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Pages 1-25

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PETITION REVIEW BOARD (PRB)

MEETING

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WEDNESDAY,

SEPTEMBER 24, 2003

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ROCKVILLE, MARYLAND

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The Petition Review Board met at 3:00 p.m. at the Nuclear Regulatory Commission, One White Flint North, Room 09B4, 11555 Rockville Pike, Eric Leeds, Chairman, presiding.

PETITION REVIEW BOARD:

ERIC LEEDS, Chairman

BRIAN BENNEY, Petition Manager

HERB BERKOW

JACK GOLDBERG

1 NRC STAFF PRESENT:

2 RALPH ARCHITZEL

3 SUZANNE BLACK

4 MOLLY BUPP

5 T.Y. CHANG

6 ROB ELLIOTT

7 ANTONIO FERNANDEZ

8 SUE GAGNOR

9 MICHAEL JOHNSON

10 DONNIE HARRISON

11 JOHN LAMB

12 DAVID LEW, via teleconference

13 MICHAEL MARSHALL

14 DONNA SKAY

15 SUNIL WEERAKKODY

16 LICENSEE:

17 ALAIN GROSJEAN, Entergy

18 JOHN McCANN, Entergy, via teleconference

19 JAY SILBERG, Shaw Pittman, on behalf of Entergy

20 PETITIONERS:

21 DAVID LOCHBAUM, Union of Concerned Scientists

22 KYLE RABIN, Riverkeeper, Inc.

23 ALSO PRESENT:

24 JENNY WEIL, McGraw Hill

25

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Page

<u>Opening Remarks</u>	3
Mr. Benney	
Chairman Leeds	5
<u>Presentation by Petitioners</u>	
Mr. Lochbaum, Union of Concerned Scientists	6
Mr. Rabin, Riverkeeper, Inc.	15
<u>Questions and Remarks</u>	19

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

3:08 p.m.

MR. BENNEY: On the record. I want to welcome everybody to today's meeting. My name is Brian Benney. I've been assigned as the Petition Manager. The Petition Review Board Chairman is Eric Leeds. He's seated to my right.

This meeting is being transcribed. The transcription will be a supplement to the Petition and will be made publicly available. Representatives from the NRC's Region I Office and the Licensee, Entergy Nuclear Northeast (also known as "Entergy") are participating via a recorded phone line. If we could go around the room and present ourselves. My name is Brian Benney.

CHAIRMAN LEEDS: My name is Eric Leeds.

MR. JOHNSON: Mike Johnson.

MR. WEERAKKODY: Sunil Weerakkody.

MR. FERNANDEZ: Antonio Fernandez.

MR. BERKOW: Herb Berkow.

MS. BLACK: Suzie Black.

MR. LOCHBAUM: Dave Lochbaum with the Union of Concerned Scientists ("UCS").

MS. GAGNOR: Sue Gagnor, NRC Public Affairs.

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1 MS. BUPP: Molly Bupp, NRC OGC.

2 MR. GROSJEAN: Alain Grosjean, Entergy
3 Nuclear Northeast.

4 MR. SILBERG: Jay Silberg, Shaw Pittman
5 representing Entergy.

6 MR. ARCHITZEL: Ralph Architzel, NRC.

7 MR. ELLIOTT: Rob Elliott, NRC.

8 MR. HARRISON: Donnie Harrison, NRC.

9 MR. LAMB: John Lamb, NRC.

10 MR. CHANG: T.Y. Chang, NRC.

11 MR. MARSHALL: Michael Marshall, NRC.

12 MS. SKAY: Donna Skay, NRC.

13 MR. GOLDBERG: Jack Goldberg, NRC OGC.

14 MR. BENNEY: Again, this is Brian Benney.

15 If everyone on the phone can introduce themselves
16 please.

17 MR. RABIN: Kyle Rabin, Environmental
18 Group, Riverkeeper.

19 MR. McCANN: John McCann, Entergy.

20 MS. WEIL: Jenny Weil, McGraw Hill.

21 MR. LEW: David Lew, Region I.

22 MR. BENNEY: Thank you. I just ask that
23 anyone making a statement please state their name
24 first so that the court reporter can put your name
25 attached with your statement correctly. I'll pass it

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1 on now to Eric Leeds, the Petition Review Board
2 Chairman.

