



800-843-7348 - **SOUSA.COM** - 877-843-8443

Community Engagement Panel Public Meeting

Transcript of Proceedings

Revised 2.0

Date: 06/22/2016

Job #: 600308

Court Reporting – Videoconferencing – Trial Presentation – Nationwide Networking

Hermosa Beach - Irvine - Riverside - San Diego - Las Vegas

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SAN ONOFRE DECOMMISSIONING
COMMUNITY ENGAGEMENT PANEL MEETING
STATE OF CALIFORNIA, COUNTY OF ORANGE

TRANSCRIPT OF PROCEEDINGS
SAN JUAN CAPISTRANO, CALIFORNIA
WEDNESDAY, JUNE 22, 2016

Reported by:
CARLOS R. HICHO
CSR No. 13111
Job No. 600308

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SAN ONOFRE DECOMMISSIONING
COMMUNITY ENGAGEMENT PANEL MEETING
STATE OF CALIFORNIA, COUNTY OF ORANGE

Transcript of proceedings, taken at
25925 Camino Del Avion, San Juan Capistrano,
California 92675, commencing at the hour of
5:29 P.M., WEDNESDAY, JUNE 22, 2016, before
CARLOS R. HICHO, Certified Shorthand
Reporter.

1 COMMUNITY ENGAGEMENT PANEL MEMBERS PRESENT:

2 DR. DAVID G. VICTOR
3 CEP CHAIRMAN
4 UNIVERSITY OF CALIFORNIA, SAN DIEGO

5 TIM BROWN
6 CEP VICE CHAIRMAN
7 SAN CLEMENTE MAYOR

8 DAN STETSON
9 CEP SECRETARY
10 OCEAN INSTITUTE

11 TOM PALMISANO
12 VICE PRESIDENT, DECOMMISSION
13 AND CHIEF NUCLEAR OFFICER AT SONGS

14 TED QUINN
15 AMERICAN NUCLEAR SOCIETY
16 SAN DIEGO CHAPTER

17 DR. WILLIAM PARKER
18 UNIVERSITY OF CALIFORNIA, IRVINE

19 GLENN PASCALL
20 SIERRA CLUB

21 CARLOS OLVERA
22 MAYOR DANA POINT

23 TOM CAUGHLAN
24 CAMP PENDLETON

25 PAM PATTERSON
SAN JUAN CAPISTRANO
MAYOR PRO TEM

GARRY BROWN
ORANGE COUNTY COASTKEEPER

RICH HAYDON
CALIFORNIA STATE PARKS

(Continued.)

1 COMMUNITY ENGAGEMENT PANEL MEMBERS PRESENT:

2 LISA BARTLETT
3 ORANGE COUNTY SUPERINTENDENT
4 5TH DISTRICT

4 JIM LEACH
5 CHAIRMAN
6 SOUTH ORANGE COUNTY ECONOMIC COALITION

6 GUEST SPEAKERS PRESENT:

7 JOHN KOTEK
8 ACTING ASSISTANT SECRETARY NUCLEAR ENERGY
9 U.S. DEPARTMENT OF ENERGY

10 ROB OGLESBY
11 EXECUTIVE DIRECTOR
12 CALIFORNIA ENERGY COMMISSION

12 DR. ALLISON MACFARLANE
13 PROFESSOR AND DIRECTOR
14 GEORGE WASHINGTON UNIVERSITY
15 and
16 FORMER CHAIR NUCLEAR REGULATORY COMMISSION

15 JACK EDLOW
16 PRESIDENT
17 EDLOW INTERNATIONAL COMPANY

17 CONGRESSMAN DARRELL ISSA
18 CALIFORNIA 49TH CONGRESSIONAL DISTRICT
19 (Present via video presentation)

19 ALSO PRESENT:

20 ANDY GRIFFITH
21 MARY WOOLLEN
22 NUCLEAR ENERGY
23 U.S. DEPARTMENT OF ENERGY

23 TONI ISEMAN
24 MAYOR PRO TEM LAGUNA BEACH

25

1 WEDNESDAY, JUNE 22, 2016

2 SAN JUAN CAPISTRANO, CALIFORNIA

3 5:29 P.M.

4 * * *

5 CHAIRMAN DR. VICTOR: Okay. Well, let's
6 get -- let's get started. The Apple Corporation tells
7 me that it's 5:30. And we have a very, very busy
8 agenda tonight, so we can begin right now.

9 My name is David Victor. I'm Chairman of the
10 Community Engagement Panel. On behalf of Tim Brown,
11 Vice Chairman, and Dan Stetson, Secretary of the Panel,
12 I want to welcome all of you to our meeting here
13 tonight.

14 Just by way of safety messages, if there's any
15 reason to have to evacuate the building, you can go
16 back out through the doors you came in and then down
17 the hallway. That's the primary evacuation route.
18 These are also marked exits here. You can go out there
19 and then out from -- from there.

20 There are two officers from the California
21 Highway Patrol in attendance tonight for your safety.
22 I want to thank them for their -- for their service and
23 for all of their help with our -- with our meetings.

24 I also want to appreciate the people, the
25 community of San Juan Capistrano for allowing us to

1 host this meeting here in this terrific center.

2 We've been here many times before. We have
3 not trashed the place, so they keep letting us come
4 back. And so thank you very much for letting us come
5 back because it's an extremely convenient and great
6 facility.

7 I want to remind everybody that the Community
8 Engagement Panel was set up once it was clear that the
9 San Onofre plant was going to be decommissioned. It
10 was set up by Edison to open a conduit between Edison
11 as operator of the plant and communities that are
12 affected by the plant and by the decommissioning of the
13 plant.

14 And it's explicitly, by design, a two-way
15 flow: To help Edison understand what people in the
16 communities are worried about and then adjust strategy
17 where that's possible, and there have been now many
18 instances where that's happened;

19 And, vice versa, to help the communities
20 understand what is the timetable process of
21 decommissioning, what to expect, what can we do to help
22 get things in decommissioning that we want of which the
23 topic of tonight's meeting, which is around
24 consolidated interim storage, I think it's a very, very
25 important example indeed.

1 This is not a decision-making body, so we have
2 discussions. We help open this conduit, this two-way
3 conduit, but we're not a decision-making body.

4 I draw people's attention to the website,
5 www.SONGScommunity.com, which may or may not come up on
6 the screen right now. We'll get to that in just a
7 second.

8 You can sign up there for email blasts to get
9 reminders of meetings, such as this one, look at
10 Livestreaming from this event and previous meetings of
11 the Community Engagement Panel, a lot of other
12 information related to public transportation, agendas.
13 All of the -- all of the information that's circulated
14 inside the Community Engagement Panel is posted up
15 there online and publicly available.

16 Hard copies of the agenda for tonight are on
17 your chair along with hard-to-read slides, of which
18 there is one, and it's definitely the winner for
19 tonight's prize of hard-to-read slides.

20 So when you see that slide up on the screen,
21 you can also refer to the detail in front of you. And
22 all of this is posted online at SONGScommunity.com. -- .com
23 you can also go there to sign up for walking tours of
24 the plant. There are tours on July 13th and July 23rd.

25 I want to welcome our guests. Congressman

1 Darrell Issa will be joining us by VideoLink in just a
2 moment, Representative from the 49th District;

3 Rob Oglesby, sitting over here, Executive
4 Director from the California Energy Commission; John
5 Kotek, also over here, Acting Assistant Secretary for
6 Nuclear Energy in the Department of Energy. That's the
7 office in the Department of Energy that deals with the
8 issue of long-term field strategy and field disposal
9 strategy, the topic that we're looking at today.

10 Jack Edlow, who is President of Edlow
11 International Company; and Allison Macfarlane, sitting
12 next to Jack Edlow, over here, Former Chair of the
13 Nuclear Regulatory Commission and, currently Professor
14 and Director of a terrific group at George Washington
15 University.

16 As you came in, there were booths about
17 various issues related to decommissioning, and so those
18 will be open during the break. And so if you want to
19 go back out there and take a look at the material
20 there, that would be terrific.

21 I wanted to update folks on a couple of recent
22 external engagements related to the Community
23 Engagement Panel:

24 Dan Stetson spoke at the Department of
25 Energy's Consent-Based Siting meeting in Sacramento on

1 April 26, and you'll hear more about that -- that
2 process from John Kotek when he speaks later in the
3 main section of today's -- of today's meeting.

4 I was asked by the Board of Directors of
5 Edison International, which is a parent company to
6 Southern California Edison, to come and brief them on
7 what's been going on in the Community Engagement Panel
8 and share with them what we're hearing.

9 I would say the vast majority of that
10 conversation focused on consolidated storage and what
11 can Edison do to help make consolidated storage a
12 reality.

13 Tonight, as in every meeting, we have a public
14 comment period. It's an hour long. If you want to
15 make a public comment, please sign up at the
16 registration table.

17 There's a lot of folks here tonight and so if
18 there are more requests for public comment than the
19 hour that we have, we will provide cards and you can
20 write your comments on a card, and we will make sure
21 that all of those cards become part of the official
22 record.

23 Tim and Dan are going to keep track, as is our
24 normal practice, of comments that are made during the
25 public comment period, collect them and organize them

1 and, on the spot, get us to provide some answers to the
2 questions raised and, also, a process by which
3 questions that can't be answered immediately will get
4 answered and then all of that will become part of the
5 official record.

6 If you don't want to make a public comment
7 tonight or you're not here, you're at home, watching us
8 along with millions of others on the Livestreaming, you
9 can send an email to the email address that was just on
10 the screen, and it's now disappeared from the screen,
11 but there it is.

12 You can send the comment to that email address
13 and, if we get those in the next five days, they will
14 be part of -- part of the official record of today's
15 meeting along with all other comments made.

16 Let me just remind panel members that as you
17 make comments during the main part of our meeting,
18 please state your name for those watching the
19 Livestream and then I'll call -- with Dan and Tim, call
20 out various actions that need to be captured for the
21 public record and the kind of main items discussed here
22 today.

23 What I've just done in five minutes, covered
24 ten items, is indicative of tonight's agenda. We have
25 a lot -- we have a really terrific meeting for us

1 tonight. And I'm really pleased that everybody is able
2 to come out here tonight and talk about this really,
3 really important subject.

4 I'll say a little more about consolidated
5 storage in just a moment.

6 It is our custom to begin our meetings with an
7 update on the decommissioning process: A progress
8 report. Tom Palmisano is going to take the next 10
9 minutes and give us an update on the decommissioning
10 process and then we will go into the main segment of
11 our meeting.

12 Tom, the floor is yours.

13 MR. PALMISANO: Okay. Thank you very much.
14 Excuse me.

15 Since we have an important agenda tonight and
16 a number of outside speakers, I'm going to give a
17 relatively short update compared to our normal
18 decommissioning update. At the next meeting we'll have
19 the normal longer update.

20 A reminder of our principles: Safety,
21 Stewardship, and Engagement. The work we're doing is
22 based on those principles.

23 This is our 20-year decommissioning plan.
24 This is the handout that I believe is on everybody's
25 chair. I'm going to give you just a couple of quick

1 highlights and I have some milestones on the next slide
2 that I'll cover.

3 What I've shaded in green is actually
4 completed. And we've talked about this quite a bit
5 before, so I won't reiterate that.

6 The important things in yellow are the
7 activities that I would consider the critical
8 activities. Down at the bottom, you see something
9 called DGC Award and then DGC Startup. That will be
10 the decommissioning general contractor.

11 We will have a large full-scope contractor who
12 will actually decontaminate and decommission the plant
13 under our oversight.

14 So we're in the final stage of selecting that
15 contractor. I expect to make that award this fall and,
16 through 2017, mobilize that contractor.

17 The next thing you'll see is CEQA Permitting.

18 For those of you at the last meeting, and if
19 you weren't, the video is online, we had an in-depth
20 discussion of the environmental permitting done with
21 the State Lands Commission and the Coastal Commission
22 of the State of California.

23 So that process has started. And what you can
24 expect over the next several months is, the State Lands
25 Commission will start the public scoping process. So

1 please look for that. We'll make sure to announce that
2 on our website, as well.

3 It's an important engagement opportunity for
4 the public and other stakeholders. And then in the
5 center is all related to spent fuel. And I'm going to
6 talk about our used fuel strategy. But as many of you
7 remember, we received the permit from the California
8 Coastal Commission to expand the independent spent fuel
9 storage installation or dry cask storage.

10 We have started that work. We will complete
11 that. And then that will be complete by the end of
12 2017. In the year 2018 is when we expect to off-load
13 the spent fuel that remains in wet storage and put it
14 in dry storage.

15 So those are the critical activities. I won't
16 go in any more depth on this slide.

17 The next slide are these milestones I referred
18 to. So we're going to complete our System Retirement
19 in the third quarter this year. This completes
20 shutting down all the permanent plant systems,
21 de-energizing, draining things, preparing for
22 decommissioning. It's referred to placing the plant in
23 a Cold and Dark condition.

24 We expect to have all the used fuel off-loaded
25 to dry cask storage by mid-2019 or earlier. The CEQA

1 process is in progress and we expect the fourth quarter
2 of 2017 for that process to conclude.

3 I would expect, based on that, dismantlement
4 and decommissioning starts in the first quarter of
5 2018. It's about a 10-year period, so the goal -- the
6 goal would then be by 2029 to complete the initial NRC
7 license termination at the completion of the
8 decommissioning and dismantlement of the plant.

9 And then Site Restoration, which is post-NRC
10 license termination, the non-radiological completion of
11 the Department of the Navy standard will complete in
12 2032.

13 So on our 20-year plan, by 2032, the plant
14 will be removed, the spent fuel storage installation
15 will still be there, pending the ability to move it off
16 site to a storage or disposal location. So those are
17 the critical milestones.

18 I want to shift over in the used fuel strategy
19 because really that's tonight's topic because we look
20 at consolidated interim storage. There's some key
21 elements to our used fuel strategy:

22 No. 1, first and foremost, we're going to
23 safely manage and store San Onofre's used fuel until
24 it's removed from site; that is our responsibility.
25 It's been our responsibility from day one.

1 It continues to be our responsibility; that we
2 take most seriously and that is really our first
3 mission. And embedded in that is protecting public
4 health and safety and worker health and safety.

5 Secondly, and this is important, and many of
6 you heard me say this before: We think it is very
7 important in a decommissioned facility to promptly
8 off-load the spent fuel from the spent fuel pools to a
9 passive dry cask storage system.

10 In a decommissioned plant, where there's no
11 need for an operational spent fuel pool, it is more
12 appropriate to store this fuel in dry cask storage as
13 soon as it's eligible to move into dry cask storage.
14 It's a key element of our strategy.

15 Third, is recovery of used fuel storage cost
16 from Department of Energy. And I've got a slide to
17 show you what we've done on this because I get periodic
18 questions about who pays for this and where does the
19 money come from, where will future money come from.

20 And the last one is: Support all safe and
21 reasonable options to remove used nuclear fuel from the
22 San Onofre site. And we mean that sincerely. Whether
23 it's consolidated interim storage or permanent
24 repository or some integrated plan, you know, our goal,
25 and I think we're aligned with many members of the

1 public, we want that fuel moved off the site as soon as
2 it can be safely and reasonably moved off site; that's
3 an important aspect of our strategy.

4 This is the -- can we go back one slide,
5 please, guys? I hit the wrong button there.

6 This is the current spent fuel storage
7 installation. We have 50 canisters loaded with spent
8 fuel. That's about a third of our spent fuel. Each of
9 those canisters hold 24 fuel assemblies.

10 This is the new location that's been approved
11 by the California Coastal Commission that is under
12 construction now. This will hold 73 new canisters that
13 will hold the remainder of the spent fuel that is in
14 the two spent fuel pools.

15 Now, I've used this slide twice before, but
16 one question I get is, "When could -- if there was a
17 place to ship the fuel to, when could it be shipped?"

18 Okay? So let me just very briefly tell you
19 this. I've got 50 canisters of fuel, and that's the
20 top two lines. I've got Unit 2. I've got 33 canisters
21 of Unit 2 and 3 fuel in dry cask storage today.

22 Some of that is eligible to ship today, and
23 all of it will be eligible to ship by 2020. It's
24 licensed for storage. It's licensed for transport.
25 The AREVA transport pack, which is licensed, it just

1 lacks the location to ship it to.

2 The Unit 1 fuel is interesting. Actually, I
3 won't be able to ship Unit 1 fuel until starting in
4 2018. Although, Unit 1 has not operated since 1992.
5 And, in fact, it'll be in 2029, 2030 before the last of
6 it is eligible to ship.

7 The reason is, Unit 1 fuel uses an older
8 material called stainless steel for the fuel rods and
9 it takes a longer decay time before it's eligible to
10 transport. So it actually has to decay 38 years.
11 That's why the Unit 2 and 3 fuel can be transported
12 much earlier.

13 And then with the new Holtec System, with the
14 fuel that I've got in wet storage, it is licensed today
15 for storage. Holtec has submitted the NRC
16 transportation license and the review is about two
17 thirds complete.

18 It's expected to complete nominally by the end
19 of the year or the first quarter, based on the
20 submitted requirements and the requirement is under
21 review, those canisters will be eligible to ship as
22 early as 2020 for all 73 of them.

23 And I've got a backup slide. Some of you are
24 interested in more detail. There's a backup slide in
25 the deck that you'll have access to that shows you much

1 more detail on that. So that is the transportation
2 availability picture.

3 I do want to touch just briefly on cost:

4 So, No. 1, used fuel management costs are
5 included in the decommissioning cost estimate. I
6 didn't bring the pie charts out today. It is in the
7 backup slides. Some of you've seen this before. We
8 have a 4.4 billion dollar estimate, 1.2 billion is for
9 spent fuel management cost between now and 2052.

10 Decommissioning trust fund is fully funded,
11 including the used fuel management cost. Most
12 importantly, we recover money from the Department of
13 Energy. We have filed two lawsuits and had two awards
14 or settlements.

15 We have just -- and we have received 142
16 million for costs from '98 to 2005. And we've just,
17 this spring, received 162 million for costs through
18 2013.

19 So, essentially, that is about 93 percent of
20 the cost on spent fuel management that's recovered from
21 a DOE judgement fund. So that's really where the
22 funding comes and that money goes back to ratepayers.
23 So we credit this -- these recoveries back to
24 ratepayers.

25 So we have the money in the decommissioning

1 fund. Plus, we additionally recovered money from the
2 DOE. So in answer to the question, as we look at the
3 future, whatever the future may hold, we intend to
4 continue recovery money through -- from the DOE until
5 they're able to remove fuel from the site. And like I
6 said, the net proceeds are refunded to customers.

7 And with that, I've kept it brief. We'll have
8 our normal more lengthy update next time.

9 So, David, are there any questions?

10 CHAIRMAN DR. VICTOR: Okay. Thank you very
11 much.

12 Let me just see if there are any quick,
13 clarifying questions from members of the Community
14 Engagement Panel.

15 (Brief pause.)

16 I don't see any. Okay.

17 And I don't want to draw people's attention to
18 the backup slides. I believe this is all now all
19 posted on SONGScommunity.com

20 I've seen in the last couple of weeks a number
21 of questions from members of the public about "How do
22 we actually know the fuel is ready to ship in 2019 and
23 2020, if there's a place to ship it?" which is what
24 this meeting is about.

25 And those backup slides include more of the

1 detail and I think that's an area of active work
2 over -- just over the last week or so.

3 MR. PALMISANO: Right. And in a future
4 meeting, I'll be glad to come in when we have more time
5 and explain how that's derived.

6 CHAIRMAN DR. VICTOR: I think that'll be very
7 helpful because that's -- that's crucial to us,
8 understanding how all the pieces of the puzzle fit
9 together. Okay.

10 Thank you very much, Tom Palmisano.

11 So we're now going to go to the main section
12 of the meeting, which is about consolidated interim
13 storage. And I just want to say a couple of sentences
14 by way of introduction:

15 Over the last two and a half years that this
16 panel has been in existence, it's really been striking
17 to me that the process of decommissioning is moving
18 very quickly and every time Tom stands up and gives you
19 the slide, that is so complicated that you need a copy
20 on your chairs, they're further down the road, and the
21 process is moving along and so on.

22 But once the fuel is in the canisters, then
23 that part of the story ends until there's a place to
24 send it. And the original plan was, of course, to send
25 it to one or two permanent facilities, like Yucca

1 Mountain.

2 That option has been difficult for a variety
3 or political reasons. And until a year, a year and a
4 half ago, it wasn't clear what the solution might be.
5 And the idea of moving it to one or two or more
6 consolidated facilities now is really coming into
7 focus.

8 And the question for our meeting tonight is
9 how much is it coming into focus? What matters? What
10 matters less? And, crucially, what can we do? If we
11 work together as communities, what we can do to help
12 move that process along? And we have a terrific lineup
13 of folks to talk about this.

14 The first of two introductions is going to
15 come from Congressman Darrell Issa, who I think we
16 originally planned to do via Skype. That has
17 apparently not worked, and so we're now doing it by the
18 backup method, which was a video presentation they
19 taped this morning.

20 So, electronically, Darrell Issa, the floor is
21 yours.

22 CONGRESSMAN DARRELL ISSA: Good evening. I'm
23 Congressman Darrell Issa. And I want to thank our host
24 tonight for making this meeting possible.

25 I also want to thank Mr. Kotek for responding

1 to our letter, asking for the Department of Energy to
2 include us in their around-the-country panel.

3 And, although, this is not what we had
4 originally asked for, we do believe that they responded
5 in a way that is meaningful and gives all of us in the
6 49th Congressional District and surrounding areas an
7 opportunity to have our voices heard, have the
8 Department of Energy understand how we feel about
9 having nuclear waste for the foreseeable future,
10 decades, in our backyard even after the decommissioning
11 of San Onofre.

12 I look forward tonight to hearing the comments
13 by the Department of Energy and, of course, your
14 comments. I believe that the people who live closest
15 to San Onofre have, for more than three decades,
16 supported its mission of giving us low cost, clean
17 energy.

