

Official Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

Title: 2.206 Petition on Emergency Planning

Docket Number: 05000247/05000286

Location: (telephone conference)

Date: Thursday, June 19, 2003

Work Order No.: NRC-963 **Pages 1-27**

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

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4 NRR/OLPM/PD3

5 + + + + +

6 TELECONFERENCE

7 -----x

8 IN THE MATTER OF: :

9 2.206 PETITION ON : Docket No.

10 EMERGENCY PLANNING : 05000247/05000286

11 -----x

12 Thursday, June 19, 2003

13

14 The telephone conference call began at
15 10:05 a.m., Tad Marsh, Chair, presiding.

16

17 CALL PARTICIPANTS:

18 JESSE ARILDSEN

19 HERB BERKOW

20 SCOTT BURNELL

21 ROBERT CLARK

22 WILLIAM COOK

23 DAVID CUMMINGS

24 JOHNNY EADS

25 CHARLENE FAISON

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1 CALL PARTICIPANTS: (Cont'd)

2 ANTONIO FERNANDEZ
3 JACK GOLDBERG
4 JOHN JOLICOEUR
5 TAD MARSH
6 PAT MILANO
7 PATRICIA MILLIGAN
8 JAY SILBERG
9 ROBERT D. SNOOK
10 REBECCA THOMPSON
11 MATIAS TRAVIESO-DIAZ
12 TED QUAID

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1 PROCEEDINGS

2 10:05 a.m.

3 MR. EADS: I'm Johnny Eads. The purpose
4 of the call is to allow the State of Connecticut
5 Attorney General's Office to address the Petition
6 Review Board prior to the Board's decision on
7 accepting the petition request under the 2.206
8 process.

9 The first thing I'd like to do is to have
10 all the participants on the call introduce themselves.
11 I'm going to ask you to please speak clearly since
12 this is a recorded call. I need you to state your
13 name, title and organization you're representing, and
14 I think we'll go around the room here first. There
15 are several people in the room, and we're just going
16 to introduce ourselves.

17 CHAIRMAN MARSH: I'm Tad Marsh. I'm the
18 Petition Review Board Chairman. I'm also the Director
19 of the Division of Licensing Project Management.

20 MR. BERKOW: Herb Berkow, Division of
21 Licensing Project Management, PRB member.

22 MR. JOLICOEUR: John Jolicoeur, the
23 Executive Director for Operations.

24 MR. GOLDBERG: Jack Goldberg, Special
25 Counsel, Office of General Counsel.

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1 MR. CUMMINGS: David Cummings, Office of
2 General Counsel.

3 MR. FERNANDEZ: Antonio Fernandez, Office
4 of General Counsel.

5 MR. BURNELL: Scott Burnell, Office of
6 Public Affairs.

7 MS. MILLIGAN: Patricia Mulligan, Senior
8 Emergency Preparedness Specialist.

9 MR. MILANO: Pat Milano, Licensing Project
10 Manager with NRR for Indian Point.

11 MR. CLARK: Bob Clark, 2.206 Coordinator.

12 PARTICIPANT: (inaudible)

13 MR. EADS: Okay. That's everybody in our
14 conference room.

15 PARTICIPANT: Johnny, it was very
16 difficult to hear most of those. I don't know that
17 it's crucial that we know exactly who's in the room.
18 I couldn't understand them. I don't know if Robert
19 could or not.

20 PARTICIPANT: I got about a third of them.

21 MR. MILANO: Yes. This is Pat Milano.
22 Since I know most of the people, let me -- I'll go
23 ahead and I'll introduce all of them for you.