3 CHAIRMAN LEEDS: Thank you. Again my name
4 is Eric Leeds. I'm the NRC Petition Review Board
5 Chairman. Some opening comments before we get
6 started. The subject of this meeting is the 2.206
7 petition ("Petition") submitted by Riverkeeper and the
8 Union of Concerned Scientists (to be referred to
9 collectively as the "Petitioners") on September 8,
10 2003.

11 The purpose of today's meeting is to allow
12 the Petitioners to address the Petition Review Board.
13 This is an opportunity for the Petitioners to provide
14 additional explanations or support for the Petition.
15 This is also an opportunity for the Staff and Licensee
16 to ask any clarifying questions. The purpose of this
17 meeting is not to debate the merits of the Petition
18 nor whether the NRC agrees or disagrees with the
19 contents of the Petition.

20 The Petitioners requested that the NRC
21 take enforcement actions against Entergy Nuclear
22 Northeast, the Licensee for Indian Point Units 2 and
23 3 in Buchanan, New York to immediately shut down
24 Indian Point Units 2 and 3 and to maintain the
25 reactors shutdown until such time that the containment

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1 sumps are modified to resolve Generic Safety Issue
2 191. The Petitioners requested as an alternative
3 enforcement action that the NRC prevent plant restart
4 until certain conditions have been met with additional
5 restrictions in the interim.

6 Following this meeting, the PRB will meet
7 to determine whether the NRC accepts the Petition
8 under the 2.206 process or whether it will be dealt
9 with under another mechanism. The PRB's meeting will
10 not determine whether we agree or disagree with the
11 contents of the Petition, merely the process the NRC
12 will use to evaluate the Petition.

13 I also want to make the public aware
14 before we get into the meeting that there is
15 additional information on the sump issue on the NRC's
16 website. We'll continue to update that as current
17 information becomes available. So without any further
18 adieu, let me turn it back over to David Lochbaum and
19 UCS.

20 MR. LOCHBAUM: David Lochbaum with Union
21 of Concerned Scientists. I appreciate that. I also
22 want to start to express our appreciation to Brian
23 Benney and the NRC staff for rescheduling this
24 meeting. Originally it was scheduled for Monday. It
25 was hard for us to get the Supplement done by then so

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1 I appreciate it. I know it took some work to make
2 that happen and we appreciate that.

3 Also we would like to acknowledge our co-
4 petitioner, Riverkeeper. Riverkeeper in general and
5 Kyle Rabin in particular has been subjected to
6 unwarranted and unjustified attacks in recent letters
7 to "The Editor." While UCS cherishes a open and
8 unfettered press and believes that everybody is
9 entitled to their opinion, our opinion is that
10 Riverkeeper is an organization providing an invaluable
11 public service to the people living in New York and
12 that Kyle Rabin is a competent, capable and dedicated
13 individual with unimpeachable integrity. We are
14 honored and pleased to partner with Riverkeeper on
15 this Petition.

16 Also I must apologize to Entergy for
17 having to use Indian Point to force the NRC to take
18 this safety issue seriously. If the NRC even remotely
19 resembled an effective regulator, a safety issue
20 identified affecting 69 power reactors deemed to high
21 priority in September of 1996 would still not be
22 opened seven years later. It may be unfair or seem
23 unfair for us to single out Indian Point in trying to
24 get the NRC to take this issue seriously. We fully
25 agree. We have plans for the other plants that we

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1 will set in motion very soon so Indian Point will be
2 alone for only a few more days.

3 With that, I would like to just point out
4 a few things in the Petition and the Supplement. I
5 think it was fairly clear. We will glad to entertain
6 any questions about it in case it's not. On page
7 eight of our September 8th Petition, we provided what
8 we thought was a relevant precedent for our requested
9 actions and that was the dual unit shutdown at the
10 D.C. Cook plant in September of 1997.