18 But now that that mission has lapsed for
19 nearly three years, it's time to clean up the site and
20 move on. And that's a lot of what I believe that will
21 be heard tonight, but it's also a message that I
22 believe we'll have to keep saying until we find a
23 solution.

24 I believe history is important and that we all
25 need to agree that back when Ronald Reagan was

1 president our government made a promise to the American
2 People and to the operators of nuclear facilities, like
3 San Onofre, that if they paid a fee on top of every bit
4 of their production of energy, that their nuclear waste
5 would be stored safely in a permanent repository; that
6 promise very clearly has been broken.

7 Many of us will cite Yucca and the failures
8 and the opposition by Senator Harry Reid and others,
9 but the fact is, there was a promise made and that
10 promise has not been kept.

11 So, tonight let's not focus on Yucca, let's
12 not focus on the solutions that may for now be
13 precluded from us, but rather on what is the proposal
14 from Department of Energy to meet an obligation
15 solemnly enshrined in law and paid for.

16 One solution that I cosponsored is called the
17 Interim Consolidated Storage Act. Under that, we will
18 find facilities that currently exist that are willing
19 to take the waste and make them the, for a number of
20 years, storage facilities.

21 It doesn't preclude continuing to find a
22 permanent storage site, but it would allow for the
23 transfer of 3.6 million pounds of nuclear waste to
24 facilities that are much safer and designed for this
25 purpose. Additionally, it would save money.

1 It doesn't mean that my solution is the only
2 one, but I would like it discussed. And if it is not
3 the one that the Department of Energy is willing to
4 support now, then ask them very quite frankly "What
5 will you support and when?"

6 So I hope tonight we put aside any differences
7 that people may have, not concentrate on the past or
8 how we got here, but listen and ask the questions of
9 "How do we get to a safe oceanfront?"

10 Thanks for hearing me, and I look forward to
11 the rest of this debate tonight. I also would be
12 conducting a Tele-town hall meeting later in order to
13 talk to those who were not able to be with all of you
14 tonight.

15 So, thank you and I look forward to hearing
16 all of your questions.

17 CHAIRMAN DR. VICTOR: Thank you for that
18 message.

19 We obviously can't ask questions, you know,
20 clarifying questions to Congressman Issa, but I do know
21 that there are members of his staff in the audience
22 tonight. And so, as issues arise tonight that imply
23 questions and topics that he should be mindful of, I'm
24 sure they will be passing those on.

25 I also want to mention that the Interim

1 Consolidated Storage Act that he is cosponsoring many
2 communities affected by this plant have passed
3 resolution, supporting that.

4 And this is one of the areas where we are
5 starting to try and create pressure in Washington for
6 new legislation, including communities represented on
7 this panel and then other people in the audience who
8 are part of those community efforts. And so I think
9 that's been quite important.

10 We're now going to have a second introduction
11 from Rob Oglesby, who is Executive Director of The
12 California Energy Commission. California Energy
13 Commission is an extraordinary body; spends 750 million
14 dollars a year on a variety of energy-related programs,
15 energy efficiency, restriction development, and so on.

16 Prior to his current role at the Energy
17 Commission, Rob was -- had several roles at the
18 California Air Resources Board, which is another
19 extraordinary California institution that has overseen
20 the tremendous effort to clean up California's air.

21 So, Rob, the floor is yours.

22 MR. OGLESBY: Well, thank you very much.

23 And, first, let me start by thanking the
24 Community Engagement Panel for inviting me here and
25 allowing me to participate in this program.

1 I've joined the Community Engagement Panel
2 before, but it's been a while. I think you're doing
3 great work. And it was a great addition to the process
4 to be a conduit for communication on the issue.

5 On behalf of the State of California, as the
6 state level representative, I also would like to
7 welcome Assistant Secretary Kotek here, and I want to
8 acknowledge and appreciate the effort that you were --
9 that you are launching to help facilitate siting and
10 moving of spent nuclear fuel to safe sites.

11 It's an ambitious undertaking. It's a very
12 difficult challenge. And I want to particularly
13 recognize the level of outreach that the Department is
14 doing as part of that effort. It's very important to
15 engage communities that are immediately affected by
16 spent nuclear fuel.

17 Let me go to the next slide.

18 So the Energy Commission has a lot of programs
19 and -- but when it comes to nuclear issues that
20 interface with the federal government we're -- we're a
21 participant. We provide input. We develop
22 recommendations. We're the voice of California on
23 issues that relate to nuclear matters that are pending
24 before the NRC.

25 Our chair is the state liaison officer to the

1 Nuclear Regulatory Commission and we have developed
2 policies and recommendations that relate to nuclear
3 issues ever since our inception about four years ago.

4 Let's go to the next slide.

5 So we've done a number of things, but this is
6 just a quick flash slide so you can see. We've been
7 engaged on this issue and related issues recently.

8 And at the moment we're preparing comments to
9 formally submit to the Department of Energy on the
10 design of consent-based siting process for nuclear
11 waste storage and disposal facilities.

12 Now I'm going to jump ahead to -- to kind of
13 the punch line and that is that our basic comment is
14 that California is not an appropriate place, for a lot
15 of reasons, to be the repository for spent nuclear
16 fuel.

17 Let's go to the next slide.

18 (Applause.)

19 MR. OGLESBY: This slide has a lot on it, but
20 the message is simple. The flags and arrows point to
21 the nuclear facilities in the state that are housing
22 spent nuclear fuel.

23 And the color chart relates to seismicity
24 associated with those sites. And California in those
25 red zone sites and there's a color scale, but the red

1 zones are the ones that are most seismically active.

2 And there is a 99.7 percent chance of a 6.7
3 scale earthquake in the next 30 years in the red zone
4 and there's a 7 -- the chance in the next 30 years of a
5 7.5 scale earthquake is 46 percent, also, by 2030.

6 So we think that, given the seismicity of the
7 state and other reasons, as well, California is not the
8 best place to be a long-term repository for nuclear
9 fuel.

10 Let me go to the next slide, which is my last
11 substantive slide.

12 So we -- we've made recommendations and
13 continue making recommendations. We do support, of
14 course, the expedited transfer of spent nuclear fuel
15 from the storage pools to approved dry cask storages
16 and installations.

17 We support the rapid deployment of a storage
18 facility to remove waste from the decommissioned sites.
19 But I want to emphasize this, we think that waste from
20 coastal sites, such as San Onofre, Humboldt -- and
21 Humboldt Bay and San Onofre should be given priority.
22 They should be first on the list.

23 We do support the development of a
24 comprehensive process founded on safety and scientific
25 research and early coordination, inclusion, effective

1 communication with state, tribal, local governments,
2 impacted communities that are essential to the success
3 of a storage solution.

4 So, last slide.

5 Those are my brief, very brief introductory
6 comments. I want to thank you for your attention. And
7 we can move to the next item.

8 CHAIRMAN DR. VICTOR: Excellent. Thank you
9 very much. Let me just see if there are any immediate
10 clarifying questions from the Community Engagement
11 Panel.

12 (Brief pause.)

13 CHAIRMAN DR. VICTOR: No?

14 So let's go on now to the main section of our
15 meeting. For the next hour and a half, we're going to
16 talk about what should we expect from the conso -- from
17 the process of building up consolidated interim
18 storage, how should we think about moving the fuel
19 around, what is the regulatory and kind of political
20 context in which all of this is going to happen.

21 We have three speakers.

22 And I just want to say a couple of words about
23 why each of these three speakers are here tonight.

24 John Kotek is running the office of the
25 Department of Energy that is now helping to revitalize

1 and catalyze an effort to identify communities and help
2 them understand the risks and opportunities around
3 consolidated based -- consolidated interim storage.

4 Jack Edlow's company, Edlow International, is
5 one of the leading firms that moves the fuel around,
6 spent fuel around. What we've heard in this panel over
7 the last few meetings, as this topic has come up, is
8 that there's a series of important questions about "How
9 do we know that the communities where the fuel might go
10 are giving consent?"

11 And then there's a whole series of questions
12 about how the fuel might move and transportation
13 options. And those are as important, if not more
14 important, than -- than the first question.

15 And then, Allison Macfarlane, who in addition
16 to chairing the Nuclear Regulatory Commission is now a
17 central player in a really interesting process to
18 rethink what's happening with the entire nuclear fuel
19 cycle in this -- in this country.

20 It's going to help us understand political --
21 from a political and regulatory point of view how might
22 the system unfold, what should we watch for, and what
23 frankly can we do to help -- to help this process along
24 in the right direction.

25 So, first, we're going to hear from John

1 Kotek. Each of the speakers is going to talk for a
2 little while. If there are very important clarifying
3 questions during interruptions, that's okay.

4 And then we're going to, the Community
5 Engagement Panel, have an opportunity to ask some
6 questions and then we'll move on.

7 So, John Kotek, the floor is yours.

8 MR. KOTEK: Great. Thanks, David. And
9 thanks, Rob. Both of you for the -- the lead-ins here.

10 Rob, I want to particularly thank you. It's
11 good to hear that comments are going to be coming from
12 you all.

13 PUBLIC MEMBER: Can you stand up, please?

14 MR. KOTEK: Excuse me?

15 PUBLIC MEMBER: Can you stand up, please?

16 We can't see you.

17 MR. KOTEK: You can't see me?

18 PUBLIC MEMBER: You're too low. Can you stand
19 up?

20 MR. KOTEK: I'm kind of tall.

21 All right. Hold on a second.

22 CHAIRMAN DR. VICTOR: Actually --

23 MR. KOTEK: I'm sorry. I don't have a
24 Lavalier mic with me. So, in any event -- well, bear
25 with me, if you would, please.

1 I wanted to thank you. The input from state
2 is going to be extremely important for us going forward
3 as we -- as we look to design a consent-based siting
4 process for identifying what we're looking for in terms
5 of willing and informed host communities for both waste
6 storage and disposal facilities.

7 I want to introduce a couple of members of my
8 team, if I could at the start: Andy Griffith, over
9 here. Say hello.

10 Andy runs the prog -- the nuclear waste
11 program for me day-to-day.

12 And then Mary Woollen is helping us out --
13 thank you very much -- with the -- with the waste
14 program, as well, and was instrumental in helping set
15 this meeting up.

16 I would like to call to your attention -- or
17 call your attention to the booklet. I think each of
18 you should have gotten one of these on your chairs. If
19 you didn't, let me know. We can get them sent your
20 way.

21 This is our Integrated Waste Management
22 Consent-Based Siting pamphlet. I encourage you to take
23 a look at that. It's got some good information on
24 where we are now in terms of the process, kind of how
25 we got here, what is this material, why do we have to

1 provide for safe and long-term management, disposal of
2 material.

3 So I think it's some good contextual
4 information that you may find useful in your
5 discussions going forward. And in particular, there's
6 a series of questions on page 9 of that booklet.

7 I think, Robert, probably the ones that you're
8 sending responses to, to help us design a consent-based
9 siting process. What I intend to do here tonight is
10 describe the DOE role in all of this and the process
11 that we're employing to try and fulfill that role.

12 Let me start by saying, you know, for a little
13 context, the first report on making recommendations to
14 the government on dealing with at the time high-level
15 waste, but now we consider high-level and spent nuclear
16 fuel, was issued by the National Academy of Sciences in
17 1957. Okay?

18 Various agencies have been working on this
19 problem for almost 60 years. Okay? Frankly, it
20 should've been solved by now; it hasn't been. All
21 right. Andy, Mary, myself, our team, we got the ball
22 now. We're going to try and -- we're going to try and
23 develop a durable solution to this problem; that's what
24 we're all about. Okay?

25 So where are we?

1 We're -- we're planning for the development of
2 what we call Integrated Waste Management System. All
3 right. So our responsibility starts at the gate. All
4 right. We pick up the fuel and we got a place to send
5 it, we pick up the fuel from the utility operator. We
6 transport it to either storage or a disposal facility.
7 So that's where we come in.

8 So we've got responsibility for identifying
9 locations and designing and constructing facilities for
10 storage, what we call interim storage of spent fuel,
11 for disposal of spent fuel and high-level waste. All
12 right? And then transportation system, so, meaning
13 rail cars, buffer cars, transportation casks.

14 And, also, for working with state and tribal
15 emergency management and emergency response
16 capabilities along transportation routes. Okay? So
17 that's what -- that's what we're all about.

18 We are -- we envision this Integrated Waste
19 Manage System, including all the components I just
20 described, one of the hardest things and maybe the
21 hardest thing has been siting. Okay?

22 And as it was described earlier, we had
23 several attempts. Yucca Mountain was talked about
24 earlier. But we've had several attempts federally
25 driven. We've considered top-down processes that have

1 tried to identify states where this material would go
2 for either storage or disposal. All right?

3 None of them have worked and they've all
4 fallen apart because of resistance at the state level.
5 Okay? We think the key to success is working with
6 willing and informed host communities and host states
7 to, again, achieve a durable solution to this -- to
8 this problem. Okay?

9 While the technology -- there are certainly
10 technical challenges associated with storing,
11 transporting and disposing of waste. We believe we've
12 got the technology in hand to do this. All right? A
13 lot of the challenges we face have been sociopolitical
14 challenges associated with facility siting.

15 And, based on the reactions we've heard just
16 here tonight, all right, there are -- there are
17 communities, people who are just not wild about the
18 idea of spent nuclear fuel in their community.

19 All right? There are also communities that
20 we're finding that are potentially welcoming of a
21 mission like this. And, as you may know, for example,
22 there are already communities in New Mexico and in
23 Texas that have expressed interest in, at least,
24 hosting a facility for storage of spent nuclear fuel.

25 So, and that's even before we've gone out and

1 started looking for volunteers, so we've got confi --
2 some confidence that a process like this, if designed
3 right and implemented right, it can -- it can be made
4 to work. Okay?

5 So where we stand now is, we're in the process
6 of designing this Consent-Based Siting Process. We're
7 out looking for input, as Congressman Issa mentioned
8 earlier, through a series of public meetings.

9 Andy and Mary and I will be traveling to
10 Arizona tomorrow to -- to hold one. So, eight public
11 meetings around the country designed to -- to get
12 input. We're holding or engaging in discussions like
13 this one in, obviously, here and with groups around the
14 country.

15 We're receiving feedback through our website
16 and -- and through responses to notice of invitation
17 for public comment that went out in the Federal
18 Register. We're asking for input to help us design
19 this process.

20 And so there's a series of questions that we
21 pose -- I think they're on page 9 of your booklet, if
22 you're interested -- where we want to get input on what
23 are the considerations that should be reflected in the
24 design of a consent-based siting process. Okay?

25 The idea of moving forward with a

1 Consent-Based Siting Process comes from the
2 recommendations of something called the Blue Ribbon
3 Commission on America's Nuclear Future.

4 After success -- you know, when the
5 then-Secretary of Energy, Stephen Chu, decided that the
6 Yucca Mountain site was unworkable, at the president's
7 direction, he set up this Blue Ribbon Commission to go
8 to recommend to the Department of Energy and to the
9 federal government a new strategy for dealing with
10 spent fuel and high-level waste.

11 I was asked to serve as the staff director to
12 that -- to that commission. And so that was really my
13 first introduction to the -- to the nuclear waste
14 issue. A very distinguished group of commissioners,
15 including Commissioner Allison Macfarlane, here now, a
16 little further down the dais, came up with a series of
17 eight recommendations.

18 I should say they were unanimous
19 recommendations among the -- among the 15-member
20 bipartisan commission and it started with employing a
21 Consent-Based Siting Process. All right?

22 Don't try to force this stuff down the throat
23 of unwilling communities or host states; try to work to
24 identify communities and states and, potentially,
25 tribal governments that are willing to accept the

1 mission in exchange for what you would expect to be
2 benefits and other considerations.

3 So we're trying to put the meat on the bones
4 of what that sort of a consent-based process ought to
5 look like. And so that's where we're getting input.
6 And so the most valuable thing that we can get out of
7 these sorts of engagements is thoughtful input on how
8 should we design that process.

9 What we intend to do from here is, after --
10 after we've completed our round of meetings and the
11 public comment period closes at the end of July on
12 these questions, we will issue, first, a draft of a
13 report, basically, summarizing the major themes we
14 heard from these interactions, all right, what -- what
15 are people's concerns, and -- and one of the things
16 they think we need to be mindful of as we move forward.

17 We will then issue a draft of the
18 Consent-Based Siting Process itself. I plan to do
19 those things by the end of the year. Okay.

20 Moving forward, what we've done is, we have
21 asked in our -- we have to go ask Congress for funding
22 every year, all right, for the Annual Appropriations
23 Process. We have asked Congress for funding to begin
24 the actual implementation of that Consent-Based Siting
25 Process.

1 We've asked for 75 million dollars for the
2 program to get -- get going so we can, you know, the
3 variety of things we need to do. I mentioned the need
4 for transportation infrastructure. We need to get out
5 and actually -- and actually start implementing the
6 process and beginning serious engagements with states,
7 communities, tribal governments and others.

8 Part of the request is, we've asked for about
9 25 million dollars for grants, for units of government
10 that want to investigate this and look -- and look at
11 the challenge and the opportunity posed by hosting a
12 storage or disposal facility.

13 And let them not just take our word for it.
14 And, of course, we're going to put a lot of information
15 out there, you know, based on -- based on what we know.
16 But give this people an opportunity to go off and look
17 at it for themselves, hire their own experts, all
18 right, and -- and dig into the questions and concerns
19 that they might have in their communities, and let them
20 decide whether they might want to engage with us.

21 I said, we -- we don't know. At this point
22 we're not -- we're not out looking for volunteers.
23 We're not looking for places on maps. We're out trying
24 to design a process with the expectation that when we
25 do enter into that phase of the discussion, that there

1 will be some communities in some states that are
2 willing to, at least, have that conversation with us.

3 As I mentioned earlier, we've already heard
4 from two even before we've gone out and asked. All
5 right? The reason we're trying to -- we're trying to
6 employ this Consent-Based Siting Process is, we've seen
7 that that has offered the greatest chance of success
8 and has proven successful in several other countries
9 that are also dealing with the challenge of spent
10 nuclear fuel.

11 To be sure, it hasn't worked everywhere.
12 Okay? But I think every place where you've got a site
13 selected for deep geological repository for ultimate
14 disposal of spent fuel they've employed a process where
15 they've gotten consent front the local units of
16 government.

17 For those who are interested in learning more,
18 actually, Finland is furthest along. They've got a
19 site selected, reviewed, and approved by their
20 regulator, and I think they start construction later
21 this year. Sweden is a little further behind. The
22 French have a location identified, and Canada, our
23 neighbors to the north, they're in the midst of
24 implementing their version of a Consent-Based Siting
25 Process.

1 Just a point of interest: They actually
2 restarted their nuclear waste program, oh, maybe 15-20
3 years ago; decided to move down the path of employing a
4 Consent-Based Siting Process, and when they went out
5 and looked for volunteers after spending several years
6 receiving input from people on the design of the
7 process and on what -- what factors should be
8 considered in the design in that process, they got -- I
9 think it was 20, it was 21 or 22 communities stepped
10 forward to express interest.

11 They're now down looking seriously with eight
12 or nine and whether those -- those actually have the
13 right geology to host -- to host a repository. So, you
14 know, we've seen evidence in the U.S. and abroad that a
15 process like -- like this can work.

16 All right. We -- the subject of tonight's
17 meeting, of course, is consolidated interim storage and
18 so that's just the -- that's a piece of this integrated
19 nuclear waste management system that we think needs to
20 be -- needs to be implemented here in the
21 United States.

22 Some folks have asked, you know, why would
23 you -- why would you want to have interim storage? Why
24 do you want to move this stuff twice? Shouldn't you
25 just leave it, you know, at the plant site until you've

1 got a repository ready?

2 And in our travels around the country, we've
3 heard, at least from a fairly vocal group of folks,
4 that we ought -- we ought to employ a hardened on-site
5 storage and just leave -- leave the stuff at the plant
6 sites, wherever it sits, until the repository is ready.
7 And I don't -- don't know whether that's a view shared
8 here.

9 (Inaudible.)

10 CHAIRMAN DR. VICTOR: I think the short answer
11 large -- largely is no.

12 MR. KOTEK: Yeah. Okay. Well, it's -- thank
13 you for that.

14 The -- our view is similar to that in the
15 room, that we see value in building storage capacity
16 into the system for a lot of reasons, not the least of
17 which is, we've got what's now 14 former power reducing
18 -- producing nuclear reactor sites around the country
19 where spent fuel is stored and the reactor is not
20 operating anymore. Okay?

21 That's the 13 commercial sites and then sort
22 of a special case called the Fort Saint Vrain reactor
23 in Colorado. And -- and I think five of those reactor
24 sites, everything's gone, the reactor is gone,
25 terminal, and administration building -- everything's

1 gone.

2 You've got a spent fuel storage pad, guns,
3 guards and gates. Okay? And this is in places like,
4 you know, on the main coast, the Maine Yankee site.
5 Right? Beautiful piece of real estate the community
6 would love to have back for redevelopment except is a
7 spent fuel storage site. Okay?

8 That's -- that's one reason. Clear out the
9 shutdown plant sites. But we're also, you know, as it
10 was mentioned earlier, the government is paying out
11 settlements to utilities because of our inability to
12 accept this fuel. Right?

13 And I do need to correct one thing that Tom
14 said, that the payments that the utility receives don't
15 come from DOE. It actually doesn't touch my budget.
16 It comes from something called "the Judgment Fund,"
17 which is straight from the Treasury. Okay?

18 It doesn't get appropriated anything. It's
19 just -- it goes straight out of the Treasury into
20 the -- into the utilities. Okay? And, you know, those
21 payments, when you add them all up to all the utilities
22 that have successfully sued the federal government,
23 they add up to something like 500 million dollars a
24 year. All right.