24 PARTICIPANT: Okay, Pat. Thank you.

25 MR. MILANO: Okay. We have Tad Marsh who

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1 is dual-hatted in this room. He's Deputy Director for
2 Division of Licensing Project Management, and he's
3 also the Petition Review Board Chairman. We have Herb
4 Berkow who's one of the standing members of the Review
5 Board. We have John Jolicoeur from the EDO's Office,
6 Executive Director for Operations Office. We have
7 Jack Goldberg, Special Counsel with the Office of
8 General Counsel. The next two are also with the
9 General Counsel's Office, we have David Cummings and
10 Antonio Fernandez. From our Office of Public Affairs,
11 we have Scott Burnell. From our Senior Emergency
12 Preparedness Reviewer is Patricia Milligan. Branch
13 Chief for -- her Branch Chief, Ted Quaid, is on the
14 phone, and our Petition Coordinator we also have on
15 the phone, Bob Clark -- sorry about that. And, again,
16 Johnny Eads who's the Petition Manager. Thank you.

17 | PARTICIPANT: Thanks, Pat.

18 MR. EADS: Thanks, Pat. Okay. If we can
19 have the other participants introduce themselves, I'd
20 like to start with the Connecticut Attorney General's
21 Office.

22 MR. SNOOK: Yes. This is Robert Snook,
23 that's S-N-O-O-K, Assistant Attorney General with the
24 Connecticut Attorney General's Office.

25 MR. EADS: Okay. From the Licensee do we

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1 have anybody on board?

2 MS. FAISON: Yes. Charlene Faison,
3 Licensing Manager, Entergy Nuclear Operations, Inc. in
4 White Plains.

5 MR. SILBERG: And in Washington from Shaw
6 Pittman as our law firm representing Entergy, Jay
7 Silberg and Matias Travieso-Diaz.

8 MR. EADS: Very good. Anybody from Region
9 1 on the line?

10 MR. COOK: Yes. This is William Cook.
11 I'm a Senior Project Engineer for the Indian Point
12 Plant.

13 MR. EADS: Very good. FEMA?

14 MS. THOMPSON: Rebecca Thompson, FEMA
15 Region 2.

16 MR. EADS: And then finally any others?

17 MR. ARILDSEN: Jesse Arildsen from NRC's
18 Office of Nuclear Security and Incident Response,
19 Senior Program Manager.

20 MR. EADS: Very good. I didn't hear
21 anybody represent themselves as members of the public,
22 but if they are participating on this call, I would
23 remind you that the public is allowed to listen only.
24 And with that, I'll turn it over to Mr. Marsh.

25 CHAIRMAN MARSH: Are there any members of

1 the public on the line?

5 CHAIRMAN MARSH: Okay. Thank you very
6 much. Well, good morning again. My name is Tad
7 Marsh, and I'm the PRB Chairman, and I'm also the
8 Deputy Director for the Division of Licensing Project
9 Management. The subject of this teleconference today
10 is the 2.206 petition request that was submitted by
11 the Attorney General's Office of the State of
12 Connecticut, dated April 23, 2003, with a supplement.

Petitioners have requested among other things that the NRC issue an order for the Licensee for the Indian Point Energy Center to conduct a full review of all emergency preparedness plans at Indian Point, and during the course of this review order the suspension of the Plant's license to operate.

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1 any clarifying questions. I would emphasize that the
2 purpose of this teleconference is not to debate the
3 merits of the petition or to make any decisions
4 regarding the petition itself. It is merely to gain
5 information.

6 We requested that the Petitioners keep
7 their remarks to a total of about 30 minutes, and the
8 conference is being recorded for transcription so that
9 it will help if when making your statements if you'll
10 first please announce who you are. I'd like to also
11 say that transcripts will be made public, so they'll
12 be available for all to see. That will also help in
13 terms of knowing who's on the call. We've had a lot
14 of people announce their names and titles.

15 Following the call, the Petition Review
16 Board will meet to determine whether the NRC accepts
17 the petition under the 2.206 process or whether it
18 will be dealt with under another mechanism. The PRB's
19 meeting today will not determine whether we agree or
20 disagree with the merits of the petition. If the PRB
21 decides that the petition will be considered under the
22 2.206 process, then the NRC will issue an
23 acknowledgement letter to the Petitioner. The
24 Petition Manager will keep the Petitioner and the
25 Licensee periodically informed of the progress of the

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1 staff's review. Mr. Snook, I understand you're
2 available from the Attorney General's Office, and in
3 just a second we're going to turn it over to you.