11 Although the exact nature of the reasons
12 for the shutdown were a little bit different, the
13 basic fundamental causes were the same. That was
14 uncertainty about whether that plant could
15 successfully enter the long-term recirculation phase
16 or the low pressure recirculation phase of ECCS
17 operation. There was an absolute proof of that. In
18 fact, there was less proof of that then than there is
19 today of the sump issue, but it was uncertainty
20 nonetheless that led the plant owner to voluntarily
21 shut down both units until that issue could be
22 determined one way or the other.

23 On page 11 of our September 8th Petition,
24 we cite the limiting condition for operation for the
25 Indian Point reactors that says if the LCO can't be

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1 met, the required action is to place the reactor in at
2 least hot shutdown within seven hours. The
3 containment sump issue was identified seven years ago
4 and clearly seven hours is within that timeframe.

5 Page 14 of our September 8th Petition, we
6 note that the NRC's bulletin that was issued in June
7 2003 licensees such as Entergy would consider taking
8 various steps to lessen the likelihood of containment
9 sump clogging or subsequent loss of ECCS function. We
10 noted that the bulletin did not request Entergy or any
11 other plant on earth to consider taking any steps to
12 maintain the leak-before-break monitoring equipment or
13 to minimize the likelihood of a loss-of-coolant
14 accident that would potentially challenge the
15 containment sumps. We felt that it was a necessary
16 compliment to the steps that the NRC took in that
17 bulletin. That in fact is why we cited that as basis
18 and included that in the alternative enforcement
19 actions we are seeking.

20 On page 15 of the September 8th Petition,
21 one of the things we were a little confused about is
22 we've seen some of the press accounts since the
23 Petition about the low likelihood that an event could
24 occur that would the containment sumps. There were
25 words to the effect from the NRC spokespersons saying

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1 the containment sump has never been challenged in the
2 past. That's a basis for not having to worry about
3 this in the immediate timeframe today.

4 Whether there was any analysis that
5 supported the bulletin going out in June this year
6 looks like it would be equally valid for this Petition
7 now. That does not seem like it's a fine enough line
8 to allow the bulletin to go out and keep the Petitions
9 actions for going through. We can't understand how
10 that could possibly happen.

11 Turning to the Supplement to the Petition
12 that we sent in on September 22nd, basically it should
13 have been in the Petition, but the question we ask
14 ourselves that led to the Petition was everything
15 we've heard is that at the end of the day or decade or
16 whenever there will be physical modifications made at
17 Indian Point to resolve GSI-191. If that's the case,
18 how was the safety justification for continuing to
19 operate until then?

20 So we went through those three possible
21 outcomes. One is the GSI-191 resolution for Indian
22 Point will require physical modifications. If that's
23 the case, what's the justification for operating
24 between now and then with that impairment? We haven't
25 seen anything in NOED ("Notice of Enforcement

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1 Discretion"), a Generic Letter 91-18 analysis or
2 anything that would support continued operation of the
3 plant if that's the expected outcome.

4 On page 2 of our Supplement, we looked at
5 the next outcome which was the resolution of GSI-191
6 for Indian Point could be made with no physical
7 modifications. Basically the existing configuration
8 is okay or will be okay as is based on further
9 walkdowns and analysis. If that's the expected
10 outcome, then we don't see any preliminary assessment
11 or engineering judgment again per 91-18, Supplement 1,
12 that would support such a notion.

13 The third outcome we've also heard some
14 media speculation about is that the outcome of GSI-191
15 can't be determined at the moment because there's not
16 enough plant-specific information available to know
17 whether physical modifications are required or not.
18 For that outcome, we haven't seen anything that would
19 override or negate the Los Alamos work that suggests
20 that there's a high likelihood of problems with high
21 consequence. It looks as a minimum that Los Alamos
22 yelled "Fire" in a crowded theater and nothing's been
23 done to look at the people in the audience.

24 On page 4 of the Supplement to our
25 Petition, we did cite some previous precedence that

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1 the NRC has done. The NRC has not issued a lot of
2 shutdown orders. This may not be a comprehensive
3 list. These are the ones that we could find in our
4 files and in the NRC's files.