25 The total liability is estimated to be 23.7

1 billion if we begin accepting spent fuel within 10
2 years, "if." Okay? That's -- that's all money you're
3 paying. Okay? We can start -- we can't get rid of
4 that liability, but we can start reducing that
5 liability if we've got a place to start receiving fuel
6 and storing fuel while we develop one or more
7 repository sites for spent nuclear fuel.

8 So, and then -- and then there are there other
9 reasons for establishing that capability. You know, at
10 a centralized site you would have -- you'd be able to
11 build in more compatibility to examine and repackage,
12 for example, over the long term as necessary.

13 You know, the reactors site, of course, they
14 want to decommission and, you know, get rid of as much
15 footprint as they can. It makes sense. A centralized
16 site, you might be able to build more capability in and
17 it gives you some surge capacity in the system in case
18 you need to move fuel from an operating plant site for
19 some unforeseen reason. A lot of reasons to build
20 storage capacity into the system.

21 So despite what -- you know, what we've heard
22 in certain places, we think, moving forward with
23 consolidated storage makes sense and it adds some
24 necessary flexibility into the system.

25 I mentioned earlier we're -- we're also

1 working on the transportation piece of this. I know
2 that would be a topic of great interest. Under the
3 Yucca Mountain Project, we had planned a rail as the
4 primary means of transport and -- and other, you know,
5 other modes would be used as needed, but typically only
6 to get fuel to a major rail line.

7 That -- understand that, you know, there are
8 folks who got questions, concerns about that.
9 Obviously we want to -- we want to hear people's input
10 on that issue as we -- as we go forward.

11 We do -- as you'll hear from Jack. We do have
12 a lot of experience moving spent fuel around the
13 country. I -- despite the DC job, I actually live in
14 Idaho and worked at the national laboratory site for a
15 number of years and that's where all the Navy spent
16 fuel goes, for example.

17 When the Three Mile Island accident happened,
18 the Three Mile Island fuel ultimately got shipped to
19 Idaho. There's a lot -- it's prin -- principally
20 government fuel and actually university reactor fuel
21 there, but there are some exceptions, and the Navy fuel
22 and there are some exceptions to that, as well.

23 So there's a lot of experience, and Jack can
24 talk about that and other experiences he's had, I'm
25 sure. And so, as we -- as we look to develop this

1 integrated nuclear waste management system and -- and
2 get it implemented, you know, hearing from -- from
3 communities like yours is very important to us.

4 And -- and one of the things that we've --
5 we've taken note of is, you know, there -- there are
6 certain constituencies around the country, for example,
7 Department of Energy sites, like the one that I worked
8 at, those communities have something called the Energy
9 Communities Alliance, they -- the Hanford site in Idaho
10 and Savannah River and Oak Ridge and others. They all
11 get together to sort of combine forces and carry their
12 message back to Washington.

13 With the shutdown plant sites, we tend to hear
14 more from kind of one-off, you know, the Zion Plant in
15 Illinois, for example, you know, we shut down fairly
16 recently. We hear from that community.

17 We're hearing from you, folks. Trojan
18 Reactor, for example, outside of Portland, that was
19 shut down 25 years ago, we never hear from those folks.
20 Okay? So it's a very inconsistent message coming from
21 the communities that host shutdown plant sites.

22 With that -- so that gives a picture of where
23 we're trying to head with consolidated storage as part
24 of this large or integrated waste management system.

25 Let me stop it there so I leave enough time

1 for the other panelists and for questions at the end
2 because it's really helpful for us to hear what's on
3 your mind as we -- as we develop this.

4 So, thanks again for the opportunity to be
5 here and I look forward to hearing your questions and
6 comments later.

7 CHAIRMAN DR. VICTOR: Thank you very much,
8 John.

9 So we have some time now for the Community
10 Engagement Panel to ask questions of you. And, maybe,
11 if you want to raise a question, put your flag up like
12 that (indicating) so I have some sense of what's going
13 on.

14 And then, first, Jim Leach and then Ted and
15 Glen. And please -- (Simultaneous colloquy.)

16 MR. LEACH: (Inaudible.)

17 CHAIRMAN DR. VICTOR: And please remind the
18 viewers at home who you are.

19 MR. LEACH: Sure. Jim Leach, South Orange
20 County Economic Coalition.

21 Do you have a broad schedule that you can
22 share with us for -- for what you believe you'll be
23 able to accomplish as far as the siting process?

24 MR. KOTEK: Yes. What we -- what we've said
25 is actually an administration strategy that was issued

1 back in, I think, 2013. It was -- you know, at that
2 time, frankly, we thought congressional action was
3 going to be imminent on this -- on this issue.

4 And there is some -- there are changes to the
5 Nuclear Waste Policy Act that would be required to
6 fully implement the strategy that we've -- that we've
7 put in place.

8 And so, you know, at the time we were
9 thinking, "Well, all right, it's 2013 and Congress
10 isn't going to act quick. It would take us about eight
11 years to get to a pilot scale, a smaller consolidated
12 storage site."

13 We, of course, haven't seen action. We have
14 been trying to do some things to shrink that critical
15 path, for example, with some of the transportation
16 infrastructure things. So we've taken some time off of
17 that path, but that's still a reasonable -- you know, a
18 reasonable ballpark of what it would take.

19 A repository is a -- is a different ball game
20 because you've got a much more extensive
21 characterization process you've got to go through.
22 Construction is more complicated, et cetera.

23 That's a -- that's a multi-decade thing. In
24 -- in the administration strategy, they -- they have
25 picked a date of 2048 just based on other international

1 experiences of kind of how long it took to go start to
2 finish. So that's a ballpark for you.

3 CHAIRMAN DR. VICTOR: Thank. Thank you for
4 that. And I think that that time line is one of the
5 reasons that a lot of people are interested in
6 consolidated interim storage.

7 MR. KOTEK: Yeah.

8 CHAIRMAN DR. VICTOR: One of the things I've
9 heard you say in your remarks is that support in the
10 Appropriations Process is very important, so we've had
11 a number of communities that have organize around
12 supporting legislation, such as that cosponsored by
13 Congressman Issa. But I think support in the
14 Appropriations Process seems almost as important.

15 We have Ted, then Glenn, then we'll go to Pam
16 and Tim.

17 MR. QUINN: Okay.

18 CHAIRMAN DR. VICTOR: Ted?

19 MR. QUINN: Okay. It's Ted Quinn.

20 I -- I went -- I attended, John, the meeting
21 up in Sacramento and I thought that the exchange with
22 the public was -- was very well done.

23 MR. KOTEK: Thank you.

24 MR. QUINN: And so I think you did get a lot
25 of input. I had -- I just wanted to confirm that

1 you're leaving out the defense waste. It's not
2 included, I assume. I ask your confirmation.

3 And then, second, in your regional meeting
4 that you've had, I think you've had five so far, have
5 you seen regional differences in the response of -- of
6 priorities of what the public is interested in?

7 MR. KOTEK: So, on your first question, you
8 asked about defense waste. I didn't spend any time on
9 that just because it's not the topic at hand.

10 We -- we do, of course, have a significant
11 volume of defense origin waste stored principally at
12 the Department of Energy sites, mostly left over from
13 the Nuclear Weapons Production Program back when we
14 were making plutonium, especially, for -- for nuclear
15 weapons; that stopped in the late 80s, maybe early 90s.

16 But there's still a volume of waste there, a
17 large volume of waste up at Hanford site that needs to
18 be solidified and then disposed in a -- in a deep mine
19 geologic repository, like spent fuel would -- would
20 need to be.

21 The President actually issued a finding last
22 year that allows us to move forward potentially with
23 the siting of a separate repository just for
24 defense-only waste disposal.

25 MR. QUINN: Okay.

1 MR. KOTEK: That's something we're looking at.
2 We're not locked into that path, but certainly
3 something we'll -- we'll look at. Although, there are
4 some defense waste, like the Navy spent fuel, for
5 example, that I think, you know, probably needs to be
6 disposed of alongside commercial fuel just based on
7 characteristics.

8 And then -- I'm sorry. The second part of
9 your question was?

10 MR. QUINN: Was -- was there any other
11 regional differences from the meetings?

12 MR. KOTEK: Oh, regional differences? Thank
13 you. Some, you know, we -- we heard more --

14 It may -- it may have more to do with just
15 sort of audience turnout than differences in views in
16 the regions. I did point out one which was, you know,
17 we do get a different message on the -- from the
18 shutdown plant community, depending on how long it's
19 been that they've been shut down. Right? So that's --
20 you know, that is one issue.

21 In other parts -- I know, for example, when we
22 go up to Minnesota, we're going to hear from the
23 community. In particular, there's a tribe just
24 adjacent to the Prairie Island reactor.

25 I mean, literally you sit, you know, in the

1 tribal chamber office and you look over at the spent
2 fuel pad. So, I mean, they're right on top of each
3 other. So we hear -- you know, we hear a lot more
4 from -- you know, from communities like that that may
5 be proximate to a facility. But a lot of the same
6 things, themes are coming out meeting after meeting.

7 CHAIRMAN DR. VICTOR: I need to keep us moving
8 along. Glenn Pascall.

9 MR. PASCALL: John, in another briefing you
10 gave, you noted that there was actually a queue of the
11 shutdown plants in terms of their eligibility to have
12 the waste shipped to a facility if it began operation.

13 And, currently, as I understand it, the queue
14 is based on which plant signed up to be in the queue
15 first. And so my question for you is this. Obviously,
16 every community would like to be at the top of that
17 list and every community thinks it has a good reason.

18 In our case, we have a population base that's
19 probably the largest within whatever radius you want to
20 pick. We also have a very tiny and exposed location.

21 And the question is:

22 Is there any possibility through the political
23 process of moving those kind of criteria to a point
24 where they govern rather than who first signed up to be
25 in the queue?

1 MR. KOTEK: So as I've told a couple of you,
2 to your last question, the fastest way for me to get
3 fired is to tell people to go lobby Congress. All
4 right. So I don't -- I'm not going down that road.

5 On this question of the queue, it is --
6 because of the settlements that have been reached, and
7 this is you're asking a lawyer question to a nuclear
8 engineer, so I may not have all the specifics exactly
9 right here.

10 But, yes, it has to do with when -- when
11 people signed up. It's been recognized in law because
12 the lawsuits are based on when waste was supposed to
13 have been picked up. That's when you get paid, is when
14 DOE is late. Right?

15 So there is this order and that's something
16 that I can provide you. I should get our counsel to
17 get you all more information on exactly how that works
18 because it's something I'm not clear on.

19 CHAIRMAN DR. VICTOR: But, I think, clearly,
20 and this was in Rob Oglesby's slide, as well, the idea
21 of how decommissioned plants get to the top of the
22 queue is clearly very important that we ought to have a
23 way to rethink that.

24 Pam Patterson. We have -- we have a little
25 bit of time, five or six minutes.

1 Pam Patterson, you're next and then, I think,
2 Tim and then Garry.

3 MS. PATTERSON: Thank you.

4 So I'm a representative of the City of
5 San Juan Capistrano, the hosting city here.

6 And I -- so my questions are:

7 This is supposed to be, in my opinion, a
8 community engagement panel, which is why you've chosen
9 that title. So for one thing, just for starters, why
10 is it that the citizens don't have tables out in the
11 hallway, and it's basically just a Southern California
12 Edison trade show that we got out there?

13 (Applause.)

14 CHAIRMAN DR. VICTOR: Folks, please.

15 If you want to get through the agenda tonight,
16 we have to just let people speak.

17 MS. PATTERSON: So this -- Southern California
18 Edison has created a nuclear mess on our shores and
19 they are, in my opinion, being very cavalier with
20 respect to this mess that they have created.

21 And, of course, much of the mess has to do
22 with poor management and the ratepayers are being
23 handed the bill for Southern California Edison's poor
24 management. What I believe this really should be is a
25 vetting process.

1 And I'm an attorney and I actually represent
2 children with disability against corrupt governments,
3 so I deal with this all the time and I know basically
4 how the whole thing works.

5 But in accord of law, and even in a fair
6 hearing, which typically they're not fair but, you
7 know, both sides, the moving party gets to present
8 their papers, their points and authorities, their
9 evidence; the opposing party has about two weeks or so
10 to get their opposing papers in with their evidence,
11 their points and authorities, their legal research; and
12 then the moving party gets to rebut that. Okay.

13 So that, really, I believe is the way this
14 should be conducted. I believe that --

15 First of all, how do we get items on the
16 agenda? What's the procedure?

17 CHAIRMAN DR. VICTOR: You know, why don't we
18 focus on questions for John Kotek? And then --

19 MS. PATTERSON: Well, this will involve him,
20 as well.

21 But how do we get items on the agenda?

22 CHAIRMAN DR. VICTOR: We'll -- we'll come back
23 to this other question.

24 MS. PATTERSON: So you're not going to answer
25 that question? It's a pretty, very basic question.

1 CHAIRMAN DR. VICTOR: I'm going to answer that
2 question at the end of the meeting when we respond
3 to -- (Simultaneous colloquy.)

4 MS. PATTERSON: Okay.

5 CHAIRMAN DR. VICTOR: -- other comments
6 related to that.

7 MS. PATTERSON: So -- so I believe the
8 presentation should be that that are on the agenda
9 should be posted two weeks in advance so that other
10 points of opinion can be -- people can do their
11 research, they can gather their evidence, and then they
12 can counter that. They would be given the opportunity
13 to counter that information.

14 So, in 2003, I was at a Nuclear Regulatory
15 Commission hearing in San -- held in San Clemente with
16 respect to the fact that the nuclear power plant had
17 had more emergency shutdowns that quarter than they
18 were allocated.

19 At that hearing I requested an independent
20 third party with the requisite credentials and the
21 security clearance needed to go into the plant, do an
22 assessment and come back out and tell us whether it was
23 safe or not; that request was officially denied by the
24 NRC. And, quite frankly, I think it's a -- a fair
25 request, to make everybody in the community feel safe.

1 So now fast forward it, you know, how many
2 years later, I -- I still don't think that we have
3 that. Okay? And, really, what I'm asking is, so a
4 parent under the Individuals With Disabilities
5 Education Act has the right to get an independent
6 evaluation for their child and the school district has
7 to pay for it. Okay?

8 So I think that we should have an independent
9 evaluation of the situation by a party that we choose
10 and --

11 (Applause.)

12 CHAIRMAN DR. VICTOR: Folks.

13 MS. PATTERSON: -- and the utility companies
14 should pay for it. And that way, we then will have
15 instead of this candy -- what I see as a continual
16 candy-coating exercise where, really, in the end, the
17 stakeholders have limited amount of time. They don't
18 get to do -- put a PowerPoint on up here.

19 And so I -- I just feel, I really object to
20 the way that this entire thing is being conducted. I
21 really don't feel like -- I feel like they're
22 handpicked people on this panel, who are pro Southern
23 California Edison, pro nuclear.

24 And so -- and that is really -- and it's
25 intended that way, that that is the position that is

1 going to be presented. But it's, you know,
2 candy-coated as a Community Engagement Panel when
3 really the community is actually being not allowed to
4 engage.

5 (Applause.)

6 CHAIRMAN DR. VICTOR: Folks.

7 MS. PATTERSON: When you say that the
8 seismicity of Cal -- you're talking about the
9 seismicity of California.

10 Well, wasn't that known at the time that they
11 put this power plant there? And so I really don't
12 think that in any way that could -- that anybody could
13 claim that that was a surprise.

14 So you have created an ultra-hazardous
15 condition in our neighborhood and it's easy, if you
16 live in Washington D.C. or whatever, to be fairly
17 cavalier about the situation.

18 But -- but we've got improper canisters that
19 have been chosen to store these spent fuel rods. The
20 spent fuel rods are being improperly stored and it's
21 all about saving money.

22 So, Fukushima, that disaster had a lot to do
23 with the fact that the utility company was able to get
24 the government of Japan to change the requirements on
25 the tsunami walls.

1 CHAIRMAN DR. VICTOR: Okay.

2 MS. PATTERSON: They lowered it because --

3 CHAIRMAN DR. VICTOR: Unfortunately --

4 MS. PATTERSON: No. I am going to finish.

5 -- they wanted, so they lowered the walls.

6 And so when -- you know, we live in earthquake
7 land. Okay. And we live right next to the ocean. So,
8 I mean, are you really trying to say that that cannot
9 happen here?

10 We don't even have tsunami walls here. But
11 they didn't then. So they saved their money and they
12 were given the permission. Quite frankly, they changed
13 the law, so they didn't have to build the walls that
14 high and that is why we have that enormous catastrophe
15 that occurred.

16 And if you think that we, personally, are not
17 being impacted by that radiation, you're lying to us.
18 Okay? Because we are being impacted by it.

19 (Applause.)

20 MS. PATTERSON: And the powers that be are
21 not -- are refusing to do the testing and to, quite
22 frankly, give us this information, they're blocking
23 that. And this is supposed -- I mean, 4th of July is
24 coming up.

25 This is supposed to be a "We, The People"

1 country. "We, The People" means we're the
2 decisionmakers, not the government.

3 So and when it gets skewed like that,
4 government always has -- they -- government gets
5 skewed. Okay. And so it becomes --

6 CHAIRMAN DR. VICTOR: Can you please wrap up?
7 Because --

8 MS. PATTERSON: I'm about to.

9 CHAIRMAN DR. VICTOR: Okay.

10 MS. PATTERSON: It becomes cronyism, and we
11 have things like Fukushima occur. Okay? Because the
12 government is in the back pockets of the utility
13 company and the decisions are made for the benefit of
14 the utility company and those people in the government
15 that the utility company is supporting.

16 And I think that this panel is, quite
17 frankly -- that's what we're doing up here. Okay?
18 We're pretending that this situation in San Onofre is
19 safe and everything is being taken care of exactly as
20 it should, so.

21 CHAIRMAN DR. VICTOR: Okay. Thank you.

22 MS. PATTERSON: That's what I had to say.

23 CHAIRMAN DR. VICTOR: Okay. Thank you for
24 your comment.

25 (Applause.)

1 CHAIRMAN DR. VICTOR: Folks?

2 We've -- we've unfortunately -- we've

3 unfortunately used --

4 (Applause.)

5 CHAIRMAN DR. VICTOR: Unfortunately, we've now

6 used half of the -- half of the question period that we

7 have with John Kotek, who has flown out here from

8 Washington, for that comment, which I appreciate the

9 comment.

10 I'd like to make sure, very briefly, Garry

11 Brown -- I'm going to withdraw my questions.

12 So, Garry Brown, can you briefly ask your

13 question? Then Tim Brown and then we're going to have

14 to move on.

15 MR. BROWN: Yes. I -- I just wanted to ask

16 John a point of clarification.

17 MR. KOTEK: Uh-huh.

18 MR. BROWN: On the consent-based siting, is

19 that specifically for CIS sites and -- and/or are you

20 trying to use it for both geologic --

21 CHAIRMAN DR. VICTOR: Both storage and

22 disposal.

23 MR. BROWN: -- of course, the geologic to find

24 a site suitable and then have the people invite you?

25 That's going to be like lips on the chicken,

1 isn't it?

2 MR. KOTEK: Well, it's -- I mean, we've --
3 we've seen it work in other countries. Right? We've
4 tried the other approach, the top-down approach in the
5 U.S. and it hasn't worked, so we're going to try what
6 works elsewhere.

7 MR. BROWN: Okay. I just wanted to --

8 MR. KOTEK: No. I appreciate it. I -- I'm
9 not pretending it's going to be easy.

10 MR. BROWN: Right.

11 MR. KOTEK: Right?

12 MR. BROWN: Right.

13 MR. KOTEK: Okay?

14 MR. BROWN: Okay.

15 MR. KOTEK: But we think this gives us the
16 best chance of success, so we're going to -- we're
17 trying to do it right.

18 CHAIRMAN DR. VICTOR: Tim Brown. Last
19 question.

20 VICE CHAIRMAN BROWN: Yeah. My question is,
21 you've asked for feedback on this series of questions
22 located in this pamphlet all of them relating to
23 consent-based siting.

24 MR. KOTEK: Yep.

25 VICE CHAIRMAN BROWN: Are you looking for the

1 public to give you their impressions? Or, you know,
2 what kind of feedback are you sort of looking for?

3 MR. KOTEK: Well, you know, we always welcome
4 that. I mean, of course, the official stage of the
5 process we're at right now is, give us response to the
6 questions. But to the extent that you look at this
7 thing and you say "It hasn't answered my question on A,
8 B, or C." Or "We think, you know, you could have
9 presented this information better," you know, whatever
10 sort of feedback, you've got to let us know.

11 I mean, if you've got questions, we've got,
12 you know, technical resources and lawyers and other
13 folks who can -- who can help get the answers to the
14 questions you've got, so send them our way.

15 VICE CHAIRMAN BROWN: Okay. David, as a
16 follow up, I think it would be useful to have a
17 consent-based siting page on SONGScommunity.com --

18 CHAIRMAN DR. VICTOR: Okay.

19 VICE CHAIRMAN BROWN: -- with these questions
20 posted there, so folks could email and we can forward
21 that on. I mean, these are interesting questions that,
22 frankly, you know, I think that many folks may have
23 opinions about and the easiest conduit to getting that.

24 I don't know about getting things put on the
25 Federal Register, that type of comment, but maybe if we

1 were to generate emails we could forward --

2 MR. KOTEK: Yeah, by all means.

3 VICE CHAIRMAN BROWN: -- all the contacts.

4 MR. KOTEK: You can send it in. And there
5 should be in there an email address you can send that
6 stuff to. But, if not, get a hold of me and we'll get
7 it out.

8 CHAIRMAN DR. VICTOR: Let's work out the
9 technical view of it. But the key point, I think, it
10 will help make this more transparent to these
11 communities here.

12 Let me just put a sharper point on what Tim
13 have just said, which is, before your process began,
14 there were already two communities that have said "We
15 want to do this," and one of those communities is very
16 close to the Waste Isolation Pilot Plant and, so, knows
17 actually a lot about the risks and opportunities.