4 I'd like to also say that if the NRC
5 decides that this is not a 2.206 and it will be
6 handled via another mechanism, the parties would be
7 informed of that as well, and that in either case
8 whether it is or is not a 2.206 petition, we would
9 intend on answering the issues that are addressed in
10 the request. So if there are no thoughts and
11 comments, Mr. Snook, I'd like to turn it over to you,
12 sir.

13 MR. SNOOK: Thank you. Once again, this
14 is Robert Snook from the Connecticut AG's Office, and
15 I'd like to thank all of you for the opportunity to
16 address the Board this morning.

17 I cannot emphasize enough how important
18 this 2.206 petition is to the State of Connecticut.
19 The Attorney General is not a special interest group,
20 he is not a community group, he is the chief legal
21 officer of the State. He is entrusted under
22 Connecticut law, by statute, with representing the
23 interests of the State in any and all matters in which
24 the State has a concern on interests, particularly of
25 this nature. And the State does have an interest

1 here, it's a very definable and recognizable interest.

2 Probably the easiest one conceptually to
3 describe, and it's been addressed in the 2.206
4 petition and the supplement, are the direct impacts of
5 emergency planning on the transportation
6 infrastructure, particularly of southwestern
7 Connecticut but really of Connecticut as a whole.
8 There are also the interests of the residents within
9 the ingestion pathway, that's the 50-mile, not the
10 ten-mile pathway zone, that is described by
11 regulation.

12 In addition, of course, there are any
13 number of effects within the ten-mile zone which also
14 have the collateral effect in Connecticut, and I'm
15 particularly talking about the reservoirs. There are
16 a number of reservoirs in and around the New York
17 Westchester County region which actually supply water
18 to people in Connecticut.

19 I would like to make three very simple and
20 very quick points and then I'd be happy to answer any
21 questions the Board or others may have. In my role as
22 an Assistant Attorney General, as a government lawyer,
23 I am keenly aware of the importance of not wasting
24 limited Agency resources addressing matters that are
25 either duplicative of matters that have already been

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1 considered by the Agency or simply have been dealt
2 with elsewhere, and I am assuming without any
3 information to back this up that the Board may wish to
4 have some reason to apply to this 2.206 petition
5 involving Indian Point and why is it different in any
6 way from the River Keeper one.

I understand River Keeper organization,
which is not based in Connecticut, and I've had maybe
two conversations with them, filed a 2.206 sometime my
guess is probably around two years ago. I understand
that it also involved Indian Point in the fact that I
got something resembling a copy of it, and that's what
I used as the format. So to the extent that I used a
format, and since I've never done a 2.206 before, the
format may appear similar to the River Keeper but
that's just about as far as it goes for various
important reasons.

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1 Before I talk about that, I would like to
2 also emphasize that the State of Connecticut has its
3 own nuclear power station, the Millstone Stations. We
4 our aware, generally, of issues involving emergency
5 preparedness. You will also notice that I have not
6 filed a 2.206 with respect to those nuclear power
7 stations or ones in Massachusetts or New Hampshire or
8 anywhere else. The reason being is that Indian Point
9 is a unique problem from our perspective. The area
10 around it is in fact very densely populated and in
11 fact it's adjacent to densely populated areas of
12 Fairfield, Connecticut and our largest city in the
13 State, which by the way is not Harper but it's
14 Bridgeport.

15 And the history of this action is
16 important in putting this 2.206 in context. Yes,
17 we've been aware of Indian Point for many, many years.
18 We've had no particular reason for concern. In fact,
19 if you asked me a few years whether complicated,
20 deliberate, multi-targeted attacks international
21 terrorists would be considered even reasonable, I
22 would have considered that idea ludicrous. What is
23 ludicrous now is to pretend that it is -- that there
24 are in fact people who are not attempting to do
25 precisely that. No less an authority to the CIA and

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1 in fact an article just this week in the London Times
2 suggests that the British intelligence have also come
3 to the same conclusion, that large-scale multi-
4 targeted attacks involving possibly even weapons of
5 mass destruction are inevitable. It is simply a
6 matter of time. And I can't think of a more
7 attractive target than the New York City area; in
8 fact, apparently, the terrorists have come to that
9 same conclusion.

