comments.

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

Four minutes, Mr. Mayhem (sic).

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

(Laughter.)

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

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

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

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

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

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

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

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

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

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

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

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

MR. MAYHEW: No problem.

CHAIR MESERVE: Our next speaker is Roger Jones.

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

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

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

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

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

Thank you very much.

CHAIR MESERVE: Thank you, Mr. Jones.

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

MR. CLARK JONES: Yes, Clark

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

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

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

(Laughter.)

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

Thank you.

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

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

Thank you.

CHAIR MESERVE: Thank you, Mr. Jones.

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

MS. MARGARET SCHULER: Yes. Hello. My name is Margaret Schuler, and I have lived in Maine for over 60 years, and I've seen a lot happen in Maine.

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

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

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

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

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

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

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

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

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

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

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

And shouldn't the business owners

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

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

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

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

Thank you.

CHAIR MESERVE: Thank you, Ms.

Schuler.

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

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

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

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

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

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

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

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

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

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

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

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

I said, "What do you mean?"

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

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

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

Thank you.

CHAIR MESERVE: Thank you, Mr. Schuler.

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

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

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

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

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

watt of electricity.

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

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

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

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

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

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

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

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

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

Is that the red light?

CHAIR MESERVE: Yes, your time is over.

MR. TURNBULL: Okay.

CHAIR MESERVE: If you would just finish up?

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

it's earthen berms, concrete walls.

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

Thank you.

CHAIR MESERVE: Thank you.

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

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

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

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

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

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

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

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

CHAIR MESERVE: Thank you, Mr. Hall.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CHAIR MESERVE: Could you please wrap up your comments?

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

CHAIR MESERVE: Thank you, Ms. Katz.

Our next speaker is Chris Williams.

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

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

My comments are going to be very brief.

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

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

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

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

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

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

Thank you.

(Applause.)

CHAIR MESERVE: Thank you.

Mr. Halstead, this is your

opportunity to make a comment, if you choose to.

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

CHAIR MESERVE: The next meeting? Very good.

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

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

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

visit the burrow of a woodchuck. I don't know if my fellow Commissioners had noticed that.

We had a very pleasant dinner last night with the community action program, and Marge Kilkelly had hosted us, and has obviously made a presentation this morning that was helpful.

I would also like to thank the Chewonki Center, who have made this space available to them. I am dismayed that I've come to Maine for my entire life and was not previously familiar with this facility, and it's really quite something.

And finally, I would like to thank all the citizens who have joined us this morning. This is obviously they're interested in the Commission's work and issues related to energy policy more generally. I think that we have had a stimulating discussion. So, on behalf of the Commission, I would like to thank you all for joining us.

And let me turn to my fellow

Commissioners and see if they would want to make a final statement before we adjourn.

MEMBER BAILEY: I would just echo the comments of the Chairman. I have found this morning very enlightening, listening to all the comments, all the presenters on the panel, and I think especially from the citizens. And the public comments are really quite helpful and underscore the passion with which this issue is regarded across the country, here certainly in this region, but how important it is for our energy future.

So, thank you.

MEMBER EISENHOWER: Well, of course, I would like to underscore what my two colleagues have said. I have regarded this trip as being very important, and I can't tell you how much I personally appreciate everything this community has done to take the time from your busy schedules to meet with us, to prepare lengthy testimony, to come, prepare remarks, to speak to us.

I know that this is one of the most difficult issues facing us in the energy sector. I'm actually impressed by the fact that so many people feel passionately about this subject, have invested their time in getting this right. I feel, actually, pretty optimistic about the future.

Having spent a large part of my career in parts of the world that do not have developed democracies, I think what we have seen today is another great example of how people in this country are working together for our common future.

Thank you.

CHAIR MESERVE: Vicky, Susan, thank you.

This meeting is now adjourned.

(Whereupon, at 12:14 p.m., the proceedings in the above-entitled matter were adjourned.)

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