18 And it sounds like you're expecting other
19 communities, maybe a lot of other communities, to sign
20 up. How will we know consent when we see it?

21 So, for example, there's this resolution from
22 the supervisors of Andrews County in West Texas that
23 says, you know, "We, as the Democratic elected and
24 appointed process here, say, we support pursuing this,"
25 there's a letter from the governor of New Mexico,

1 democratically elected governor of New Mexico, in
2 addition to the local communities supporting New Mexico
3 that says, "We really support this."

4 Does that count as consent or is that one of
5 the questions you're looking at?

6 MR. KOTTEK: Well, that's exactly one of the
7 questions we're looking at. When the Blue Ribbon
8 Commission looked at this, the Commission concluded one
9 demonstration consent would be the willingness of a
10 host state to sign a legally enforceable agreement with
11 the waste management entity, in this case, you know,
12 us.

13 But it could take different forms in different
14 states. We've seen examples where agreements like this
15 have gone to the ballot in Idaho, where the governor
16 signed an agreement, it was challenged and upheld at
17 the ballot.

18 On the other hand, in New Mexico, closed to
19 the Waste Isolation Pilot Plant, the state never said
20 "yes" or "no," but through a series of lawsuits,
21 they've got enough legal authorities and -- and other
22 concessions that they weren't allowed the "go ahead."
23 So it could look different in different places.

24 CHAIRMAN DR. VICTOR: Okay. Thank you very
25 much. So, we're -- now that we're a little bit behind,

1 so we're just going to roll the clock forward and then
2 some miracle is going to occur somewhere with time
3 travel. So, now the next -- the next segment is with
4 Jack Edlow, President of Edlow International, who's
5 going to talk about transportation of spent nuclear
6 fuel.

7 Jack, the floor is yours.

8 MR. EDLOW: Thank you very much.

9 If it's okay with you, I will take the
10 microphone.

11 CHAIRMAN DR. VICTOR: Yeah, that's great.

12 MR. EDLOW: So I can stand.

13 Well, I'm here to basically -- well, I'm here
14 to basically address the panel. I think it's
15 appropriate to the public to have a chance to see me.
16 I may regret that later if you all chase me into the
17 parking lot, but I'll take that chance.

18 Thank you all very much for the invitation to
19 come out here and to meet with you and to explain what
20 I do. All right? Because it may have some information
21 that could be useful to you.

22 My name is Jack Edlow. I run a company called
23 Edlow International Company. It goes back to 1950s.
24 My -- my father began this company. I've worked since
25 1969. Our sole business is transportation of

1 radioactive materials, all types of radioactive
2 materials, things used for medical purposes, things
3 used for research, for agriculture, for universities,
4 for industrial, for power, and some legacy materials
5 that need to be moved from around the world, as well --
6 all kinds of materials, including spent fuels. All
7 right?

8 And my father moved his first spent fuel in
9 1963. I'll show you some pictures. Actually, the
10 pictures are already up there. The one on the left is
11 the first four casks, which came back to the
12 United States, under President Eisenhower's Atoms for
13 Peace Program.

14 My father is the gentleman on the left. And
15 that picture was taken in Idaho. The first shipment
16 went to Idaho, into the Port of Savannah. I'll go back
17 to some of these other pictures in a few minutes.

18 But we moved all kinds of radioactive cargos.
19 Now, all cargo in the world, including radioactive, has
20 two aspects: Safety and security. Of course, with
21 radioactive cargos you have different safety issues
22 than you would have, say, with computers or general
23 cargo.

24 So we have to deal with safety issues and we
25 have to deal with security issues. And when you go to

1 something like spent fuel, of course, you have
2 heightened safety issues and different security issues,
3 as well. And so we have to deal with those matters.

4 We are highly regulated in our industry by the
5 Nuclear Regulatory Commission -- Ms. Macfarlane was the
6 chairman at one time, so she was my regulator -- and by
7 the Department of Transportation for other aspects of
8 the business, and internationally, because I work
9 internationally. We are involved in -- in materials,
10 shipments all around the world, all around the world.
11 Then I move spent fuel all around the world.

12 I use all modes of transport, including for
13 spent fuel. We move spent fuel by truck. And as the
14 picture show here, by rail.

15 I don't know who's running the pictures, but
16 I'm not. I've got this.

17 But can you go back?

18 CHAIRMAN DR. VICTOR: Here you. This one --
19 this one may actually be connected to reality.

20 MR. EDLOW: Okay. Is there a back button
21 here?

22 CHAIRMAN DR. VICTOR: I would say --

23 MR. EDLOW: Oh, I was -- that's -- let's go
24 back to that newspaper clip.

25 That's a picture of the first rail shipment

1 that came from the port of Savannah in 1963. That's
2 pictures that my father kept in his scrapbook to show
3 the first shipment. I attended that as a 14-year-old
4 child.

5 My point is, we use all modes of transport.
6 We use rail. I'll show you some pictures of a truck in
7 a few minutes. We use ocean because we move it around
8 the world.

9 And from time to time, on emergency basis, we
10 have moved by air. I'm going to show you one picture
11 of an air shipment that we had to make out of Colombia.
12 I was given 24 hours by the Department of Energy to
13 move some spent fuel out of Colombia at a very critical
14 time in that country's history and we accomplished it
15 because it needed to be done.

16 Normally, you don't do it by air; normally,
17 you do rail, truck, and by ocean.

18 So safety is a great matter and the regulators
19 have determined that packaging is the first line of
20 safety. So the packages are extremely robust. These
21 are not paper bags or these are not cardboard boxes.
22 These are very secure, specifically-designed packages
23 to maintain their integrity during the shipping process
24 and even in terms of major accidents, major accidents,
25 and there are IAEA regulations, which the U.S. adopts

1 and comments on --

2 CHAIRMAN DR. VICTOR: IAEA is International
3 Atomic Energy Agency.

4 MR. EDLOW: That's right. Thank you.

5 And these include puncture, fire, water
6 emersion testing. And, in addition to that, there have
7 been some beyond-regulatory testing done, including
8 shaped charges and hitting them with locomotives,
9 traveling at 80 miles an hour, and these packages
10 survived very, very well, and materials in that.

11 Disburse: So safety is the premier, important
12 item from the point of view whether it's sitting on a
13 pad or whether it's moving, and in the thousands and
14 thousands of shipment that spent fuel has taken place,
15 there have been accidents, but there has never been a
16 disbursal of any material.

17 Security is also a matter of interest. It
18 goes back to the 1970 when security became more of an
19 issue when we began to have hijacking of aircraft, not
20 for spent fuel, but for other materials.

21 And, of course, in recent years we all are
22 much more concerned about security than we were just
23 even before 9/11. So security is also a matter of
24 interest to us and concern and there are regulations
25 involved in this that we have to follow.

1 While safety doesn't change a lot, that is,
2 the safety standards are pretty standard and the
3 packages can improve over years. But, generally,
4 safety standards remain the same.

5 Security Changes: Security changes sometimes
6 hour to hour. Different locations, different countries
7 that I work in have different security requirements at
8 different times. On 9/11, I had 54 trucks moving in
9 the United States, not with spent fuel but with other
10 materials, and security changed at ten o'clock that
11 morning. Let me tell you, security changed, and things
12 had to happen.

13 So we have to be flexible in security, even
14 during the course of a particular shipment, to make
15 sure that if something changes, we can change our
16 security requirements, as well. So it's quite specific
17 and we do a lot of advanced planning.

18 We move shipments internationally from points
19 overseas to the United States and from the
20 United States to points overseas. And I'm going to
21 show you a couple of pictures just now on some of these
22 other shipments.

23 So if I do that (indicating).

24 That's -- those are rail shipments in the
25 United States, different types of casks and different

1 types of containers. These are lighter casks than they
2 have at San Onofre, so they move on regular rail cars.

3 Here are a couple of truck shipments, also,
4 with security in this particular case to show that we
5 do have escorts with all spent fuel, both escorts,
6 which you can see and, in some cases, escorts which you
7 can't see. The amount of security differs from
8 shipment to shipment. And that's all I'm going to go
9 into as to the specifics of it, but it is significant.

10 Here's two different pictures of see -- the
11 one on the left, the black ship is a charter vessel and
12 that's a smaller vessel for a small amount of fuel.
13 The other one is a larger vessel. It has eight casks
14 that have Japanese fuel in them. And you're going to
15 see that ship in a larger setting in a minute.

16 The one on the left is the emergency shipment
17 out of Colombia, out of Bogota, which we accomplished
18 on that Russian aircraft. And then the other is a
19 shipment that took place out of Chile the day after the
20 major earthquake that took place. It was a 9.2 or
21 something earthquake.

22 We, my staff were already there and we managed
23 to make the shipment one day late. That -- we had to
24 change the port. That was the only acceptable port
25 left in -- in Chile, but it still had a crack in it.

1 Now, this is a special purpose vessel that one
2 of my clients in the UK has designed and operates.
3 This is used -- this vessel was designed to carry
4 nothing but spent fuel at all, and this is -- it's in
5 use worldwide. When I need it, I can charter it. And
6 they use it for other clients, as well. It's designed
7 to carry spent fuel.

8 Here's their port in the UK, which they lift
9 off the fuel to put on their rail wagons, which you'll
10 see on the one on the right. And this is an integrated
11 system, which they have developed for the casks, the
12 rail and the ship all to fit together in a certain way
13 for safety concerns.

14 They also have security built -- built into
15 their operation, including they can carry many, many,
16 many armed personnel on their vessels and they can run
17 vessels with weaponry in conjunction with the ships, if
18 need be.

19 More pictures key side of their operation in
20 the UK. Here's another one of their trains on the
21 right, delivering fuel, spent fuel, in the UK. They --
22 their engines look different and their casks weigh
23 about a hundred tons. They also have their special
24 purpose cars here, like U.S. is considering developing
25 in this country.

1 And this is meant to be a time-lapse video of
2 unloading of a cask, but I understand it's not working
3 here on your system. It will be uploaded to the
4 website, I'm told, so that you can view it.

5 It's a fascinating two-minute movie, showing
6 how the -- how the covers are lifted off of the ship
7 and how the crane reaches in and lifts a 100-ton cask
8 and moves it over and puts it on a rail car and then
9 they move some other components around on the ship and
10 then they move another cask. Very interesting
11 two-minute video. Just so you have an idea of how it
12 looks to actually move fuel.

13 So we have safety and we have security and we
14 have a lot of experience. Now, I don't want to
15 downplay the movement of your spent fuel because it's
16 very important to you. You have to understand, as soon
17 as Mr. Kotek or the San Onofre people or you all decide
18 where you want this to go, all you've got to do is call
19 me. I can move this stuff.

20 This is -- this is not that difficult,
21 frankly. I've got to tell you, it's not that difficult
22 to do this. I have moved fuel from Israel through
23 Turkey to come to the United States. I have moved
24 stuff out of Iraq by air after the first war back to
25 Russia for the IAEA, for the Atomic -- International

1 Atomic Energy Commission.

2 I have done very difficult things. This one
3 is not that difficult. Okay? We can do this. It will
4 go either by rail or by water. It's not determined.
5 Because, you know why? We don't know where it's going
6 to go.

7 When you tell where it's going to go, then we
8 can decide what's the best way we're going to move it
9 there, and it can be done economically and it can be
10 done safely and, depending upon what the circumstances
11 are, it can be done securely. If the situation is
12 difficult at that time, we'll stop with the shipment
13 because it's not secured.

14 But this is not a hard one and we can get this
15 done and you can get this done and Mr. -- Mr. Palmisano
16 and his team can get this done when the time comes. We
17 just need to know where to take it.

18 So, thank you very much. I'm happy to answer
19 the Panel's questions.

20 CHAIRMAN DR. VICTOR: Okay. Thank you very
21 much, Jack. So --

22 (Applause.)

23 CHAIRMAN DR. VICTOR: Please. Please.

24 I want to see if there are questions from
25 members of the Community Engagement Panel.

1 Let me just begin with one to you, a kind of
2 big-picture question:

3 So, John Kotek told us about -- we're in the
4 middle of 2016. John Kotek told us about a consent
5 process, maybe other communities are going to emerge,
6 there are two communities that are already going
7 through a licensing process. We're now in 2020. There
8 are places, ZIP codes, places to send the fuel.

9 Help us understand what happens then and what
10 we can do here to help pave that way?

11 I assume there's a lot of complicated
12 transportation planning and local regulatory issues and
13 coordination. Do we need to be preparing that
14 groundwork now or should we be waiting?

15 Help us understand practically what to do.

16 MR. EDLOW: Okay. So I get called even now to
17 move fuel.

18 And there are two basic documents that we need
19 to prepare: One is a transportation plan and the other
20 is a security plan, and both of those are required by
21 the Nuclear Regulatory Commission in order to prepare a
22 shipment. So we have to know the route that we're
23 going to take.

24 Excuse me. I have a little bit of a cold.

25 So we have to go out and do route surveys to

1 decide what's the best way to get from A to B. And so
2 whether it's San Onofre to New Mexico, Texas, Yucca
3 Mountain, Canada.

4 I don't know where you're going to take it.
5 We have to take a look at the logistics of this and
6 say, "We're on the water. Are we not better off to
7 stay on the water as much as we can?" We don't want to
8 go to major population areas, so we try to avoid that.

9 So we take a look at logistics and you make --
10 pick out two or three and then you do some site surveys
11 and you decide what's the right way to go logistically.

12 Then you have to put in place a security
13 requirement for that and you have to have a separate
14 plan. Now, to do the security, we always touch base
15 with all first responders along the route; that's the
16 police and the fire.

17 Because all along the route, in case of an
18 accident or a security issue, you need to be able to
19 reach out and they need to know in advance what's going
20 to happen.

21 According to regulations from the Department
22 of Transportation, we also have to notify the
23 governor's representative from each state that we're
24 going to pass through and they can receive the dates
25 involved; nobody else can get the dates, for security

1 reasons.

2 We're not going to publish the date in the
3 newspaper because, if we've got security, it doesn't do
4 you any good if you've got security, if you publish it.
5 So they have to know because they need to be aware of
6 what's going on in their state at that given time.

7 Now, putting this together takes some time.
8 It depends on how far you have to travel, how many
9 jurisdictions you have to deal with, how many people we
10 put on the job. But generally speaking, I can make a
11 plan within six months and get it ready to move.

12 Now, the next thing you have to do is, you
13 have to have the equipment available to move these --
14 these casks. These are not really heavy. I mean,
15 these are 100-ton, 130-ton units. It may sound heavy
16 to us here in the room. But frankly speaking, as cargo
17 goes, that's not really heavy.

18 I've seen pieces moved that are 1,000 tons
19 across the rail in the United States, so they're much
20 heavier things that can move, as well. I would say
21 that you then have to have the necessary equipment,
22 necessary rail cars. It has to be an integrated
23 system, so it all works together.

24 You don't want it to be haphazard and changing
25 things at the last minute. And once you build that

1 system for the certain kind of equipment, it'll work
2 all around the country for this site and other sites,
3 as well.

4 CHAIRMAN DR. VICTOR: Ted Quin, then Pam
5 Patterson.

6 MR. QUINN: Yeah. It's Ted Quinn.

7 I have a question on the next steps that would
8 be your -- that's yours, that you do, in the U.S., we
9 have two or three or so major cask builders that build
10 the cask, the dry cask storage.

11 Are you -- what are the necessary steps to you
12 to go from today to where all of those can move?

13 Do you have everything you need or what do you
14 need from here?

15 MR. EDLOW: You're right. There are many
16 designs of casks and they're controlled by three
17 different designers, builders, owners of these casks
18 systems. Some are transportable as they are now.

19 They just need what we call impact limiters on
20 the -- on the ends. These can be manufactured
21 relatively easily and in case of an accident, it limits
22 the impact. Others require an overpack to be built, to
23 go over the canisters; some exist now. These can be
24 built relatively quickly. A fleet needs to be
25 developed.

1 Personally, I think we should have a generic
2 overpack, which will match with most, if not all the
3 designs so you don't have to build thousands of
4 overpacks. You can build a couple of hundred of them
5 and then you can move these -- these canisters to
6 different sites on a -- on a, you know, routine basis,
7 changing these from one place to the other.

8 I mean, we may be shipping from San Onofre at
9 the same time that we're shipping from Maine Yankee,
10 you know, and you have pieces moving back and forth and
11 all around.

12 And who says we can only make one shipment at
13 a time? I think Federal Express started with a hundred
14 shipments their first night, but they probably do a
15 millions shipments a night now.

16 So why can't we do two or three in a day? I
17 don't see why we can't -- as a nation, why we can't
18 move hundreds and hundreds of casks over the period of
19 a year.

20 That doesn't -- you know, I -- I don't see why
21 we can't do that with the right system. So it makes
22 sense to get enough equipment. If you need special
23 rail cars, fine. If you don't, you use common rail
24 cars.

25 MR. QUINN: So the overpack is not designed

1 yet?

2 MR. EDLOW: They are designed and there are --
3 most of them I believe are approved. I think -- I'm
4 not sure about all of that. I'd have to check and see.

5 But many systems have approved overpacks, but
6 people haven't built them because they're not ready to
7 start moving yet.

8 MR. QUINN: Okay.

9 MR. EDLOW: No reason to make the investment
10 today if things might change by the time Mr. Kotek
11 makes the siting decision.

12 CHAIRMAN DR. VICTOR: Okay. Thank you.

13 We're tight on time. Pat Patterson.

14 MS. PATTERSON: Thank you.

15 Mr. Edlow, can I get your phone number?

16 MR. EDLOW: Absolutely.

17 MS. PATTERSON: Thank you.

18 MR. EDLOW: Okay. I gave you my card; right?

19 MS. PATTERSON: I don't know.

20 MR. EDLOW: Let me see. There may be --

21 CHAIRMAN DR. VICTOR: Okay. We can probably
22 work phone numbers -- (Simultaneous colloquy.)

23 MR. EDLOW: We'll do that -- I think -- I
24 think there was one slide. If anybody wants my email,
25 my email is on this. I'm not going to give everybody

1 my phone number, but you can certainly write to me
2 anytime and I will respond to everybody.

3 Thank you very much for the opportunity.

4 CHAIRMAN DR. VICTOR: Thank you very much for
5 your comments and your contributions.

6 (Applause.)

7 CHAIRMAN DR. VICTOR: So the last of the three
8 speakers we have now is Allison Macfarlane, who is
9 going to help us understand kind of the way forward and
10 how the whole back-end of the fuel cycle as it's called
11 is integrated.

12 Allison Macfarlane, the floor is yours.

13 DR. MACFARLANE: Is this on? Good.

14 All right. Thank you all very much. I'm
15 going to come over here. I know I'm talking to your
16 backs. I hope you'll live with me. But I thought that
17 Tom had it good, to -- to sort of stand aside. Of
18 course, I'll try not to stand in front of the light.

19 So it's a real honor to be here. I really
20 appreciate the invitation from the Community Engagement
21 Panel. I am really excited that the Community
22 Engagement Panel is working.

23 When I was Chairman at the NRC, I did have a
24 few discussions with Southern California Edison about
25 developing a Community Engagement Panel because I think

1 it is important for the community to be engaged.

2 And I'm really pleased to see so many of you
3 here tonight giving up three hours of your evening to
4 be here. You're so engaged and concerned about these
5 issues. I -- I think that's fantastic and I look
6 forward to the -- to the discussion.

7 So, what I'm going to talk to you about
8 tonight are some of the preliminary results of a
9 project that I've become involved with. It's
10 spearheaded by Professor Rod Ewing at Stanford
11 University and we call it "The Reset of the Nuclear
12 Waste Management Strategy in the U.S."

13 So I'm going to speak generally about the U.S.
14 strategy or lack thereof on specifically, right now,
15 integrating the back-end of the fuel cycle. So our
16 little reset group, we have a steering committee of
17 eleven and we have a variety of people who come to the
18 meetings.

19 You're all welcome to look into this. If
20 you're in town, you're welcome to come to one of the
21 meetings; they're either at Stanford or at George
22 Washington University in D.C. Our next meeting is at
23 the end of August. I'm not going to give you a long
24 website. Simply Google "Stanford Reset Nuclear Waste"
25 and you will find it.

1 Okay. So I'm going to tell you some
2 preliminary results from the last meeting that we had
3 in May, where we talked about integrating the back-end
4 of the fuel cycle. And I'm not speaking specifically
5 about the situation here at SONGS. Okay? I just want
6 to be clear about that. All right.

7 So we have some guiding principles that we use
8 and one is that -- that the whole reset crew agrees
9 with: Above ground storage is not an acceptable
10 permanent solution for spent nuclear fuel. I imagine
11 that some of you may agree, at least right here, for
12 the SONGS situation.

13 But that's not -- it's not, in my view, a
14 desirable outcome because you will commit wherever that
15 fuel is to some kind of contamination sometime in the
16 future -- hundreds, thousands of years, whatever.

17 So we feel that it is essential to keep our
18 eyes on the prize, which is a repository, some kind of
19 geologic repository for nuclear waste. And echoing
20 John's remarks there. We also feel that it is our
21 ethical responsibility to deal with this material and
22 not leave it to future generations.

23 I'm not hopeful that new physics will be
24 discovered in the next few hundred years that will
25 magic this stuff away. We have to deal with it. We

1 have to grapple with it. It's there. Let's be
2 practical. All right.

3 Now, we have a situation in this country,
4 which was agreed to politically, it is not the fault of
5 the utilities, it was agreed to by Congress, it was
6 pushed on everybody by your government, all right, and
7 that is that we have waste generators who are not
8 responsible for the disposition of the waste. It is
9 not the fault of the waste generators. That is the
10 political reality in which we live.

11 Other countries do not have that situation.
12 All right. But we have this disconnect. And I think,
13 right now, we have kind of a broken system, certainly
14 with regards to the integration of the back-end of the
15 fuel cycle.