10 Having said that, it is not surprising
11 that the residents, the citizens of Connecticut have
12 increased concern particularly about a target such as
13 Indian Point, its location and its unique position in
14 terms of emergency preparedness. By that I mean, and
15 it's CON -- Connecticut DOT -- forgive me, I sometimes
16 use the term CONDOT -- which is my other client, has
17 made it very clear that transportation infrastructure
18 in southwestern Connecticut is not capable of doing
19 that which the emergency preparedness plans would have
20 it do.

21 We cannot move, in fact we can't generally
22 move the existing working population safely and
23 efficiently from southwestern Connecticut into New
24 York on a daily basis. The roads were designed for
25 approximately 80,000 vehicles per day maximum. They

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1 are currently operating at about 140,000 a day. The
2 result of that, as the Transportation Review Board of
3 Connecticut has made very clear in its study, which I
4 included in my 2.206 petition, the original one I
5 don't believe was in the supplement, is that currently
6 people use the word "trapped" in this road network,
7 and that's just in an average working day. What this
8 means is that the fundamental assumptions for travel
9 times and for evacuation protocols that we have seen
10 and reviewed are in fact designed to do what they are
11 designed to do. We need to address that if in fact
12 we're going to get people, if necessary, out of an
13 area such as Westchester and elsewhere. And the
14 immediate ten-mile and we suspect actually we'd
15 probably need to move outside of the ten-mile area.

16 In addition, there are other factual
17 studies and reports independent in fact that have
18 nothing to do with Indian Point, which have raised
19 considerable concern in Connecticut and among
20 Connecticut authorities. I have sent one of them
21 along I believe with a supplement, that is the Kennedy
22 School of Government Study of nuclear vessel
23 references to federal studies involving hurricane
24 evacuation in and around southern Florida,
25 consistently showing that in excess of 20 percent

1 additional evacuations, these so-called shadow
2 evacuations. This is not hyperbole, this is not
3 anecdotal information; this is hard study information.
4 These are fact, and it shows that information that
5 would suggest that even in something as mundane, I
6 should say, as a hurricane, there have been over 100
7 that have hit Florida in a century, something that
8 happens from time to time, you can expect 20 to 25
9 percent additional movement of people, which we do not
10 believe has been adequately included in the travel
11 time and evacuation as to for Indian Point.

12 In addition, we have addition information
13 now on family separation issues. Included in not only
14 the Kennedy School of Government study but in National
15 Institute of Health studies -- in fact, we haven't
16 sent them along yet because we just found them --
17 indicating that people will evacuate not as
18 individuals but as families. To attempt to separate
19 the family, to assume that children will be evacuated
20 first and families elsewhere is not only inconsistent
21 with existing government studies but will be in fact
22 counterproductive.

23 Final area is of course the Witt Report,
24 a report that -- I assume everyone that I am speaking
25 to is familiar with -- and the Hopenfeld letter which

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I understand came from, and I have no factual information to support this other than what I have been informed of, I have not spoken to Dr. Hopenfeld. I understand he is a former NRC staffer. All of which indicate that there are some fundamental concerns with evacuation, emergency preparedness and the design basis threat and Indian Point.

This is directing the State of Connecticut to an issue of concern. It is true that when River Keeper, and I suspect there may have been other organizations, first raised their concerns about Indian Point we did not share with them, we did not join them. We have tremendous confidence in the NRC, and please accept my statement when I say this is not an attack on the NRC or necessarily even the Licensee, Entergy. What we are saying is that the citizens of Connecticut have deep concerns, factual concerns, reasonable concerns about evacuation and other emergency preparedness issues at Indian Point. Indian Point poses a unique threat a sense to the State of Connecticut because of its location vis-a-vis the movement per people and prevailing wind direction.