5 Pilgrim in December of 1973 did a fuel
6 channel boxware. It was the result of UCS-New England
7 Coalition Against Nuclear Pollution petition. Cook
8 Unit 1 in spring of 1978 due to electrical connector
9 concerns. Beaver Valley, Surrey Units 1 and 2,
10 FitzPatrick and Maine Yankee in March of 1979 due to
11 seismic concerns or computer code used to do seismic
12 analysis. Peach Bottom Units 2 and 3 in March of 1987
13 due to operator attentiveness associated issues.

14 Again in all of those the case doesn't
15 seem as strong as the containment sump issue today and
16 yet they all led to NRC issuing shutdown orders and
17 immediate repairs. So I think that's precedence that
18 should be followed in this case.

19 One counterpoint combo that we left out of
20 this of this list we heard of the NRC telling a
21 reporter just yesterday was that we based a lot of our
22 petition on Los Alamos' August 2002 report. The NRC
23 issued Los Alamos' more recent study in February 2003
24 that outlined a number of measurements that could be
25 taken to reduce the risk values that were reported in

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1 the August 2002 report.

2 We recognize that to be true and in fact
3 that February 2003 report was a significant input to
4 the NRC's Bulletin 2003-01 that was issued in June
5 2003. But in looking at Entergy's response to the
6 Bulletin, Entergy politely declined to implement
7 virtually any of the Los Alamos risk reduction
8 measures. We don't think any credit should be given
9 to the steps not taken.

10 Page 5 of our Supplement to the Petition.
11 We look at the case of what happens if the NRC denies
12 this petition in its entirety today and Entergy
13 enlarges the containment sump screens and/or replaces
14 installation and coding inside containment at any
15 point somewhere down the road. We would look at those
16 modifications as prima facie evidence, of regulatory
17 malpractice because enough information is know today
18 to suspect that's going to be the outcome. We would
19 say that it's a proof positive that the public health
20 hazard was both real and ignored by the NRC in the
21 interim.

22 We do have some new information that's
23 related to the Petition. That's the Westinghouse
24 Owners Group Standard Technical Specifications Section
25 3.5.2 specifically. It's available on the NRC's

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1 website and on ADAMS. Citing data from the Revision
2 dated April 30, 2001, it talks about three phases of
3 ECCS operation. This is the bases section, not the
4 tech spec section.

5 The three phases of ECCS operation are
6 injection, cold leg recirculation and hot leg
7 recirculation. It says that in the injection phase
8 water is taken from the refilling water storage tank
9 and injected into the reactor coolant system through
10 the cold legs. When sufficient water is removed to
11 the refilling water storage tank to ensure that enough
12 boron has been added to maintain the reactor sump is
13 critical and the containment sumps have enough water
14 to supply the required net-positive suction head to
15 the ECCS pumps, the section is switched over to the
16 containment sump for cold leg recirculation.

17 It says that during the recirculation
18 phase of LOCA recovery, RHR pump suction is
19 transferred into the containment sump. The RHR pumps
20 then supply the other ECCS pumps. Initially
21 recirculation is through the same paths as the
22 injection phase. Subsequently recirculation
23 alternates injection between the hot and cold legs.

24 The reason for that in the applicable
25 safety analysis section of the bases says that this

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1 LCO helps to ensure that the following acceptance
2 criteria for the ECCS established by 10 CFR 50.46 will
3 be met following a LOCA. Maximum fuel element
4 cladding temperature remains below or equal to 2,200
5 degrees Fahrenheit. Maximum cladding oxidation is
6 less than 17 times the total cladding thickness before
7 oxidation and three other related issues.

8 Again as the LCO specific for Indian Point
9 says if you don't with one or more trains inoperable,
10 at least 100 percent of the ECCS flow equivalent to a
11 single operable ECCS train available the inoperable
12 components must be returned operable within 72 hours
13 or you shut down. As we see it right now, that
14 question of whether the plants are operable or not
15 hasn't been asked or answered.