16 So, what is integration?

17 Okay. You start with the reactor, like SONGS.
18 It produces spent nuclear fuel. We put that spent
19 nuclear fuel in a pool to cool for a while. Once it's
20 been in the pool for sufficient period, you can put it
21 in a dry cask.

22 And if you want, you can transport that dry
23 cask, as Jack was just talking, to a consolidated site,
24 some kind of interim storage site, which does not yet
25 exist, or in, what I would like to see sooner rather

1 than later, is to some kind of repository.

2 So, to do this requires some thought and it
3 requires a number of factors to be in place. It
4 requires a number of technical issues. Right now, we
5 have lots of different fuel types and we have lots of
6 different canisters and we have different canister
7 types that were not designed for a repository.

8 Do we need them to be designed for a
9 repository? Maybe. There are a number of particular
10 issues, that I'm not going to get into the details of
11 right now, that matter.

12 There are logistical issues -- we talked a
13 little bit about it with Jack -- that have to do with
14 planning for the moving of fuel. Yes, we can move the
15 fuel; that is a given.

16 We do it already. Jack does it on a regular
17 basis. Many countries do it. This is not anything --
18 this is not rocket science. But we do have to plan for
19 it.

20 There was a question about the timing of who
21 goes first. My understanding of who goes first is
22 oldest fuel goes first. But, as John pointed out,
23 there are a number of stranded sites, sites where the
24 fuel is orphan, and those sites are growing day by day.

25 We, now, yesterday, heard that Diablo Canyon

1 is going to close in 2025. Right?

2 (Applause.)

3 DR. MACFARLANE: So that's just adding to
4 the -- to the numbers. So these logistics have to be
5 thought through ahead of time.

6 And there's another important piece:

7 Are all interested groups participating in
8 this? It's not just the utilities and the government
9 and the fuel transporters and the -- the cask designers
10 and the regulators, it's also the public and public
11 interest groups that feel that they have a stake in
12 this.

13 And so it's important that everybody be heard
14 on this issue. And, of course, there is the regulatory
15 piece. You can't do this without some kind of rules in
16 place.

17 All right. So the current situation -- just
18 some brief statistics. So 80 percent of nuclear power
19 plants have dry storage casks, but 71 percent of all
20 spent fuel is in pools still.

21 I have a number of 12. John, mentioned 14.
22 I'd like to know the other two. There are more
23 stranded fuel sites to come. A number of plants have
24 announced that they will close by 2019, recently. I
25 can go through those with you, if you're interested.

1 The majority of the -- of the waste though is
2 spent nuclear fuel, high-level waste is the spent
3 nuclear fuel in the U.S.

4 Okay. In terms of dry storage, the majority
5 of dry storage in this country is in welded metal
6 canisters that are put into concrete overpacks either
7 stored vertically or horizontally, it depends on the
8 kind.

9 The inventory of those canisters is quite
10 diverse. They're different kinds. And right now
11 there's a trend towards building higher capacity
12 canisters. And so that has some implications, these
13 higher capacity canisters.

14 That is not necessarily the situation at
15 SONGS, but at some sites in parts of the country. The
16 Nuclear Regulatory Commission has licensed these large
17 canisters for a different storage heat thermal limit
18 than a thermal transport limit.

19 So there are two different regulatory limits.
20 And the transport limit is about half of the thermal
21 heat limit for storage.

22 So, what this means is that if you pack these
23 canisters full of hot fuel up to the thermal limit for
24 storage, you have to wait some decades for that fuel to
25 move.

1 When we talked about this at the latest reset
2 meeting, the general feeling was, "Yes, this is an
3 issue. But, really, are we going to make a lot of
4 progress on a place for this to go in the next 20, 30
5 years anyway? Probably not." So maybe not such a big
6 issue.

7 All right. But, overall, right now, what came
8 out of the meeting was that the back-end practices, the
9 practice dealing with that little slide show I just
10 showed you, all those pictures, for the back-end of the
11 fuel cycle is optimized for reactor operation.

12 So the things that are focused on are reducing
13 occupational doses to workers at sites and increasing
14 reactor efficiency, not optimizing the situation for
15 transport and disposal. Okay? So, not a lot of
16 thought into package design, designed packages that
17 would work in a repository, et cetera.

18 So let me just say something about the
19 regulatory situation: You may have heard of the Waste
20 Confidence Decision. Well, it was reinvented in 2014
21 as the Continued Storage Rule, for reasons that I won't
22 go into, but it had to do with a court case.

23 And the Continued Storage Rule is a little bit
24 different, but what it does is, it is a generic
25 evaluation of -- of all the environmental impacts of

1 storage of spent fuel at a site beyond the licensed
2 lifetime of reactors.

3 And what the Nuclear Regulatory Commission did
4 was they evaluated three time periods: They first
5 looked at a short, short, in quotes, period -- sorry --
6 60 years beyond the license expiration, then another
7 period, 160 years beyond the license expiration, and
8 then they looked indefinitely.

9 And they looked at a bunch of different
10 categories of impact, like air quality, or ground,
11 water, or surface water, or socioeconomic, or
12 terrorism. There were 20 different categories.

13 And what they found -- oops. Backwards.

14 What they found was that in almost all those
15 categories, for all three time periods, that the
16 impacts were small. So, what does that mean?

17 That means that, no matter what, you can leave
18 the spent -- according to the Nuclear Regulatory
19 Commission, you can leave the spent fuel where it is
20 and it would be fine.

21 Now, the Nuclear Regulatory Commission made a
22 big assumption in that and they assumed that there
23 would be some kind of institutional controls, some
24 benevolent group that would ensure that once these
25 canisters started rotting away, that they would be

1 replaced and that there would be somebody to pay for
2 it. Clearly, I didn't quite agree with that. But you
3 can read my vote.

4 So, what are the impacts of the current
5 situation? We have a stalemate in this country. All
6 right? It's not -- it's not a positive message here.

7 Congress, the waste -- in their view, for most
8 Congress folks, well, most members of Congress, the
9 waste is safe right now and their political time
10 horizon is two or four or six years, and so they're not
11 motivated to do too much. All right?

12 The Department of Energy, they're working
13 hard, but they do not have the legal authority to solve
14 the problem entirely, unfortunately. In terms of the
15 utilities, many utilities are in the position of
16 needing to reduce costs and these are operating
17 reactors.

18 And so they're not eager to make any changes.
19 There's a reason that you're hearing so many plants
20 closing and shutting down. The nuclear industry is in
21 a bad place economically right now.

22 And there's the Department of Justice. We
23 talked about the judgment fund a number of times this
24 evening. The Department of Justice administers the
25 judgment funds. And from their point of view, because

1 they -- so they pay out of your taxpayer money for this
2 breach of contract.

3 And from their point of view, they are looking
4 for the lowest cost option. All right. So we're stuck
5 with this situation.

6 And then there is the Nuclear Regulatory
7 Commission that has put through this new rule, so there
8 is no forking -- forcing mechanism in the current
9 regulations for any kind of action. All right.

10 So it's not -- not a great situation. There
11 are many technical issues. I discussed some of them
12 already. Who is going to pay for this storage over the
13 long time frame? There's a whole --

14 We touched on a little bit, talking about the
15 judgment fund. But this -- the nuclear waste fund
16 itself is broken. The judgment fund is committing us
17 to, really, endless payments. The whole financial
18 picture in terms of the back-end of the fuel cycle
19 is -- is in a bad way.

20 So, what kind of solutions do we have?

21 Well, if we think practically, there are three
22 paths forward: One is to repackage the fuel at the
23 reactor or centralized site and, assuming that there's
24 a repository for it to go to, it goes to a repository.

25 Or you can just work with what we've got.

1 Okay? So don't repackage the fuel; find some
2 repository somewhere that would accept all these
3 different packages. Or you could leave it where it is,
4 which I've already said is unacceptable.

5 But we need funding reform and we need
6 incentives for change. So, right now, the industry,
7 the Department of Energy, the Nuclear Regulatory
8 Commission, the Justice Department, all need incentives
9 for action, and I don't see any obvious incentives for
10 each of those.

11 So, what I come to for a solution has to do
12 with all of you. All right? And you, too. And the
13 only way to get at a solution is for you guys to
14 pressure Congress to solve this problem.

15 (Applause.)

16 DR. MACFARLANE: And that's a heavy lift. But
17 right now I think that's the only way forward, really.

18 So, okay. I'm happy to take questions.

19 CHAIRMAN DR. VICTOR: Thank you very much.

20 Well, that's a heavy lift, but this is a hard
21 problem and it needs hard work.

22 So I want to ask you a question, as people are
23 putting their flags up: One implication of what John
24 Kotek said is that it would be helpful if the
25 communities around these decommissioned plants got

1 themselves organized, not just around individual
2 plants, but as an alliance across the country, so that
3 there's more pressure.

4 DR. MACFARLANE: Yes.

5 CHAIRMAN DR. VICTOR: And more members of
6 Congress see that and so on.

7 And so I wanted to ask you, A, do you think
8 that's true? It sounds like the answer is yes.

9 DR. MACFARLANE: Yes. Uh-huh.

10 CHAIRMAN DR. VICTOR: And then, B, what are
11 the -- what would be the best way to get that started?

12 DR. MACFARLANE: That's a good question.

13 You know, I think that -- that we did discuss
14 this a little bit at the last reset meeting that
15 somehow organizing all the -- the communities around
16 the decommissioned sites would be very helpful.

17 You know, you guys have an obvious mechanism
18 here. You get together on a semi-regular basis. So
19 other -- other communities don't have that anymore.

20 Some of these plants that have gone to
21 greenfield, except the spent fuel, they -- they don't
22 quite have that capability. So you'd have to reach
23 into that.

24 You might as well start with the communities
25 that do have some kind of organization and -- I don't

1 know. We're going to have to think about that one.

2 But it's --

3 CHAIRMAN DR. VICTOR: Okay. But that may be
4 something that we should start -- we should have a
5 discussion --

6 DR. MACFARLANE: Yeah.

7 CHAIRMAN DR. VICTOR: -- in the panel about
8 how we would do this and who we would reach out.
9 Obviously, the Diablo Canyon communities are involved,
10 likely --

11 DR. MACFARLANE: Right.

12 CHAIRMAN DR. VICTOR: -- allies now, and then
13 Clinton and then on and on and on.

14 DR. MACFARLANE: Yeah. Yeah. Yeah. I mean,
15 I can give you the list.

16 CHAIRMAN DR. VICTOR: Right.

17 So let me just ask you one other question
18 related to this and then I want -- I see Pam Patterson
19 has her flag up. I want to see if -- Garry would
20 have -- has his flag up.

21 When you were at the Nuclear Regulatory
22 Commission, you were keen that this plant have some
23 mechanism to engage with the community.

24 DR. MACFARLANE: Uh-huh.

25 CHAIRMAN DR. VICTOR: The process that's been

1 taken here is, Edison itself came forward and set up a
2 panel, and the logic behind that was that that would
3 make Edison own the Panel and make it have an incentive
4 to make it work.

5 Other communities have done different things,
6 like in Vermont there's actually a legislative mandate
7 to set up a panel and it's operated differently.

8 Are there rules or kind of best practices that
9 are emerging that you're seeing that tell us kind of
10 which of these approaches are working best?

11 What could we learn from that?

12 Should we spend sometime looking at these
13 other approaches in more detail to see if we should do
14 something different? Help us understand.

15 DR. MACFARLANE: So there aren't a lot of
16 models out there, but the one model that I was very
17 impressed by when I was chairman was the Yankees model.
18 So, Maine Yankee had a similar situation.

19 And it's very standard practice. There's no
20 regulation that requires a citizen engagement panel.
21 Okay? I wish there were, and I'm here to tell you that
22 there's no way to have that.

23 It's not going to happen. Okay? And we can
24 go into why. But, unfortunately, it's not going to
25 happen. If it were up to me, if I were queen, there

1 would be one tomorrow. Okay?

2 Don't you think they should make me queen?

3 CHAIRMAN DR. VICTOR: That job is currently
4 not open in this country.

5 DR. MACFARLANE: Darn.

6 So, but the way it's worked in the past, when
7 it has worked is that the utility, the owner of the
8 plant, sponsors the community engagement panel or
9 community advisory board or whatever is called, and
10 what's they way it worked at Maine Yankee.

11 And it did work very well. I've talked to
12 some of the folks who were involved, not the -- anybody
13 from government, not -- I did talk to some of the Maine
14 Yankee folks, with them aside, I talked to some of the
15 community activists and they told me what a positive
16 experience it was and how it worked so well and how the
17 input that they had uncovered and put forward from
18 engaging with the larger community was accepted by --
19 by the Yankees.

20 CHAIRMAN DR. VICTOR: Okay. Thank you very
21 much.

22 DR. MACFARLANE: So it's -- it's very
23 worthwhile.

24 CHAIRMAN DR. VICTOR: Yeah. I will say that
25 when I was asked early on whether I would take on this

1 role as a volunteer, like all members of the panel are
2 volunteers in this capacity, I also spent a lot of time
3 talking with the folks involved in the Maine Yankee
4 process to understand what they did, kind of what's
5 working.

6 And, you know, people are going to agree and
7 disagree on lots of different things, and that's kind
8 of part of our process. But I think that was a very,
9 very important model.

10 Pam Patterson.

11 MS. PATTERSON: Thank you.

12 You mentioned the types of canisters. So the
13 canisters selected for the site are inadequate.

14 Why not use those that withstood Fukushima?

15 Why weren't those canisters selected?

16 DR. MACFARLANE: The ones that withstood
17 Fukushima weren't Japanese and -- I think, actually --

18 PUBLIC MEMBER: AREVA. AREVA.

19 DR. MACFARLANE: AREVA. Well, the company
20 with an interesting reputation.

21 So you say they're inadequate. You claim it
22 like is a fact. How do you know that fact?

23 MS. PATTERSON: Based on the evidence. I
24 mean, we're happy to present it tonight if we're given
25 the -- the time to do so. So they are inadequate --

1 DR. MACFARLANE: You know, the -- all these
2 canister designs are vetted very deeply by the Nuclear
3 Regulatory Commission. And I understand. I heard your
4 words before, and I understand you do not trust the
5 Nuclear Regulatory Commission. But they are reviewed
6 by the Nuclear Regulatory Commission.

7 They also get additional reviews. There are
8 three canister companies right now in the
9 United States. They've been around for a long time.
10 When there have -- there have been very few problems
11 with these canisters, so -- for me, you know, and I
12 think about a lot of this stuff pretty critically, and
13 I have for 20 years or more, I am not worried about
14 these canisters right now.

15 MS. PATTERSON: And where do you live?

16 DR. MACFARLANE: Where I do live?

17 MS. PATTERSON: Yes.

18 DR. MACFARLANE: Is that relevant?

19 MS. PATTERSON: Yes. It absolutely is
20 relevant.

21 DR. MACFARLANE: Why?

22 MS. PATTERSON: Because we, the people that
23 live here in the danger zone, are absolutely concerned
24 about the canisters that have been selected that they
25 are way too thin, that the canisters that withstood

1 Fukushima were much, much way thicker, way safer.

2 So, yes, where we live is absolutely
3 pertinent, which is why I'm actually sitting here and
4 which is why this meeting is taking place in my city.
5 So there is absolutely pertinence to where people live.

6 So my next question is, you stated that the
7 Department of Energy has no authority to solve this
8 entirely. What authority do they have to solve, to
9 what extent?

10 DR. MACFARLANE: To solve what?

11 MS. PATTERSON: You stated the Department of
12 Energy has no authority to solve this entirely.

13 Well, let's start with partially. What
14 authority do they have to solve this situation
15 partially?

16 DR. MACFARLANE: That's a good question for
17 John Kotek.

18 CHAIRMAN DR. VICTOR: John can provide --

19 MS. PATTERSON: But you did it. But, quite
20 frankly, you're the one that made the statement.

21 So, what were you basing that statement on?

22 CHAIRMAN DR. VICTOR: Pam, maybe since we have
23 in the room the person who is actually --

24 (Simultaneous colloquy.)

25 DR. MACFARLANE: Exactly.

1 MS. PATTERSON: Okay. But it was her
2 statement.

3 CHAIRMAN DR. VICTOR: Okay. Maybe since she's
4 asked the person who can tell us exactly what
5 authorities they don't -- have and don't have.

6 MS. PATTERSON: Okay.

7 CHAIRMAN DR. VICTOR: Like I've not seen from
8 any -- (Simultaneous colloquy.)

9 MS. PATTERSON: But I would assume that she
10 would know that if --

11 CHAIRMAN DR. VICTOR: We can ask John Kotek.

12 MS. PATTERSON: -- since she made that
13 statement.

14 CHAIRMAN DR. VICTOR: Okay. John, can you
15 respond? And then I do want to make sure --

16 Garry had his flag up and you -- you were
17 squeezed out last time, and I want to give you a chance
18 to ask your question, if you want to.

19 MR. KOTEK: Yes. And I'll -- I'll keep it
20 quick. An example of what we're looking for is, we've
21 requested approval from the Congress to move forward
22 next year with actually implementing Consent-Based
23 Siting Process. They've got to buy off on that.

24 The ability to move forward with one of these
25 private initiatives for consolidated storage, you know,

1 the companies that are involved in that are looking for
2 more clarity from Congress regarding our ability to
3 contract with and tap the nuclear waste fund to pay
4 things like that. So there are a series of things.

5 In addition to longer term things, like
6 standing up an independent nuclear waste management
7 organization as recommended by the Blue Ribbon
8 Commission, and there's a series of other things that
9 could only be done through legislation.

10 MS. PATTERSON: Okay. So, basically, are you
11 saying that at this point in time you have no authority
12 to solve this situation partially? I mean, the
13 statement was "The Department of Energy has no
14 authority to solve this entirely."

15 So, to what extent can you solve it?

16 MR. KOTEK: Yeah. So we can't implement our
17 full strategy without legislation. We can do things,
18 like get ready for transportation, set up a
19 Consent-Based Siting Process. We're going to need
20 congressional authorities as we go forward to actually
21 implement those things that we're standing up and
22 getting ready --

23 CHAIRMAN DR. VICTOR: Can I just summarize
24 briefly here? What -- what's intrinsic to this problem
25 is that no actor is completely in charge. It requires

1 that they work together and cooperate, and that's true
2 for lots of problems in this industry, but nobody
3 controls everything.

4 And so one of the reasons that this panel has
5 spent a lot of time on this topic of consolidated
6 interim storage is, we want to understand how we and
7 the public can help inspire people and put pressure on
8 folks to work together better.

9 Do you have a last quick question? Because I
10 do --

11 MS. PATTERSON: I do.

12 CHAIRMAN DR. VICTOR: I do have one question
13 that I'd like to have the opportunity to ask.

14 MS. PATTERSON: Because I just wanted you to
15 repeat the two things -- okay. So you need to get
16 congressional approval. And what was the other thing
17 that you needed to get from Congress?

18 MR. KOTEK: We're going to need to get
19 appropriations. We would like to see this program move
20 to a single purpose entity federal corporation,
21 stand-alone federal agency.

22 Congress needs to act on that, giving us a
23 sure access to the nuclear waste funds, so we can start
24 making and keeping commitments to states and
25 communities and potentially the tribes. All of those

1 things are things that are in the administration
2 strategy that will require Congressional action.

3 CHAIRMAN DR. VICTOR: Thank you.

4 MS. PATTERSON: Thank you.

5 CHAIRMAN DR. VICTOR: Anything last you'd like
6 to say, Allison? I want to ask you one question.

7 DR. MACFARLANE: Okay. Did -- did you want to
8 ask a question?

9 CHAIRMAN DR. VICTOR: Garry, do you want to
10 ask your question?

11 MR. BROWN: I will.

12 CHAIRMAN DR. VICTOR: I'm going to ask the
13 last question I've got. I didn't get my question out
14 last time.

15 DR. MACFARLANE: I'll be short with my answer.

16 CHAIRMAN DR. VICTOR: Garry, ask your
17 question.

18 MR. BROWN: Well, I have -- I have a question.

19 I think one of the most valuable things of
20 your presentation was outlining the point that many of
21 our agencies and our Congress is not motivated to solve
22 this. And after 40 years, it's apparent that's true.

23 And so, you know, it's going to take all of
24 us. It's not Edison. It's not -- it's not a few
25 people here. It's the whole room. And you say lobby

1 Congress. You know, not only is that essential to this
2 but how.

3 And I know you didn't say lobby congress and I
4 don't want to cost you your job.

5 But the point is, we've all gone and talked to
6 our congressman and walked out wondering why we voted
7 for him. I think that -- I think the issue is, in a
8 large state, like California, you know, do we waste --
9 I won't say that -- do we -- do we also go talk to our
10 congressman or do we go through our legislature and get
11 our legislature to pass resolutions and try to rally
12 our whole congressional delegation?

13 DR. MACFARLANE: I think you have to do
14 everything. I think it's an "all of the above." I
15 think you have to do it at the state level. I think
16 you have to do it at the congressional level.

17 MR. BROWN: Right.

18 DR. MACFARLANE: I think you have to do it at
19 the administrative level, so, through the President. I
20 think at the congressional level, you need to lobby
21 your own congressman.

22 But you may need to try to find a champion.
23 All right? Somebody who will take this issue on, whose
24 staff will become educated on this issue, and who will
25 start to push it forward and build a coalition.

1 CHAIRMAN DR. VICTOR: Okay. Thank you.

2 DR. MACFARLANE: So I don't know who that's
3 going to be, but --

4 MR. BROWN: Okay. I -- I appreciate that.

5 Just one comment, you know, through this
6 process. There's a lot of people in the audience.
7 There's activists that have been -- spent years
8 researching this subject and have a wealth of
9 information and, you know, what I think the first step
10 would be is to cut down the barriers between what we're
11 trying to do and what you feel and communicate and work
12 together because we have to.

13 (Applause.)