We are asking for the NRC, either on its own through FEMA or through the Licensee, to review the issues at this facility, particularly those that

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1 impact upon Connecticut -- the reservoirs, the
2 Connecticut transportation infrastructure issues. And
3 the reason we're asking NRC this is because NRC is in
4 fact the Licensee and the only one who can ultimately
5 make the decisions that can correct these issues. It
6 would send very much the wrong message if the State of
7 Connecticut, through its elected officials, if their
8 concerns are dismissed, if they are considered -- or
9 shall I say if they're not even technically or
10 seriously reviewed, that would be very unfortunate for
11 all of us.

12 The State is taking this very, very
13 seriously. Mr. Blumenthal himself is taking this very
14 seriously, that much I can assure you. I would hope
15 that the NRC will take this 2.206 petition and
16 evaluate it. We look forward to answer any questions
17 that members of the Board or others may have, and we
18 also, of course, look forward to an ultimate
19 determination on the merits of this issue.

20 CHAIRMAN MARSH: Okay. Thank you very
21 much. We've been taking notes and of course it's also
22 being recorded for transcription. Are there any
23 questions from those here in the room regarding this?
24 Yes, Patricia?

25 MS. MILLIGAN: I just have a question --

1 CHAIRMAN MARSH: Can you hear this okay?

2 COURT REPORTER: Barely. And could you
3 identify who's speaking, please.

4 CHAIRMAN MARSH: This is Trish Milligan.

5 MS. MILLIGAN: Hi. I'm the Emergency
6 Preparedness Specialist here at NRC. I just have a
7 question. When you talked about adequate evacuation
8 of travel times, could you give me an idea of what you
9 think is an adequate evacuation travel time, just so
10 I understand what your language is. When you say
11 inadequate versus adequate, I'm --

12 MR. SNOOK: Okay. Thank you. Once again,
13 this is Bob Snook and I stress I'm actually a lawyer,
14 and as a consequence I'm making my comments about
15 evacuation travel times based on the following. First
16 of all, for those who have studied it, Mr. Witt and
17 others, have made some comments about the assumptions
18 involving travel times. Furthermore, our own internal
19 people have been concerned about as follows: There
20 are travel time estimates that have been reviewed and
21 updated from time to time.

22 On the other hand, we have seen no
23 indication that any of the travel time estimates in
24 any of the NRC studies include the fact that in
25 southwestern Connecticut certainly during the course

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1 of any emergency our DOT and other people would
2 preclude that you will have effectively no movement or
3 none of significance that will be possible through
4 Interstates 84, State Route 15 or Interstate 91.

The result of this that if prevailing winds are coming from west to east and if we have a deliberate or even a large-scale accidental release from the facility moving Cesium 137 or any other radionuclides into the air, the 11.9 million people, roughly 300,000 in the immediate vicinity plus the larger numbers that would in all likelihood move anyway, the shadow evacuation issue, would be on interstates. Even if you opened up all lanes, six lanes, and were able to do that, you would have traffic jams that would essentially lock people for anywhere from eight to 12 hours in the direction that winds will be blowing the radioactive material, and this is a worst-case scenario, understand that.

19 We haven't seen that adequately addressed,
20 in fact we haven't seen much of anything about the
21 transportation issues in southwestern Connecticut in
22 any of the radiological emergency preparedness plan
23 information that has been brought to our attention.

24 MS. MILLIGAN: Okay. Thank you. And one
25 more question which was probably -- it's sort of the

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1 same kind of question again just so I can understand
2 a frame of reference. When you discuss in your
3 executive summary, "poses an unreasonable risk," can
4 you explain to me what's an unreasonable risk versus
5 a reasonable risk?

6 MR. SNOOK: Actually, in addition to being
7 an extremely important question, it's almost an
8 impossible one, in many ways, to answer. I would
9 respond in two ways. If you take risk as in and of
10 itself a thing, how do people perceive risk? Well,
11 it's very subjective. On the other hand, certain
12 empirical studies seem to suggest, the ones that have
13 been brought to our attention here, that there are
14 certain facts that you can't -- or least certain
15 common trends among this perception.