16 We understand that President Clinton
17 instituted the "Don't ask, don't tell" policy for gays
18 in the military, but we don't think it should be
19 applied to nuclear safety and the containment sump
20 issue. The NRC must ask if Indian Point's ECCS are
21 operable today and Entergy must tell you. That's all
22 we have. I believe Riverkeeper has some input also,
23 Kyle.

24 MR. RABIN: Yes, thank you. This is Kyle
25 Rabin, Policy and the Environmental Group from

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1 Riverkeeper. I want to thank you for the opportunity
2 to join this via telephone. I'll start out by giving
3 a little bit of background on our organization,
4 Riverkeeper.

5 CHAIRMAN LEEDS: Kyle, could you speak up?
6 We're having a little trouble hearing you.

7 MR. RABIN: Yes. I'll do my best.

8 CHAIRMAN LEEDS: Thank you.

9 MR. RABIN: Sorry about that. I'm going
10 to start out by providing you just a little bit of
11 background on Riverkeeper. Riverkeeper is an
12 independent member-supported not-for-profit
13 organization whose mission is to protect the Hudson
14 River, safeguard the New York City water supply that
15 serves over nine million New Yorkers.

16 Since its founding in 1966, Riverkeeper
17 has led the battle to restore the Hudson River and has
18 successfully prosecuted hundreds of environmental law
19 breakers. Riverkeeper uses law, science and education
20 to extend every citizen's right for clean water and
21 healthy children.

22 I think I want to first start out by
23 reiterating a point that Dave had mentioned earlier on
24 which Entergy's response to the Petition which as you
25 can see has been very initiated. That's been simply

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1 to dismiss it and attack Riverkeeper's credibility and
2 in some cases attack UCS's credibility. It's worth
3 noting this because the concern here is that this is
4 the operator of these reactors. Their initial
5 response is this Petition, highly unprofessional even
6 with the fact that they dismissed it readily without
7 delving into the issues in a more professional
8 fashion. It's a concern for us that this is the owner
9 and operator of a plant that's situated just 35 miles
10 north of New York City. This is the response. It
11 calls in question their ability to safely run the
12 plant.

13 I want to go into real quickly some of the
14 support that we have received from elected officials
15 in the region. On September 9th, Senator Clinton
16 submitted a letter to the NRC and in the letter she
17 called on the Agency urgently to review the Petition.
18 She noted that the plant which is situated in such a
19 densely populated area should be required to meet the
20 highest standards for safety and security in order to
21 protect the people of the region.

22 On September 12th, Congresswoman Lowey
23 sent a letter to the NRC and she gave her support for
24 the immediate repair of the containment sump of the
25 reactors at Indian Point.

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1 CHAIRMAN LEEDS: We can't hear. Kyle, you
2 are dropping out.

3 MR. RABIN: Sorry. Do I need to repeat
4 myself?

5 CHAIRMAN LEEDS: Please.

6 MR. RABIN: My last point was that on
7 September 12th Congresswoman Nita Lowey sent a letter
8 to the NRC expressing her support for the immediate
9 repair of the containment sump at the two reactors at
10 Indian Point. She noted immediate upgraded safety
11 systems at the plant is required to protect that
12 nearly 20 million people that live within a 50 mile
13 radius of Indian Point.

14 On September 24th in a letter to the NRC,
15 Congressman Maurice Hinchey urges the NRC to
16 immediately shut down a plant in order to deal with
17 the concerns in the Indian River petition. On
18 September 11th, Rockland County Legislator Harriet
19 Cornell submitted a letter to the NRC again urging the
20 Agency to order the immediate shutdown of the plant
21 and instruct Entergy to fix the problem which poses a
22 direct threat to public health and the environment.

23 On September 17th, sixteen of the
24 seventeen Rockland County legislators sent a letter to
25 Chairman Diaz again urging the NRC to order the

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1 immediate shutdown of Indian Point to address these
2 concerns. Lastly again today Westchester County
3 Legislator Michael Kaplowitz submitted a letter to the
4 NRC again purporting the immediate shutdown of the
5 plant to fix the problem that was addressed in the
6 Riverkeeper-UCS Petition.