14 MR. BROWN: And -- and there's some new
15 organization starting out. A few of us spent three
16 hours at a meeting in Laguna Beach the other night.

17 And -- and we've to do this together. You
18 know, I think we all agree that the spent fuel has to
19 come out of the pools, it needs to get into dry
20 storage. I think the jury is out on the canisters.

21 I think more discussion, more information
22 could go even though Edison has contracted with that.
23 I think, you know, CIS is -- is a way to go, but also,
24 you know, we can't focus on CIS and not pressure the
25 federal government to solve long-term perpetual

1 geologic repository. We've got to do all of that.

2 But it's not through having sides tonight or
3 any other time. It's we've got to find a way to work
4 together because it's going to take all of us and many
5 more other people that are in this room.

6 DR. MACFARLANE: Yeah, you're absolutely
7 right.

8 MR. BROWN: You know, just what California has
9 in spent fuel. We've got to solve this.

10 DR. MACFARLANE: You're absolutely right.

11 And I would say that more than that, you need
12 to focus on the higher-level messages.

13 MR. BROWN: Right.

14 DR. MACFARLANE: And not get stuck in the
15 weeds. I mean, if you can really -- you're going to
16 get -- if you get stuck in the weeds, your cause is
17 lost because you're never going to get your voice
18 together and get anything you want.

19 MS. PATTERSON: Right.

20 CHAIRMAN DR. VICTOR: Okay. Thank you.

21 MR. BROWN: David, thank you.

22 CHAIRMAN DR. VICTOR: I think that's a good
23 point for us to end this segment on. We thank you very
24 much, Allison, for your comments and your responses.

25 (Applause.)

1 CHAIRMAN DR. VICTOR: We have a couple of
2 minutes for what is normally a longer segment of our
3 meeting, which are important updates on activities
4 related to the CEP or important to the CEP.

5 I want to see if anybody wants -- if there's
6 anything really pressing that they want to let us know
7 about before we -- we adjourn for our very brief break.

8 Dan Stetson.

9 SECRETARY STETSON: Thank you.

10 For those of you who don't know me, my name is
11 Dan Stetson. For the past 23 years, I worked at the
12 Ocean Institute and, for the past 11 years, I was the
13 president CEO. It's a good thing I retired because now
14 I'm spending so much of my time as a volunteer on this
15 issue. I feel honored, with a great sense of
16 responsibility that I'm the Secretary of the Panel.

17 So I'm not ultimately only responsible for the
18 agenda, but I have a lot of input in it and that input
19 really is my outreach to all of you in the community.

20 And to my fellow panel members here on the
21 engagement panel: Have had many meetings with you,
22 you've given us insights. And I have to say that I
23 wish I put the whole agenda together for tonight
24 because I could not be prouder of the representatives
25 that we have up here before us tonight.

1 And we will work very hard in the --

2 (Applause.)

3 SECRETARY STETSON: -- work very hard in the
4 future to listen to you and try to bring up other panel
5 members with the same issues that we all -- we all know
6 need to be addressed, but only if we work together will
7 we accomplish it.

8 CHAIRMAN DR. VICTOR: Okay. Thank you very
9 much. And the Panel also has a provision that we've
10 used a few times to have workshops on specific topics,
11 which we did as we were getting ready for our -- our
12 work on the consolidated interim storage, which we did
13 on the cask issue. We spent a lot of time on that
14 question. So, maybe, we should think workshops to have
15 in -- in tandem with future meetings.

16 So we are going to have -- this is literally
17 going to be five minutes. I'm not going to move out of
18 my chair and I'm going to get the list and we're going
19 to begin in exactly five minutes with the public
20 comment period; that will run for an hour because
21 that's what we advertise.

22 And so we will run for an hour, which means
23 the whole meeting is going to run a little bit over the
24 stopping point and in five minutes we're going to
25 resume.

1 SECRETARY STETSON: And the facility has to --
2 we have to get out of the facility by 9:00.

3 CHAIRMAN DR. VICTOR: Yeah.

4 (Brief recess taken.)

5 (CEP Meeting resumed as follows:)

6 CHAIRMAN DR. VICTOR: Okay. Let me give
7 you -- folks, please. Let's settle down. It's the
8 lightening break round is over.

9 Don't injure yourself doing that, Tim. Don't.

10 VICE CHAIRMAN BROWN: Oh, forget it. It's not
11 that important.

12 CHAIRMAN DR. VICTOR: Okay. So just to give
13 you a lay of the land, I have 33 people who want to
14 speak. If everybody stays to two -- to three minutes
15 exactly as is in our bylaws, if everybody stays at the
16 three minutes as exactly in our bylaws, we'll be able
17 to cover 20 folks.

18 Anyone who is not able to make a comment,
19 please submit it by email or whatever and we will make
20 sure those end up as part of the record and, if people
21 speak more briefly than three minutes, then we'd have
22 more time.

23 First, is -- as an elected official, we're
24 going to follow the NRC approach, which is to allow
25 elected officials speak first.

1 Toni Iseman and then Jerry Mirsky.

2 (Applause.)

3 MAYOR PRO TEM ISEMAN: Thank you for the
4 opportunity to speak. It's been a very powerful
5 evening.

6 And as I was sitting there, thinking, let's do
7 a little time travel, let's go back to 1955 or 1960
8 when some people, who thought they were wise, decided
9 to open a plant where it is right now.

10 And let's look at today and if you got
11 together and you said "Where is the worst possible
12 place to locate a plant?"

13 Bingo. They did it.

14 They did it and we know about it now. We know
15 about the population. We know about the earthquake
16 fault. And there's something from the Smithsonian
17 about other things going on with earthquake, which is
18 powerful.

19 But the point of it is, we have to do
20 something and I so appreciate Mrs. Macfarlane --
21 Ms. Macfarlane's comments about making a statement.
22 And there are a lot of us that have been trying to make
23 a statement, but we can't make the same kind of
24 statement that you can.

25 You know, if all of us here stood up to make a

1 statement, that's one thing. But if all of you stood
2 up to make a statement and get the attention of the
3 people who are not taking this seriously, that's the
4 most powerful thing that can happen.

5 So I want each --

6 (Applause.)

7 MAYOR PRO TEM ISEMAN: I want each one of you
8 to ask yourself, "What can I do?" And as an
9 individual, perhaps you can do something. But as a
10 group, you can make the biggest possible statement and,
11 that is, we have to move this as soon as possible. It
12 has to be in a cask that can be successfully moved.
13 And there are so many millions of people that are
14 relying on you.

15 CHAIRMAN DR. VICTOR: Thank you very much for
16 your comment.

17 (Applause.)

18 CHAIRMAN DR. VICTOR: Next is Jerry Mirsky and
19 then Charles Divona.

20 Jerry Mirsky, the floor is yours.

21 MR. MIRSKY: My name is Jerry Mirsky. I live
22 in San Clemente. I'm not even served by Southern
23 California Edison, but I'm stuck with their nuclear
24 cesspool. I'm not here to be, once again, bamboozled
25 by Southern California Edison and I'm tired of the

1 finger-pointing in every direction but Southern --
2 Southern California Edison. They built the plant and
3 they're responsible.

4 Going -- questions on Congress and all this
5 other stuff. Congress can't even pass a bill on what
6 bathroom should be used. I'm here to support action
7 and not accept further excuses by Southern California
8 Edison and the bureaucrats that have provided highly
9 questionable time extensions that jeopardize this
10 community's safety.

11 One gram of this waste is deadly. In an area
12 with a large population along with a marine base, SONGS
13 is a terrorist's dream.

14 I have three short items of importance that
15 I'm not sure have been covered or fully addressed:

16 First, all residents potentially affected by a
17 nuclear holocaust from an earthquake, tsunami, or
18 terrorist should be issued potassium iodide tablets.
19 Mine, issued by San Clemente, expired.

20 Second, the terrorist in Orlando was a trained
21 security guard having clearance to guard nuclear
22 facilities. Such grotesque government incompetence
23 cannot be tolerated at SONGS and the facility should be
24 guarded 24/7 by U.S. Marines, security guards.

25 (Applause.)

1 MR. MIRSKY: Additionally, Camp Pendleton
2 officials should be at all future meetings.

3 Third, the danger posed --

4 MR. CAUGHLAN: I'm here with everyone.

5 MR. MIRSKY: Excuse me?

6 MR. CAUGHLAN: Camp Pendleton. I'm here.

7 MR. MIRSKY: Oh, thank you, sir. I salute
8 you.

9 MR. CAUGHLAN: We're all here.

10 MR. MIRSKY: Okay.

11 CHAIRMAN DR. VICTOR: Please continue.

12 MR. MIRSKY: Third, the danger posed by 1.45
13 billion grams of nuclear waste that, using common
14 sense, can't be safely stored at SONGS is also
15 affecting our area's real estate values.

16 Accordingly, given SCE's foot dragging and
17 procrastination with an unacceptable completion date of
18 about 2030, a class action lawsuit is recommended
19 against SCE and it's cohorts to force them to pay
20 substantial monthly fines and compensate all residents
21 who sell their home until SCE and its cohorts meet
22 their legal requirements to remove all nuclear waste
23 and dismantle the facility on a timely basis, which is
24 not 14 years.

25 CHAIRMAN DR. VICTOR: Thank you for your

1 comment.

2 MR. MIRSKY: I'm not -- I have one more
3 sentence.

4 CHAIRMAN DR. VICTOR: Sir?

5 MR. MIRSKY: Greed only acts when their money
6 is placed in jeopardy.

7 CHAIRMAN DR. VICTOR: Thank you.

8 MR. MIRSKY: The cost of any judgments against
9 SCE --

10 CHAIRMAN DR. VICTOR: Sir?

11 MR. MIRSKY: -- and its puppets should not be
12 passed onto SCE customers and treble should -- should
13 be trebled should they play games with brown-outs and
14 blackouts, claiming poverty --

15 CHAIRMAN DR. VICTOR: Sir?

16 MR. MIRSKY: Please stop interrupting me.

17 CHAIRMAN DR. VICTOR: Sir, there are 33 people
18 on the list.

19 Next on the list is Charles Divona and then
20 Gary Headrick.

21 Charles Divona, the floor is yours.

22 Thank you for your comment, sir.

23 Charles Divona and then Gary Headrick.

24 (Applause.)

25 MR. DIVONA: Thank you.

1 I noticed Tom's slides, he had that one slide
2 which showed an overview of the Holtec canisters there.
3 I think he said it was a 73-canister situation, and
4 I'll tell you the truth, I don't like that very much.

5 About -- about 25 years ago I worked on the
6 design of something called the Hanford Area Canister
7 Storage Building. Now, you can go on the Internet. I
8 went on the Internet just recently and took a look at
9 it and it turns out that, not only do they have some of
10 the -- the waste, the Hanford waste, in canisters in
11 this thing, but they have something like 23 tons of
12 spent fuel in there.

13 And it's -- it has below -- below-grade
14 concrete vaults and some 400 steel tubes and so forth.
15 But the interesting thing about it is that it has a
16 roof on it. It's -- it's in a building.

17 And if you fly over this thing, it doesn't
18 even look like there's any canisters there. It looks
19 like maybe a big garage or something like that. And I
20 really think that that's the kind of thing we ought to
21 be looking at for this facility here.

22 Two problems: One, you won't get any drones
23 going over there and, the other one, maybe even if
24 there's a tsunami, if you had a 45-foot wall on it,
25 you'd be in pretty good shape. So I think that that

1 really is something that ought to be looked at.

2 Thank you very much.

3 CHAIRMAN DR. VICTOR: Thank you for your
4 comment.

5 Next is Gary Headrick and then Charles
6 Langley. Gary, the floor is yours.

7 MR. HEADRICK: Thank you everyone for being
8 here. And, especially, I'd like to thank Queen
9 Macfarlane for really not sugar-coating all this. We
10 really need the truth and thank you for speaking so
11 openly with us.

12 In that light of speaking openly, I have the
13 unfortunate privilege of being the recipient of letters
14 from people who work at the nuclear power plant. It's
15 happened before.

16 They've always been right and they're
17 extremely noble, wonderful people that would even risk
18 their jobs to -- to make the public aware of things
19 that are very important to our health and safety.

20 So I asked David Victor to share a copy of the
21 letter. I tried to redact things that might lead to
22 that person, and I hope Tom Palmisano will commit to
23 not trying to find out who this person is or firing
24 them.

25 And the point is, there's -- first of all,

1 there's about 80 million dollars, apparently, that's
2 sloshing around between these contracts that has some
3 -- some questions about because, basically, this person
4 is saying there's no apparent difference, there's no
5 higher quality of casks that we're actually getting
6 from this process.

7 And so we're wondering, I hope someone looks
8 into that financially. But much more important to me
9 is the statement he made towards the end and I hope Tom
10 -- we didn't have a chance to discuss this, but I hope
11 Tom will take the opportunity at the end to review
12 this.

13 But this is about the way spent fuel is stored
14 in the pools and the process and he goes through a long
15 explanation. But the conclusion is, the real issue is
16 that fuel is experiencing additional damage degradation
17 while in the spent fuel pool storage and potentially in
18 dry cask storage.

19 I do not believe that this has been seen
20 previously. This is not a criticality issue during
21 this time, but when it becomes one is during
22 transportation of the dry storage containers to interim
23 storage sites for ultimate burial or reprocessing.

24 The purpose of the damaged fuel cans and the
25 dry storage containers is to prevent the migration of

1 fuel within the dry storage container during a
2 transportation accident such that a criticality
3 accident cannot occur.

4 So another thing I'd like Tom to explain
5 perhaps is what is criticality accident and what is it
6 that we're protecting ourselves from?

7 Give us the worst case scenario as honestly as
8 you can, please. And -- oh. I'm almost done.

9 The Coastal Commission approved the permit to
10 bury this waste in what I would consider a very unsafe
11 way. And one way we have to reverse their decision is
12 because the -- if this person is right, there is spent
13 fuel that cannot be transported and that was one of the
14 conditions you have to meet in order to get our
15 approval. And I don't know why they approved it for 20
16 years from now. They should've made those standards
17 apply today.

18 CHAIRMAN DR. VICTOR: Thank you.

19 MR. HEADRICK: It was interesting that one
20 hour before the vote even took place at the Coastal
21 Commission, Edison sent out an announcement that you
22 already got the vote. So I don't know how that
23 happened.

24 CHAIRMAN DR. VICTOR: Okay. Thank you very
25 much for your comment. And I'm sure we'll come back to

1 that when folks respond.

2 Next is Charles Langley and then Pam
3 Patterson.

4 Pam, are you on the list to give a talk, as
5 well? Your name is here.

6 MS. PATTERSON: Well, why don't you ask me
7 when it comes around?

8 CHAIRMAN DR. VICTOR: Okay.

9 MS. PATTERSON: And I can let you know.
10 Thank you.

11 CHAIRMAN DR. VICTOR: Charles Langley.

12 MR. LANGLEY: Hi, my name is Charles Langley.
13 I'm the Executive Director of Public Watchdogs.

14 And I find it interesting that we're being
15 asked to call Congress when what I really want to do is
16 call the police because I think what we've seen is a
17 complete result of absolute failure by our regulators.

18 And, Ms. Macfarlane, I know you weren't at the
19 Nuclear Regulatory Commission when they approved these
20 experimental defective regulator -- generators at
21 Southern California Edison, but you didn't have an
22 involvement in that.

23 But the NRC failed us when it approved an
24 experimental design that failed after a year. They
25 were asleep at the wheel. Our Public Utilities

1 Commission has failed us and, in a sense, it's kind of
2 sad that the closest thing we actually have to a public
3 hearing on this event is a corporate-sponsored
4 community engagement panel.

5 This isn't a public hearing. Evidence isn't
6 being presented. You have no legal authority. And I
7 think it's an improper venue for such terribly
8 important issues.

9 Thank you very much.

10 CHAIRMAN DR. VICTOR: Thank you very much for
11 your comments.

12 (Applause.)

13 CHAIRMAN DR. VICTOR: Okay. If I could
14 suggest that maybe we allow more people to comment just
15 so we can get more voices. If that's --

16 MS. PATTERSON: But let me just respond to
17 what he said. And the big point is that we are
18 supposedly -- we're supposed to be here to vet the
19 situation. The fact that questions have been asked by
20 the prior speakers to Southern California Edison and it
21 goes unanswered, so how -- how is this vetting process
22 going to occur?

23 CHAIRMAN DR. VICTOR: The questions, as it has
24 been our practice, get accumulated and then at the end
25 of this meeting, there will be responses to many of

1 them and then all of them will be documented and
2 responded to. So the -- (Simultaneous colloquy.)

3 MS. PATTERSON: Okay. So one question that I
4 want answered this evening is how we get items on the
5 agenda.

6 CHAIRMAN DR. VICTOR: Okay. Great. I already
7 got that on the list for us to talk a little later.

8 MS. PATTERSON: Thank you.

9 CHAIRMAN DR. VICTOR: Next is Ray Lutz and
10 then Rita Conn.

11 Sorry, Ray, that I didn't give you a heads up.

12 MR. LUTZ: Okay. Ray Lutz with Citizens'
13 Oversight. First, I want to compliment the committee
14 on doing an excellent job on bringing in really good
15 speakers this time and trying to tackle with some of
16 these great issues.

17 My recommendation is, get up more, stand up,
18 get up on the riser so we can see you because in the
19 back you can't see anything.

20 The -- but I think there's some headway that
21 we can make in this venue if we alter some of the
22 rules, set up some other rules, maybe have a public
23 discussion about what the rules are, not maybe be so
24 dogmatic or restrictive about how the conversation
25 goes. Don't -- don't drive down people's voices when

1 they're trying to be heard. Be a little bit more
2 flexible. Okay?

3 We can make some progress on how this meeting
4 is run so that the people out here, which a lot of them
5 are experts that have been working on this for decades,
6 get more of a voice. The panel members are now -- have
7 been now briefed pretty well. You're starting to
8 understand the complexity and importance of the issue.

9 Department of Energy, I think, can make a lot
10 of headway within their -- their scope of
11 responsibility. I think of them working on this issue
12 for, like, three -- three decades now and they're
13 finally thinking about what kind of canisters we should
14 standardize; that should've been done a long time ago.

15 People sleep at the wheel. What happened to
16 those billions of dollars in that agency? Lots of
17 vacations? Maybe parties with the utilities too much?

18 Who knows. But not good work being done.

19 Now, here are some things that I find
20 interesting: We learned that we can move them right
21 away, according to Tom Palmisano. We also knew -- know
22 the fuel pools are relatively safe. NRC says they're
23 very safe.

24 And, you know, when you compare dry cask
25 storage here compared to wet fuel pools here, the dry

1 fuel storage isn't that much -- isn't that great. It's
2 right on the coast. It's right on the beaches, in the
3 bluffs. It's a really disastrous way to think that
4 that's better, way better, than the fuel pools; it's
5 not. It's not way, way better.

6 So, why are we rushing to put in this huge
7 block of concrete in the -- in the bluffs? We're not
8 even sure how well it's going to turn out. No building
9 over it, as we heard, that's a good comment. And the
10 canisters, there's a good question, not so much because
11 we want them super-thick but we can't transport these
12 very easily.

13 The Department of Energy has a project
14 standardized on different -- Ms. Macfarlane you said we
15 need to -- they've been optimized for storage on site.
16 Right. Because they're gigantic and you can't even
17 move them around with some of the most heavy material
18 on earth inside.

19 We need to -- and, meanwhile, the Department
20 of Energy says we're working on how the -- we're
21 working on the process, so we can decide how we're
22 going to process it. This is 30 years later. We're
23 still thinking about what the process is. That's
24 embarrassing, man. Very embarrassing, that we're
25 working on the process 30 years later.

1 CHAIRMAN DR. VICTOR: Okay. Thank you very
2 much.

3 MR. LUTZ: You should be able to have a
4 process proposed here. Next time, I want a process
5 that's proposed by the Department of Energy to, at
6 least, talk about. Don't just be gathering
7 information. Come up with a process so we can bounce
8 it off of us. We will give some information, but come
9 up with something.

10 CHAIRMAN DR. VICTOR: Okay.

11 MR. LUTZ: I hear nothing from the Department
12 of Energy.

13 CHAIRMAN DR. VICTOR: Okay. Thank you very
14 much for your comment. Next is Rita Conn and then Nina
15 Babiarz.

16 (Applause.)

17 MS. CONN: Thank you.

18 So we did have a meeting earlier today with
19 John Kotek and Mary and some of the members of the
20 panel and what came up was that we do need to work
21 together. It is all of our problems unless you're
22 moving away.

23 And what we talked about was that, in order to
24 work together, there needs to be a certain level of
25 trust. And when you lie to us or Edison spins their

1 PR, and we know it's not true, or when Edison says,
2 yes, they got their permit, and I just finished
3 testifying and the CPUC hadn't even voted, it
4 diminishes our trust.

5 We need to know the truth and that is the only
6 way we're going to be able to work together is when the
7 truth is laid out on the table.

8 I want to tell you a true story: It's 1985.
9 It's an Edison plant in the Mohave Desert and
10 39-year-old John Dollin visits his mother and says,
11 "You know, I'm really worried because Edison is making
12 all these safety cuts in the plant and something's
13 going to blow."

14 And three weeks later, that mother finds
15 herself at the funeral of that 39-year-old son because
16 something did blow and it forced the exit door shut and
17 people were trapped inside of a burning inferno and
18 that son was burned to death.

19 At the funeral, the manager of the plant came
20 up to the mother and threw his arms around her -- and
21 this is a true story -- sobbing, and he said, "I'm so
22 sorry. Can you ever forgive me?"

23 I don't want any of us to have to be in that
24 position. And Edison -- Tom, I like you. I just don't
25 like your company.

1 Edison continues to make safety cuts and one
2 of those safety cuts is the kinds of canisters that
3 they are proposing to use that have never ever been
4 used in this environment before, that are experimental,
5 that Edison has called experimental, when these are the
6 ones that we know are proven technology that survived
7 Fukushima.