16 It is also true in a non-scientific sense
17 that people, for example, accept the risk of smoking
18 with considerably greater ease than the risk of
19 radiation. We have found that in doing our own --
20 well, for example, in lower radioactive waste
21 facilities here in Connecticut, or at least our
22 attempts to do so. The State of Connecticut's DEP is
23 a one times ten to the minus fifth as the official
24 risk factor, in a sense, for doing certain types of
25 remediation of radioactive waste sites. That being an

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1 official, shall we say, remediation level of risk is
2 what the risk the public may or may not accept from
3 certain specific instances.

4 What I would say here is that certainly
5 any remediation of the site or any downwind or
6 affected areas, particularly in Connecticut or
7 elsewhere, would of course have to meet at the very
8 minimum the State of Connecticut's one times ten to
9 the minus fifth, which in using the BEER 5 Standard we
10 come up to a total dose equivalent of 19 milirem.
11 That is not the same as addressing the risk that the
12 public would be willing to accept. And we as public
13 officials have an obligation to bring to the NRC's
14 attention with respect to the risk of, for example, a
15 terrorist attack. That is a different reason in the
16 same war but we're not meaning the same thing.

17 So if your question is posed to what level
18 of remediation following a post-incident cleanup, then
19 certainly anything in Connecticut would be under the
20 19 milirem one times ten to the minus fifth standard.

21 MS. MILLIGAN: A quick question on the ten
22 to the minus fifth standard. Is that fatal cancers?

23 MR. SNOOK: I'm sorry?

24 MS. MILLIGAN: Is that a fatal cancer
25 risk?

1 MR. SNOOK: I believe so.

2 MS. MILLIGAN: Is that ten to the minus
3 fifth?

4 MR. SNOOK: I believe so. I would stress
5 that, and once again, I'm the lawyer, I did not bring
6 the risk specialist with me today. I have been
7 working with them on other issues; in fact, on two
8 radioactive contamination sites in the State of
9 Connecticut, and it was explained to me that using the
10 BEER 5 standard, it's not a non-linear standard. It
11 is my understanding the DEP equates one times ten to
12 the minus fifth lifetime cancer risk to a 19 milirem
13 total dose equivalent.

14 MS. MILLIGAN: Okay. Thank you very much.

15 MR. SNOOK: Sure.

16 CHAIRMAN MARSH: Okay. Any other
17 questions from those here at headquarters? Okay.
18 Region 1 NRC, any questions there for the Petitioner?

19 MR. CLARK: This is Bill Clark. No, thank
20 you.

21 CHAIRMAN MARSH: Thank you. FEMA, any
22 questions from you?

23 MS. THOMPSON: No. No questions FEMA
24 Region 2.

25 CHAIRMAN MARSH: Thank you. The Licensee?

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1 MR. SILBERG: This is Jay Silberg. I have
2 one question for Mr. Snook, and that is these
3 additional four studies that you mentioned, the NIH
4 studies, do you plan to file an addition supplement to
5 your petition?

22 COURT REPORTER: I'm sorry, can you say
23 that again, please? .

24 MR. SNOOK: I'm sorry, M as in Michael, H
25 as in Harry 45069 Research Branch, National Institute

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1 of Mental Health. And I believe Jasmine Ryad is the
2 person -- the contact person at the Disaster Research
3 Center, University of Delaware in Newark, Delaware,
4 and their electronic mail is jriad@udel.edu. The
5 study involves -- it's a fascinating area, by the way
6 -- a number of issues involving adult perception of
7 risk and the variables involving families and family
8 separations. The studies are commenced and they have
9 ones from 1971, '79, '84 and the most recent which I
10 think is in the last few months, and I don't have it
11 right here in front of me. If possible, I will supply
12 these but that depends if the Board accepts the
13 petition or not.

14 CHAIRMAN MARSH: Okay. Now, the point of
15 the -- the initial decision before us is whether or
16 not it is a 2.206, and if it is, then we would request
17 those other citations or the material itself. And so
18 let's proceed that way if we can.