8 And if we want to start with trust, let us
9 have canisters that we feel we can trust. And I'm
10 going to have Pam pass something out from AREVA to all
11 of you, because I know that many of you thought these
12 thick-wall canisters are not licensed in the
13 United States, but that is not true. The AREVA
14 canisters, thick-wall canisters, that survived
15 Fukushima are licensed. Thank you.

16 CHAIRMAN DR. VICTOR: Thank you very much for
17 your comment.

18 (Applause.)

19 CHAIRMAN DR. VICTOR: Next is Nina Babiarez and
20 then Robert Pope.

21 MS. BABIARZ: Good evening. My name is
22 actually Nyina Babiarez(Phonetic). I'm here with a
23 couple of hats on.

24 CHAIRMAN DR. VICTOR: My apologies for
25 mispronouncing your first name.

1 MS. BABIARZ: That's okay. Thank you.

2 I'm here as Women's Transportation Seminar
3 Legislative Chair. I'm here as a board member for
4 Public Watchdogs and I'm here as a citizen.

5 I worked in transportation for over 25 years.
6 I've sat on the ITS, Intelligent Transportation
7 Systems' Board of Directors twice. And I'd very much
8 like to get Mr. Edlow's card and talk about some of the
9 alternatives that you proposed tonight.

10 The Coastal Commission's permit grants Edison
11 permission to bury tons of radioactive nuclear fuel at
12 San Onofre State Beach Park. It threatens the Southern
13 California Transportation Corridor and our public
14 safety.

15 That nuclear waste would sit aside a major
16 rail corridor and interstate highway and in the midst
17 of millions of people. The LOSSAN Rail Corridor, which
18 run smack in the middle of San Onofre, is the second
19 busiest rail corridor in the United States. It carries
20 7.5 million people annually and it's the only viable
21 freight link between San Diego and the rest of the
22 nation.

23 Now consider this, the California Coastal
24 Commission permit was actually issued under special
25 conditions: Special condition No. 2 requires Edison to

1 implement -- it requires them to implement an aging
2 management system so the condition of the cask can be
3 monitored.

4 With Edison's own black and white in that
5 application, it indicates that they're unable to meet
6 that condition. It's under development and it's yet
7 nor is it clear when these technique tools will become
8 available to use.

9 So, therefore, I think the Coastal Commission
10 had no business in issuing that permit in the first
11 place and, by its own legal requirements, should revoke
12 it.

13 But, Mr. Edlow, I'd like to talk to you about
14 something else that needs to be discussed and that this
15 Community Engagement Panel needs to move forward.
16 You're probably familiar that last fall the Federal
17 Transit administration for this country updated the
18 Safety System Oversight Plan for our rail system and in
19 each state there is an agency that is required,
20 congressionally mandated, funded, and given the
21 responsibility and the authority to investigate,
22 subpoena, et cetera, et cetera, on behalf of each
23 state.

24 And in the State of California that happens to
25 be the California Public Utility Commission and there

1 is just no way that the PUC can remain objective, if
2 something were to occur, to be that agency of
3 investigation.

4 So I'd very much like to get your card and
5 talk to you about that.

6 CHAIRMAN DR. VICTOR: Okay. Thank you very
7 much.

8 MS. BABIARZ: And, Pam Patterson, I thank you
9 for the courage of speaking out the way you did
10 tonight. Thank you.

11 (Applause.)

12 CHAIRMAN DR. VICTOR: Thank you very much for
13 your comment.

14 Next is Robert Pope and then Sue Savary.

15 Robert Pope?

16 (Brief pause)

17 Not here. Sue Savary and then Roger Johnson.

18 DR. SAVARY: Hi, there. I'm Dr. Sue Savary,
19 former USC professor, a 30-year business consultant,
20 and I am running against Dana Rohrabacher for Congress
21 in the 48th Congressional District.

22 (Applause.)

23 DR. SAVARY: What I have heard here tonight is
24 good cause and many ways for optimism because the
25 outreach from you to us, I would think, has been fair

1 to say we want to work together except for the member
2 of the panel who lives in Idaho. This is really
3 personal to all of us.

4 We live or die on this basis. When I first
5 started running, I came up and down my district and
6 said "What are the big issues facing the 48th
7 District?"

8 When I met Rita and Audrey and Toni and all of
9 the group in Laguna, it took me by surprise. One,
10 because there were two points that my life connected
11 with this issue with, the first one was my husband, who
12 was a rocket scientist at NASA, first was asked when we
13 moved to the jet propulsion laboratory to be in a group
14 of NASA individuals who would assess the idea that had
15 come from the Nuclear Regulatory Commission that
16 nuclear waste should be best solved by putting it in
17 spacecraft and aiming it into the sun.

18 Well, it's a good end result for it, but we
19 don't have the kind of the confidence levels in our
20 spacecraft to not assume that 1 in 25 might blow up and
21 radiate all of us. He laughed out of that room.

22 Second one was, when he was diagnosed with
23 bone marrow cancer because of a benzene plume
24 underneath his workplace. I have lived through this.
25 I am the face of a mother who watched her children

1 watch their father disintegrate over five years with
2 multiple myeloma, which is caused by fossil fuel
3 exposure or radiation exposure. It's how old people in
4 Hiroshima died if they didn't die from the initial
5 radiation. This is real. And for me, when I heard
6 about this, it became so important.

7 I am running to make sure that the
8 congressional support is there when communities are
9 faced with this kind of absolutely unacceptable
10 decision-making that puts 8.2 million people in the
11 path of a moving train that nobody can stop once it
12 starts. I am here. I will do everything in my power.

13 I am 6 points away from Rohrabacher and his
14 opponent is only 5 points away from him. A sea change
15 has occurred in Southern California and Orange County
16 in this entire district. We are sick and tired of the
17 do-nothing Congress. We're going to stop it.

18 Thank you for your service.

19 (Applause.)

20 CHAIRMAN DR. VICTOR: Thank you for your
21 comment. Next is Roger Johnson and then Audrey
22 Prosser.

23 MR. JOHNSON: Thank you.

24 I think this is one of the better meetings
25 we've had here. It's three -- three years that these

1 CEP meetings have been going on in dealing with an
2 important topic. I wonder what took you so long.

3 You're now up to where the audience was three
4 years ago. What took you so long? We want to get this
5 waste out of here. That's the problem in talking,
6 talking. And we're finally getting around to it.

7 And that leads me to a general observation, is
8 that the nuclear industry and the government regulatory
9 agencies are moving at a snail space. It takes you
10 forever just to recognize the problem, let alone deal
11 with it.

12 And so I think tonight, as Garry said, I'd
13 like to pick up, now we have to work together. So,
14 what's happened is, the leaders are becoming followers
15 and the followers have become the leaders, and that's
16 progress. So, that's good.

17 So, what -- what can we do about this? I know
18 that there is some worry that we're going to wait until
19 the problem -- until there's an accident and that's
20 when they're going to finally decide to deal with it.

21 But, in the meantime, we listen to lots of
22 reason of why we can't do anything. We hear from the
23 transportation people the stuff can be moved. If you
24 listen to Homeland Security people or military people,
25 they move nuclear waste all the time. It's no big deal

1 and it can be done.

2 So, who is stopping it? And let's get to
3 these issues. I think you're right. It is -- it is a
4 sort of a political issue. Some people criticize the
5 Department of Energy. The Department of Energy knew
6 half a century ago that this was a problem.

7 Why haven't you dealt with it?

8 I mean, tonight Mr. Kotek says he wants a
9 durable solution. Well, why didn't you want a durable
10 solution in 1960? We all knew the problem was then.
11 And then you're starting now to say that this is
12 serious problem and so --

13 And that's why some people are saying take the
14 Department of Energy out of the picture. They're not
15 capable of doing this and let somebody else handle it.
16 And I think even the President said that, hasn't he?
17 So I think that it -- it may come to that. We've got
18 to move things along.

19 Now I have a question for Mr. Kotek and Edlow
20 both about the can -- moving the canisters. My fear is
21 that we're going to talk for 20 years and then you're
22 going to get ready and then they're going to tell us
23 the canisters are too fragile, they've deteriorated too
24 much and they can't be moved.

25 So, what is the life -- not the life

1 expectancy, but the window of opportunity to move those
2 canisters? Have they got to be moved within the next
3 five years and then forget it after that?

4 Are they going to be moved in 20 years? Are
5 they going to be able to move them in 20 years? We're
6 treating these canisters as if they're going to last
7 forever. We know they're not going to last forever,
8 especially in a salt environment.

9 So if that's a question for whoever wants to
10 answer it, the window of opportunity for moving the
11 canisters, please.

12 CHAIRMAN DR. VICTOR: Okay. Thank you very
13 much. Next on the list is Audrey Prosser and then
14 Vinod Arora.

15 (Applause.)

16 MS. PROSSER: Good evening, Panel.

17 I have to say, three years ago when I started,
18 it's quite a difference tonight. And we're talking
19 about trust here. And when we started here, we were
20 told that -- that these things couldn't be transported.
21 There were no rails, counties wouldn't let it through
22 their neighborhoods, cities wouldn't let.

23 We spent many meetings here hearing this kind
24 of nonsense and tonight we heard the truth. They're
25 transported. We knew that because we went to Europe

1 and we talked to people that transport it and it's
2 transported all the time. We knew the Navy fuel was
3 transported from San Diego to Idaho.

4 So it's hard for us to gain trust and I think
5 it's going to be up to you to gain our trust again.
6 And today, I looked at the website and it really --
7 it's called SONGS. It's really a fairy tail, but it's
8 called SONGS.

9 And I see that the quote on there under
10 stewardship is that Edison is committed to the
11 community to leave the place better off as a result of
12 having been to SONGS for 40 years.

13 Now, we simply know that's not true. How can
14 you make such a statement when you're trying to bury
15 radioactive waste and leave town for your next profit?

16 (Applause.)

17 MS. PROSSER: How can you meet your obligation
18 to clean up that site? I don't care what you put it in
19 or when you transport it, that site is contaminated.
20 We all know it. And in your lease to the Navy, you
21 have agreed to clean it up.

22 If you bury monolith concrete canisters that
23 can't be moved, can't be inspected -- your own words at
24 the Coastal Commission -- how can you clean up the
25 site? Could that be an incentive to leave it there?

1 It certainly seems that way.

2 I'm not accusing you of that, but -- but
3 looking from this side of the fence, that's sure how it
4 feels. So this -- as we -- as I was spending time here
5 and you were telling me that Yucca Mountain was going
6 to happen and it was Harry Reid's fault it wasn't
7 happening. We had to go to Washington to get the
8 truth, then we got the truth.

9 The State of Nevada owns the water rights.
10 The Department of Energy or NRC, whoever dug the hole
11 in that mountain, did it without water rights permits.

12 The State of Nevada sued and got their own
13 biologist and their own experts. That's how Yucca
14 Mountain stopped. And while we're still being told
15 here, "Oh, yeah. We're working on it," we knew it
16 wasn't going to happen.

17 So we're -- we're spending our own money and
18 we're doing all of our research, and three years of,
19 really, our lives -- mine, many, many more years for
20 others.

21 So you asked -- Ms. Macfarlane, you're the
22 queen tonight. And you suggested that we organize.
23 We've been organized and at great expense, our own
24 expense.

25 So I'd liked to see if you're serious about

1 moving this, Mr. Palmisano. I'd like to see you pay
2 for buses for us to Sacramento. I'd like to see you
3 pay for us to go to Washington. We've been doing it at
4 our own expense.

5 Thank you very much.

6 CHAIRMAN DR. VICTOR: Thank you for your
7 comment. Next is Vinod Arora and then Donna Gilmore.

8 It looks like the press decided -- I don't
9 know what that is.

10 In any case, Vinod Arora, the floor is yours.

11 MR. ARORA: Good evening, family members, and
12 good evening, members of the public.

13 I'm known as the San Onofre Insider or call me
14 Bill Hawkins, but my real name is Vinod Arora. I'm a
15 California licensed professional engineer, CEO of a
16 U.S. Government approved public charity for nuclear
17 safety, and I was a fire protection engineer and
18 emergency plan engineer for San Onofre, so that puts
19 multiple responsibilities on my shoulder for public
20 safety and nuclear safety.

21 My first question is to Chairman
22 Dr. Macfarlane. After the San Onofre accident, you
23 appointed a panel of independent consultants of Beckman
24 SA, which there's supposed to be a report on the NRC
25 AIT, San Onofre, Edison, and Mitsubishi. The report

1 was submitted on July 13th, 2012, before the NRC AIT
2 report was published.

3 That report was attached as an addendum to the
4 NRC Final Inspection Report issued in September 2 --
5 September 2013. That report was so critical of Edison,
6 Mitsubishi, and NRC AIT on the San Onofre Root Cause
7 analysis, which then the NRC atomic safety licensing
8 board said it and the plant was shut down. That's why
9 we're here today.

10 And nobody came up with the root cause of what
11 happened and why in-plant fluid elastic instability
12 occurred in San Onofre Unit 3. I have spent 4 years in
13 research working with world's consultants and reading
14 every San Onofre report. Now, I've come up with a fix
15 and the senator, everybody, including Dr. Michel
16 Pettigrew. And that report is on our website.

17 The second question is, I just submitted a
18 report on the DOE Yucca Mountain to Dr. Moniz. And DOE
19 and NRC has done an excellent job in evaluating the
20 repository. I think some of those concepts can be
21 applied to what's going on at San Onofre ISFSI. I am
22 developing some conceptual plans. I'll submit it to
23 the Panel. I hope you guys pay serious attention to
24 it. Thank you very much, everybody, and good night.

25 CHAIRMAN DR. VICTOR: Thank you for your

1 comment. Next is Donna Gilmore and then Marni Magda.

2 MS. GILMORE: I found -- and today was a very
3 educational day for me. Meeting Dr. -- you're a
4 doctor, I think. Macfarlane.

5 DR. MACFARLANE: Right. Yeah.

6 MS. GILMORE: And John Kotek and -- and staff.

7 But what I learned is that Mark Lumbard, who
8 was the director at NRC that licenses storage and
9 transport, has not informed either one of them that the
10 canisters cannot be inspected on the surface, cannot be
11 inspected for depths of crack, that they have
12 discovered that they're susceptible to cracking from
13 the ocean environment, and other causes, that the
14 Diablo Canyon has a two-year old canister that has all
15 the conditions for cracking, that the Koeberg Nuclear
16 Plant had a similar component, according to the NRC,
17 that had a through-wall crack in 17 years, 17 years.

18 We have had canisters loaded since 2003. We
19 do not have time to not deal with this issue. This is
20 an emergency and not a process.

21 We need to deal with the fact that we have a
22 Koeberg Plant that failed in 17 years. The crack was
23 deeper than most of the 2,000 canisters in the
24 United States, pretty close to the ones we have here
25 and nobody is dealing with this, not the CEC.

1 I made a presentation up there. I just -- I
2 had an opportunity to inform the DOE, and I hope that
3 they -- they work with me, and I was optimistic to hear
4 the chairman -- former Chairman Macfarlane was dealing
5 on some issues.

6 But after a short conversation, I realized
7 that apparently Mark Lumbard has not shared all this
8 information with you. And the only other options
9 available in the world are these thick casks made of
10 either of -- of ductile cast iron or made of steel that
11 are used in the rest of the country. They've been used
12 for over 40 years. They have redundancy.

13 Our canisters have no redundancy. If that
14 thing cracks through, that's it. They go out the air
15 vents. We have no redundancy. We have no monitoring.
16 We will only know after the radiation release, not
17 before. At least, the other ones can be monitored.

18 And we're very remiss and not taking a look at
19 the options that are available in the world and making
20 sure that we have the safest storage here because we're
21 all -- we all know that we're going to be stuck with
22 this stuff for decades, but it's not going to last for
23 decades.

24 And I'm more than willing to meet with whoever
25 and I will sit down with you and Mark in the room and

1 we'll see who is telling the truth.

2 And I have all the documentation. I deal with
3 the corrosion engineers, I deal with nuclear
4 physicists, and I have not had an opportunity to be a
5 speaker here with some of these others. We did have
6 Marvin Resnikoff, who spoke on high burn-up fuel,
7 and -- but my time is out -- I won't address that.

8 CHAIRMAN DR. VICTOR: Okay. Thank you very
9 much for your comment.

10 MS. GILMORE: Thank you.

11 CHAIRMAN DR. VICTOR: So I'm going to let
12 folks know we have a hard stop on the facility, so
13 we -- we have time for about five, possibly six more
14 comments, then we will have a normal but focused
15 response to many of the points made here at the end of
16 that. Marni Magda and then Sharon Koch.

17 MS. MAGDA: Thank you so much for this
18 wonderful meeting. So appreciate the experts who are
19 here. I did want to ask John Kotek while you're here,
20 looking at the DOE possibility, if we do our job and
21 get the legislation passed to allow interim storage, if
22 we do our job and get appropriation money for the DOE
23 and stop having your hands tied, how soon will you have
24 transportation casks ready for the fuel that Tom
25 Palmisano has promised to have ready to move in 2020?

1 We're going to have to have those casks. And
2 what I understand now is that there are nine different
3 types of cask designs out there for just the 13
4 stranded fuel sites.

5 And I would like to have a clear
6 understanding, for everyone here, this fuel can be
7 moved. It can be moved as soon as we, as a full
8 audience participation of California and the whole
9 United States, get a law passed to allow interim
10 storage.

11 We can move this fuel and we must move it. So
12 I'm going to ask the CEP to have our next workshop.
13 Let's not wait a quarter, let's have a workshop that it
14 will be on how do we get everyone in California active
15 to get the law changed.

16 We need to look at the Issa bill, that's 3643.
17 We need to look at the Feinstein bill. We need to
18 understand how we go after it and we have to, whether
19 it's putting buses to get us places, we have to go
20 after that.

21 We have to go after making sure that the first
22 priority isn't the oldest fuel, as we heard from
23 Ms. Macfarlane, that it is stranded fuel and it is
24 stranded fuel where there are the most people and the
25 most dangerous environmental hazards.

1 We must have that in the legislation. We must
2 get this accomplished. It cannot be left to the
3 possibilities. Everyone you hear speaking today about
4 the fear of canisters is because they fear it will be
5 buried there forever.

6 The can -- the pools have to be emptied, so
7 that you'll all understand that the pools have to be
8 emptied in order for the canisters to move somewhere.
9 So we do have to move them into dry storage.

10 That isn't being created to be left here for
11 decades. That isn't what we want to do. We want to
12 move it. But unless the people of the United States
13 change the law from 1982, we cannot have it moved. So,
14 please, everyone get every organization possible to get
15 behind in the entire United States moving this fuel by
16 allowing interim storage.

17 Thank you all for being here. It's been
18 exciting to watch. All of you so worried, you're
19 winning. Everything has changed in the last three
20 years. It is so different now. Get active and get it
21 moved. Thank you.

22 (Applause.)

23 CHAIRMAN DR. VICTOR: Thank you very much for
24 your comment.

25 Next is Sharon Koch and then D. Alexander

1 Warner.

2 MS. KOCH: I'm Sharon Koch and I'm Chair of
3 the Angeles Chapter at the Sierra Club, representing
4 the 38,000 plus members of the club in Orange and L.A.
5 Counties.

6 And Marni is a very hard act to follow. But I
7 would like to say that we do support moving the fuel
8 out of the dry -- the pools into dry storage for
9 interim storage, moving it out of this interim storage
10 into a consolidated interim site.

11 But the long-term goal remains. We have to
12 have a geological repository and I don't want to see
13 any of you lose site of that goal.

14 We also need to ensure that the transportation
15 from here to the interim site, not only is safe, it's
16 approved by all of the communities to whom it will go
17 and it is done in a timely and secured manner.
18 Therefore, we cannot wait until 2020 to develop the
19 canisters, the trains, and the facilities to move the
20 fuel.

21 Finally, we talked about the need to get
22 Congress to move forward to approve the site and to
23 establish regulations for a -- to a long-term
24 repository or possibly a new agency.

25 We need to keep in mind that not only do we

1 need to talk to our current congressional
2 representatives, but we also need to demand in this
3 election year that our candidates for office have a
4 precise well-documented and well-spoken and
5 well-developed plan for moving forward on the nuclear
6 waste issue and we need to hold them accountable.

7 If we fail to elect candidates or reelect
8 representatives who do not support developing a
9 long-term solution to our nuclear waste management,
10 then the problem rests solely with us.

11 Thank you.

12 (Applause.)

13 CHAIRMAN DR. VICTOR: Thank you very much for
14 your comment. Next on the list is D. Alexander Warner
15 and then -- I'm sorry -- D. Alexander Warner, you have
16 the floor. And then Karl Aldinger.

17 MR. WARNER: Thank you, everyone and the
18 Panel. And thank you, fellow citizens.

19 I see that there's a lot of -- a lot of lack
20 of assurance here specially because there is a plan
21 that, for me, personally, feels incomplete. Of course,
22 we have everything about the process, everything from
23 transitioning to transferring a lot of the waste.

24 But there's still that one final piece of the
25 puzzle here, which is where to put it. That's -- I

1 don't know about you guys. I'm just wondering where
2 are we going to put it in. Where are we going to put
3 it? I mean, apparently, there's been one place where
4 it hasn't actually turned out very well.

5 But, for me, there's been a saying in my
6 family that "Once you have a plan A, you've got to
7 create plan B, and if either of those don't work,
8 there's 24 other letters in the alphabet." And,
9 apparently, I only see part of a plan A.

10 Now, of course, I agree with many, many people
11 here that we would like a community investigation, a
12 evaluation because I know many taxpayers' money would
13 greatly invest on that independent evaluation from a
14 company.

15 Now, I now work at a history location here in
16 town, here in San Juan Capistrano, and I've learned
17 that we must invest great, large amounts of money for
18 the best quality.