19 Okay. Any other questions from those that
20 are on the line? Attorneys for the Licensee, did we
21 get all comments from you?

22 PARTICIPANT: Yes.

23 CHAIRMAN MARSH: Okay. Well, thank you
24 very much, Mr. Snook. I appreciate the information
25 you've given us. It will certainly be helpful.

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1 Again, we have recorded the call, and it will be
2 available through transcription, publicly available.
3 We will look carefully at the information that's
4 there, and as I just said, we will be meeting shortly
5 to decide whether or not the information rises to the
6 2.206 level.

7 Just procedurally I want to make sure we
8 all understand where are, and this is all covered in
9 the Management Directive 8.11. That Directive talks
10 about time frames, it talks about our procedures, and
11 roughly if this is a 2.206 process, an acknowledgement
12 letter will be issued. Within 120 days of the
13 acknowledgement letter, a proposed Director's decision
14 would be issued. The parties would have 30 days at
15 that point to make comments on the proposed Director's
16 decision. The Agency would have 45 days thereafter to
17 address those comments and issue the final Director's
18 decision. We, of course, are swayed by comments
19 coming from all the proposed decisions. And our
20 commissioners have an option to review the final
21 Director's decision at their choice, and there is a
22 time frame associated for that.

23 So, again, I want to thank everybody for
24 participating in the call.

25 MR. SILBERG: Okay. And before you get

1 off, just one other -- and I think I've told this to
2 at least some of the folks in the General Counsel's
3 Office, that Entergy is intending to submit a response
4 document to the 2.206 petition in the reasonably near
5 term.

6 CHAIRMAN MARSH: Can you give a rough time
7 frame for that?

8 MR. SILBERG: I don't know. It will be in
9 the nature of a few weeks. We're waiting for internal
10 review.

11 MR. GOLDBERG: Jay?

12 MR. SILBERG: Yes.

13 MR. GOLDBERG: Jack Goldberg. Can you
14 hear me?

15 MR. SILBERG: I'm sorry, say again?

16 MR. GOLDBERG: I said Jack Goldberg coming
17 to the phone.

18 MR. SILBERG: Yes, Jack. Hi.

19 MR. GOLDBERG: Hi. In your written
20 response will you be arguing that this does not
21 warrant treatment as a 2.206 petition under Management
22 Directive 8.11 or will it just address the merits of
23 the petition?

24 MR. SILBERG: No. I think it will just go
25 to the merits.

1 MR. GOLDBERG: Okay. Thank you.

2 CHAIRMAN MARSH: Okay. Any other
3 thoughts, comments and questions from those that are
4 on the call? Again, thank you very much. We will be
5 meeting very shortly to consider this under 2.206.

6 MR. SILBERG: Okay. One other question.
7 Robert, could you just give me your phone number so if
8 there's a reason for us to get hold of you directly if
9 we can?

10 MR. SNOOK: Please. And in addition to
11 being a lawyer being also a public official, I look
12 forward to talking to anybody from Entergy or Shaw
13 Pittman. It's 860-808-5020, and my fax same number
14 except it's 5347.

15 MR. SILBERG: Okay, 860-808-5020.

16 MR. SNOOK: Yes.

17 MR. SILBERG: Got it.

18 MR. SNOOK: And thank you all once again.

19 CHAIRMAN MARSH: Thank you very much.

20 Whereupon, at 10:36 a.m., the
21 Teleconference was concluded.)

22

23

24

25

CERTIFICATE

This is to certify that the attached proceedings
before the United States Nuclear Regulatory Commission
in the matter of:

Name of Proceeding: 2.206 Petition on Emergency

Planning

Docket Number: 05000247/05000286

Location: telephone conference

were held as herein appears, and that this is the
original transcript thereof for the file of the United
States Nuclear Regulatory Commission taken by me and,
thereafter reduced to typewriting by me or under the
direction of the court reporting company, and that the
transcript is a true and accurate record of the
foregoing proceedings.

Lauren Willis

Lauren Willis
Official Reporter
Neal R. Gross & Co., Inc.