19 Now, of course, we get a lot of -- a lot of
20 help and we always get a lot of reviews from places and
21 councils from, of course, New Mexico and Texas, but not
22 parts in California even in Arizona, specially.

23 But specially in California, in Southern
24 California, a place where we have 10,000 earthquakes
25 every year. Now, a lot of those may be 3.0s, some are

1 a few tremors to have a fun ride in. But, of course,
2 there's always that big one that happens within 30
3 years. How will canisters that are, according to
4 representatives out there, prototypes going to affect a
5 large earthquake?

6 Now, there's been an impact -- there was an
7 impact years ago in Japan and I was there on the beach
8 where we felt that impact, the waves rising, but we're
9 just a little concerned about last result. How we --

10 CHAIRMAN DR. VICTOR: Thank you very much for
11 your comment.

12 MR. WARNER: Thank you.

13 CHAIRMAN DR. VICTOR: Karl Aldinger and Kevin
14 Blanch.

15 MR. ALDINGER: Thank you to the
16 representatives from the U.S. and state governments for
17 turning your attention us.

18 Regarding consolidated spent fuel storage,
19 Humboldt Bay shut down 40 years ago because they
20 realized the site was seismic -- seismically unsafe to
21 operate. I was 7 years old. That fuel is still there.

22 Rancho Seco shut down 27 years ago, the spent
23 fuel is still there. San Onofre's Unit 2 and 3 shut
24 down four years ago and because of the inconceivable
25 time scales of this recklessly dangerous nuclear

1 technology, we were told tonight by Mr. Palmisano that
2 Reactor 1 spent fuel must stay in place until 2020.
3 That unit was decommissioned 24 years ago.

4 As of this week, they eventually decom --
5 decommissioned Diablo Canyon will need the same
6 solution. Thank you to Mr. Oglesby for creating a
7 slide that shows this problem very clearly.

8 Given that it's DOE's own initiative, how can
9 we ensure these efforts from Mr. Kotek's team are not
10 immediately overturned with a new presidential
11 administration January of next year?

12 That's my question.

13 Ms. Macfarlane, I respectfully reject your
14 assertion that because the DOE broke their promise of
15 long-term solution the problem is not the
16 responsibility of the utilities.

17 They chose to make profits for decades with a
18 technology everyone knew was too dangerous to not
19 manage and they went on with construction and
20 re-licensing of their plants, knowing full well this
21 was not the solve -- a solvable problem.

22 Mr. Kotek now tells us, for the first time in
23 my life, could be readily fixed with volunteers who
24 will host the next Yucca. I want to be -- I want you
25 to be right, Mr. Kotek.

1 But I'm not as optimistic as you are that
2 people will willingly host this material. We need the
3 utilities to own up to their failure to properly
4 acknowledge the problem and get this stuff out of here.

5 This shouldn't have been our fight. This
6 should be the NRC's responsibility and they should not
7 be licensing the opening of new plants, like Watts Bar
8 Unit 2, when this waste disposal has never ever been
9 solved. This technology and its full-hardy time scales
10 that move in units of human lifetimes is a disgrace to
11 the profession of engineering.

12 CHAIRMAN DR. VICTOR: Thank you for your
13 comment.

14 (Applause.)

15 CHAIRMAN DR. VICTOR: Next is Kevin Blanch and
16 then Kurt Bauer I think. It's difficult for me to read
17 the handwriting. But Kurt Bauer. And I think after
18 Mr. Bauer, we'll -- we'll be finished with our time for
19 tonight.

20 MR. BLANCH: No. 1, I am going to do a bunch
21 of dirty work for you guys. And -- and I still believe
22 in you, Allison, by the way, even though that dog and
23 pony show you played with Barbara Boxer when she
24 questioned documents and threw her out of your office
25 when you were head of the NRC, covering up Fukushima.

1 But I still believe in you. I think you're
2 smart. And I think you know.

3 John, I believe in you. I've lived in Utah
4 and Idaho. And for somebody to say it's not our issue,
5 I've got news for you. I'm full of AML leukemia. This
6 is my friend that was born -- best friend, my childhood
7 best friend.

8 We've got AML leukemia. In the fall of 2011,
9 both given two months to live. We battled. He was
10 born right next to atomic city. We grew up right
11 there. I lived there. My father was at Pendleton. He
12 died. He was a human lab rat in the Nevada test site.

13 I was given two months to live. I walked this
14 entire Coast of California, documenting the catastrophe
15 called Fukushima that has killed the Pacific Ocean that
16 we're in epic denial about.

17 But here's some breaking news, you don't --
18 No. 1, the dry cask at Fukushima did not work and I
19 have before you a document and video proof that the dry
20 cask at AREVA, the bankrupt rats that they are,
21 completely failed.

22 So I hear people say, "Oh, San Onofre reactor
23 is part of energy solutions back there." So I get an
24 interview with Governor Herbert so I can tell you you
25 can forget Utah, over my dead body, over his dead body,

1 over our dead bodies. So it is on YouTube. You can
2 look it up on YouTube.

3 So I just -- I'm friends with Governor
4 Herbert. And it comes down to his decision. And we've
5 been battling Energy Solution, that bankrupt company,
6 for years. They poisoned us enough in Utah. "You made
7 it --" you guys -- I used to say, "You guys made it in
8 California. You eat it."

9 But I understand, I live here too. It's got
10 to go. And the jet stream moves left to right. I've
11 got news for you. And Fukushima, Japan, your -- it's
12 safer to live in Tokyo than to live right where you
13 live.

14 Breaking news. Breaking news. The jet stream
15 moves left to right.

16 I'm so -- I'm fool to do your dirty work.
17 Secondly, WIPP blew up. WIPP blew up on Valentine's
18 Day. I reported -- while I was a professor at a school
19 of business, at the Waters School of Business, who
20 built WIPP, I reported from there on my YouTube site.
21 100,000 views.

22 So when you say we're going to move it to
23 WIPP -- so Savannah River, the moxie-fuel has been
24 coming from Japan and you're moving it already. You
25 know that, Allison. You threw up the hand. Everybody

1 threw their hands up and you're bringing it back.

2 So it's already being moved to New Mexico.

3 And so WIPP, there's no political solution. There is
4 no bloody revolution. And I'm fool to do your dirty
5 work. But here's the thing, the fact of the matter,
6 you've got WIPP.

7 You have powers through the Department of
8 Energy. Congress passed Yucca. You have that BS
9 lawsuit about the water right. Congress passed Yucca
10 Mountain. And I've got news for you, only Congress
11 make the law.

12 Load it up in the middle of the night and
13 truck it to Yucca and don't even tell anybody. Just do
14 it and be done with it. Get it off this cliff. They
15 passed it. They passed it. Congress passed Yucca
16 Mountain.

17 And we keep paying this bill that you say
18 "because we enforced it before the law." You know,
19 bury it and then let them yell, "Okay. Barack Obama
20 can kiss my you-know-what on the cover-up of
21 Fukushima."

22 You know, I'm tired of it all. Load it up in
23 the middle of the night, truck it to Yucca and stick it
24 in a hole and be done with it.

25 Over. Hasta la vista.

1 CHAIRMAN DR. VICTOR: Okay. Thank you very
2 much for your comment.

3 (Applause.)

4 CHAIRMAN DR. VICTOR: Final comment from Kurt
5 Bauer. Kurt Bauer? Is he here?

6 (Brief pause.)

7 CHAIRMAN DR. VICTOR: Okay. Alex Boinus?
8 Are you Kurt Bauer?

9 MR. BAUER: Yes.

10 CHAIRMAN DR. VICTOR: Okay. Great. The floor
11 is yours.

12 MR. BAUER: Just a little fast statement, then
13 I'll yield the balance of my time to Kevin Blanch.

14 CHAIRMAN DR. VICTOR: We're at the one-hour
15 point, so you're the last comment.

16 MR. BAUER: I just want to know how you guys
17 look at your kids and -- I mean, this can't be -- it's
18 a terrible situation. I mean, this is the first time
19 I'm doing this. And I don't have my notes with me now.

20 But it's just terrible to see this happen.

21 Yeah, I would love to give Kevin the rest of
22 my time.

23 CHAIRMAN DR. VICTOR: We're literally at the
24 one-hour point and we've -- we've got to stop.

25 MR. BOINUS: I was the next speaker:

1 Mr. Boinus.

2 I just want to mention, on January 21, 2012, I
3 had the misfortune of driving down Highway 5 past
4 San Onofre when we had the nuclear radiation emission.
5 News stories -- I just want to point this out --

6 "Health alert: Radiation may have escaped
7 San Onofre." That news story was enough to alarm me to
8 see my personal physician who prescribed iodine
9 tablets. Okay?

10 Where was Edison telling the community that
11 they needed to get iodine tablets if they drove on the
12 5 that fateful day? I don't -- I didn't see any press
13 accountings. It was my Dr. Ron, we have testimony in
14 Laguna Beach, that said iodides are only going to
15 protect you against one form of cancer, thyroid.

16 Like asbestos in Johns Manville was forced to
17 follow people who had been exposed to asbestos over 30
18 years. Radiation is cumulative. And Edison has the
19 responsibility to everybody.

20 And why do you think we're cynical? Edison is
21 now responsible, not just for the public health, to the
22 private health and to our property.

23 So thank you very much.

24 CHAIRMAN DR. VICTOR: Okay. Thank you very
25 much for your comment.

1 (Applause.)

2 CHAIRMAN DR. VICTOR: We are -- I gather we
3 have a very hard stop on the facility. I gather we can
4 have another 15 minutes and the purpose of that is to
5 allow some responses to the questions that have been
6 raised, in particular, questions directed to our guests
7 who won't be here at future meetings and also questions
8 that have been directed to the CEP or to Edison.

9 If we don't get to all those tonight, we will
10 get answers to those and make them part of the official
11 record as is our normal practice.

12 So, Dan and Tim, you control this part of the
13 meeting. The floor is yours.

14 SECRETARY STETSON: Thank you very much.

15 John, a question came up or a number of
16 questions and comments with reference to Fukushima.

17 And the question really came up was, are there
18 canisters that are thicker canisters that survived
19 Fukushima that are licensed here in the United States?

20 Could you comment on that and also -- and
21 maybe quickly, any real lessons that we've learned
22 about Fukushima?

23 MR. KOTEK: So I'll say, when it comes to
24 licensing casks, that's the function of the Nuclear
25 Regulatory Commission. We're not a regulatory agency,

1 so I'll see if Allison Macfarlane wants to say
2 something? Or, you know, we can get you in touch with
3 the right folks on that subject.

4 Allison?

5 DR. MACFARLANE: I -- I don't have the answer
6 to that question. I would have to look into it, you
7 know. I don't have the answer to that specific
8 question.

9 VICE CHAIRMAN BROWN: Let me build off of that
10 real quick. The question came multiple times is, there
11 was a concern that many folks communicated that they
12 were concerned that these casks could not be moved,
13 that they were -- once they were placed inside the
14 ISFSI, that they could not be moved again.

15 And so this question could be to Tom or to
16 Allison. Can these casks be moved at some point?

17 DR. MACFARLANE: Yes. There -- these casks
18 are dual purpose casks, that means that they're made
19 for storage and transport. Correct?

20 MR. PALMISANO: That is correct, yes.

21 PUBLIC MEMBER: (Inaudible.)

22 VICE CHAIRMAN BROWN: No. No. No. There's
23 no -- there's no --

24 DR. MACFARLANE: Yes, they are. That's how
25 they're licensed.

1 VICE CHAIRMAN BROWN: We ask the questions.
2 We ask the questions they're going to answer.

3 DR. MACFARLANE: You can look them up on the
4 NRC's website.

5 PUBLIC MEMBER: Is that correct or no? You
6 don't know?

7 MR. EDLOW: They need to have -- they do need
8 to have the transportation canister, but the -- the
9 canisters that, in which the fuel is placed now, are
10 transportable with the second piece.

11 You know, when the second piece is built, when
12 it's need -- when the time comes to transport it, these
13 canisters are put inside the other piece and that is
14 the total transportation package.

15 PUBLIC MEMBER: How long does it take?

16 MR. EDLOW: No. You can -- you can ship them
17 as they are now.

18 PUBLIC MEMBER: But they are double.

19 CHAIRMAN DR. VICTOR: Folks? Please. Rita?
20 Please.

21 PUBLIC MEMBER: They can't be moved right now.

22 MR. EDLOW: There are --

23 CHAIRMAN DR. VICTOR: Please.

24 Can I ask Tom? We need to get through this
25 material so we can answer as many questions as

1 possible.

2 Can I ask Tom what the expectation is for when
3 these transport canisters would be available, if
4 needed?

5 MR. PALMISANO: Sure. And let me make a
6 couple of comments. I was unable apparently to get the
7 information you passed out, Rita.

8 I managed the Prairie Island Nuclear Plant
9 that has a thick wall steel canisters, so I'm very
10 familiar with it. So we don't have time tonight to
11 talk about that, but I'll be glad to pull that up and
12 explain a site-specific license that only they can use
13 versus a general license. So I'll be glad, in a future
14 session, to talk about that in depth.

15 So the canister, the slide I showed you, the
16 canisters with the Unit 1 fuel are licensed for storage
17 and transport and the transport package is licensed
18 today.

19 The canisters for Unit 2 and 3 fuel are
20 licensed for storage and transport and their transport
21 package is licensed today. They need to be built.
22 Okay. You can build an overpack in about six months.
23 Okay?

24 The new canisters for the Holtec system are
25 licensed for storage for SONGS, so if there's -- I saw

1 some statements about they're not licensed for SONGS,
2 that's not true. Amendment, one of the license
3 licensed them for storage at SONGS.

4 The transportation license is under review.
5 The NRC expects to complete that and issue the license
6 late this year, first quarter next year.

7 Again, it takes about six months to build the
8 transportation canister. Okay.

9 VICE CHAIRMAN BROWN: Second question is --

10 PUBLIC MEMBER: (Inaudible.)

11 CHAIRMAN DR. VICTOR: Okay.

12 VICE CHAIRMAN BROWN: -- that there was a
13 question that Gary Headrick posed about that there was
14 additional fuel, the possibility of additional fuel
15 degradation during transportation and that a
16 criticality --

17 A criticaliquy? I can't even say the word.

18 CHAIRMAN DR. VICTOR: Criticality.

19 VICE CHAIRMAN BROWN: A criticality. Thank
20 you so much.

21 CHAIRMAN DR. VICTOR: You're welcome.

22 VICE CHAIRMAN BROWN: That's why we bring John
23 around, to help me with that.

24 -- a criticality accident could happen during
25 transportation. This is from the letter that Gary had

1 posed. That's right. Gary, thank you.

2 Could you just speak to that really quickly
3 about --

4 MR. PALMISANO: Yeah. So -- so let me
5 explain. I just received a copy of the letter today,
6 and I appreciate Gary making that available. And we're
7 not interested in who wrote it. The important issue is
8 the questions that are brought up.

9 I'll be glad to deal with the cost questions
10 later, quite frankly, in a PUC venue where we do the
11 reasonableness reviews. There's a lot of misstatements
12 in the letter, and that's okay.

13 On the question of fuel inspections, we have
14 2,668 fuel assemblies in the two spent fuel pools.
15 They all must be inspected. We just completed that.
16 We found 2 percent with indications of leak from their
17 time in the reactors. That was expected.

18 I used a very sensitive method called "vacuum
19 sipping." So there was some previous assemblies from
20 years ago that were thought to be intact that came up
21 identifying leaks. I had about 27 of those. So
22 that's -- that's what's alluded to in the letter.

23 So this, Davis, is probably best for a
24 workshop where I can really explain.

25 So, what this does, it allows us to take these

1 2,668 assemblies, 57 which have indications that I've
2 got to decide are they acceptable to go in the canister
3 as is, and there are NRC rules on that, or do they go
4 in damaged fuel containers.

5 The purpose of a damaged fuel container is to
6 take an assembly that may not be fully intact and
7 contain it, so during shipment, it doesn't rearrange
8 its geometry where it could cause a criticality
9 concern.

10 CHAIRMAN DR. VICTOR: Thank you. I know that
11 Dan --

12 MR. PALMISANO: And we -- we won't get any
13 deeper in nuclear engineering tonight, but I'll be glad
14 in a workshop that --

15 PUBLIC MEMBER: What's the worst case scenario
16 if something went wrong?

17 CHAIRMAN DR. VICTOR: Please. Please. We --
18 we need to -- I want to suggest, this is a cluster of
19 issues that are important technically. This is one of
20 them. The aging management system is another. We
21 should have a workshop around those, so we can spend
22 sometime really getting into those in depth.

23 MR. PALMISANO: Right.

24 CHAIRMAN DR. VICTOR: Dan Stetson, you had
25 another question you wanted to pose to one of our

1 guests?

2 SECRETARY STETSON: Yes, I do. Marni had an
3 excellent question and it goes to John.

4 John, if we do our job and get the money, how
5 soon will you have -- assuming that you're building the
6 transportation cask for this, how soon will those be
7 ready to go?

8 MR. KOTEK: Yeah, and that goes to the
9 question I was asked earlier. You know, we had -- when
10 we first started out, I thought it would take us about
11 eight years after we got some congressional action to
12 actually be in the position to have, at least, a pilot
13 of a consolidated storage facility in place.

14 You know, we -- we've tried to shorten that
15 path a little bit, but we still haven't got the
16 congressional action that we think we need.

17 So that -- you know, that's the rough order of
18 magnitude of what it takes, that we think it'll take of
19 a facility in place. Then, of course, you have to go
20 through the process of transporting -- transporting the
21 material. Right.

22 And I'm going to look at Andy here. Can you
23 tell me if I'm wrong?

24 I think, one ex -- one data point is, the
25 Yucca Mountain EIS I think they had -- at maximum, they

1 were thinking they would be moving about 3,000 metric
2 tons of fuel a year.

3 Does that ring a -- sound right to you?

4 The plants that have been shut down or
5 announced or plan to be shut down over the next several
6 years, there's about 10,000 metric tons of fuel. Of
7 course, you don't -- you don't go from zero to, you
8 know, full speed in year one.

9 So you're -- I mean, you're talking about
10 several years worth of shipments to clear out the
11 shutdown plants, right, after you have a facility, you
12 know, in place.

13 And then, of course, then there's the whole
14 question of "When can you move the fuel?" And some of
15 it requires longer fuel cooling time than other and
16 that's --

17 CHAIRMAN DR. VICTOR: We have time for one or
18 two more and then I want to close.

19 SECRETARY STETSON: Okay. I hate to pose a
20 political question, but it was put out there. That
21 if -- I mean, we've got a presidential election coming
22 up. How susceptible is this process to who is going to
23 be in office?

24 MR. KOTEK: The woman to your left should
25 answer that.

1 DR. MACFARLANE: It's susceptible. I mean,
2 that's -- that's partly why the Blue Ribbon Commission
3 recommended that the management of nuclear waste in
4 this country should be taken out of the direct
5 political process, that means taken out of the
6 Department of Energy and build a separate agency that
7 is not a federal agency, that is -- that is some kind
8 of public private partnership to carry out this really
9 important task that needs continuity for decades.

10 CHAIRMAN DR. VICTOR: One last question from
11 Tim.

12 VICE CHAIRMAN BROWN: Sure. Charles Langley
13 posed a question about the meeting format and -- and,
14 you know, why it is that the meetings run the way that
15 they do, and some folks were arguing for a quasi
16 judicial aspect or that we should take on more of a
17 judgement-type role, so I think it would be important
18 to chat about that.

19 And then Mayor Patterson asked about how we
20 get items on the agenda.

21 CHAIRMAN DR. VICTOR: So and -- and Pam asked
22 about a series of other important questions related to
23 how we operate. So let me briefly say there's a lot of
24 detail in our charter, which is a brief document but
25 actually very informative.

1 I understand that some people would like a
2 more judicial-like process. There's a real tradeoff
3 here because the moment you create a decision-making
4 process that has judicial elements to it, you also make
5 it harder to do a lot of the back and forth that, I
6 think, when you look at the experience of Maine Yankee,
7 for example, which was an important model, was what
8 we're trying to achieve here. And I'm -- we're not
9 perfect, but that's the goal here.

10 I really appreciate the question about the
11 agenda items. Late in every year, we poll the CEP and
12 members of the public for what are topics you want to
13 put on the agenda; that produces a long list.

14 And then between Edison and the three
15 executive committee members of the CEP, we put together
16 a draft of what we're going to do over the next year
17 and then we present it at the last meeting of the year.
18 That's the process we've followed for the last two
19 years.

20 And so if people have ideas for -- for meeting
21 topics, please send them to us or to Edison. I want to
22 say we've had some ideas tonight about a workshop
23 topic.

24 And, frankly, and this is where I'd like to
25 close. We've had some really important ideas about how

1 do we do better working together, how do we do better
2 working together here in this -- in these communities,
3 and, also, how should we be reaching out to other
4 communities, what would be most -- most effective.

5 There are many other questions that have been
6 raised tonight. And, as is normal, we will catalog
7 them all. We will get answers, some of them are
8 technical questions, some of them are not answerable
9 yet. And we will make sure we circulate all that
10 information to the -- to the list and put it online.

11 And with that, we really are beyond our -- our
12 lease as it were.

13 So, thank you all very much and thanks to our
14 special guests this evening.

15 (Applause.)

16 (CEP meeting adjourned at 8:43 p.m.)

17

18

19

20

21

22

23

24

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

REPORTER'S CERTIFICATE

I, the undersigned Certified Shorthand Reporter in and for the State of California, do hereby certify:

That the foregoing proceedings were taken down by me at the time and place therein set forth; that the foregoing is a true record of the proceedings and of all the comments made at the time of the proceedings.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

The dismantling, unsealing, or unbinding of the original transcript will render the Reporter's certificate null and void.

IN WITNESS WHEREOF, I have subscribed my name on this date, TUESDAY, MARCH 12, 2016.

CARLOS R. HICHO
CSR NO. 13111