7 I want to convey that the initial response
8 of the officials who are working on this issue --

9 CHAIRMAN LEEDS: I'm losing him again. Mr
10 Rabin, if you could speak up again. I'm sorry.

11 MR. RABIN: I'm sorry. I am yelling.

12 CHAIRMAN LEEDS: Yes, I apologize.

13 MR. RABIN: I thought I was coming through
14 okay.

15 CHAIRMAN LEEDS: We have a bad phone
16 connection or something.

17 MR. RABIN: I just wanted to convey to the
18 NRC the concern that some of the elected officials
19 have raised in support of the UCS-Riverkeeper
20 position. I will end there unless there's any
21 questions I can address.

22 CHAIRMAN LEEDS: Does the staff have any
23 questions for Mr. Rabin about the Petition or Mr.
24 Rochbaum?

25 MR. ROCHBAUM: I do have more.

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1 CHAIRMAN LEEDS: You have more?

2 MR. ROCHBAUM: Kyle Rabin went through a
3 list of letters of support. I have most of those
4 except for one that I can provide as an attachment.

5 CHAIRMAN LEEDS: Thank you. We'll take
6 them and we'll docket them.

7 MR. ROCHBAUM: Sure.

8 CHAIRMAN LEEDS: I think we have received
9 some. We'll make sure they get docketed on the
10 record. Thank you. Let me go back. Does the staff
11 have any questions for Mr. Lochbaum or Mr. Rabin?

12 MR. ARCHITZEL: I just have one question
13 on the supplement on page two. The number on the
14 bottom, was that out of the same table as the -- to
15 that paragraph --

16 MR. LOCHBAUM: This is Dave Lochbaum, UCS.
17 You're talking about the 99.9 percent number.

18 MR. ARCHITZEL: No, the 4 times 10 to the
19 minus 3 to .3, those numbers.

20 MR. LOCHBAUM: That's correct. They also
21 came from Table F-10 in Appendix F. They came from
22 the same place. Sorry about that. Lack of cite
23 there.

24 CHAIRMAN LEEDS: Any other questions? Any
25 questions from Entergy.

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1 MR. SILBERG: We have none here.

2 MR. McCANN: It's not a question but I
3 would like to make one brief statement for the record
4 if that's okay, Brian.

5 MR. BENNEY: Is that John McCann?

6 MR. McCANN: Yes, this is John McCann,
7 Entergy. I take it you will docketing a response to
8 the petition in the near future that will describe
9 some of our basis for the conclusion that the sump
10 systems are capable of performing their intended
11 safety function and some of the unique design features
12 at the plant.

13 While waiting for that though I would say
14 that from our perspective it doesn't appear to be
15 anything new or unique in the petition that has been
16 presented. NRC is already well aware of this issue
17 and has been taking action on it. Entergy is fully
18 and responsibly cooperating with NRC's action on the
19 issue. I guess from our perspective the total NRC
20 process seems to be in place and working for this
21 issue.

22 CHAIRMAN LEEDS: Thank you for your
23 statement.

24 MS. BLACK: May I say something too?

25 CHAIRMAN LEEDS: Please.

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1 MS. BLACK: Suzanne Black. I'm the
2 Director of DSSA, the division responsible for
3 resolving this generic issue. We put a website out
4 for the public to get information on this and we have
5 been struggling with the resource issues trying to
6 deal with the problem and have a good communication
7 plan on this. We realize at this point that our
8 website is not the most helpful. We plan in the very
9 near future to add additional information which will
10 explain to the public the basis for our schedule and
11 our actions.

12 Also I would like to state that in
13 addition to that just this week I've asked a separate
14 group of independent people who work for me and for
15 Eric Leeds to take a look at the schedule and the plan
16 to advise me whether they think anything else is
17 needed. I appreciate, David, your bringing this issue
18 to us for consideration. We'll keep you informed as
19 well as the rest of the public hopefully of our
20 actions.

21 CHAIRMAN LEEDS: All right. Thank you,
22 Suzanne. I think you can tell from the lack of
23 questions from the staff that the petition pretty much
24 stands on its own merits. It's well explained. I
25 know when I went through it I didn't have specific

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1 questions. I had questions at the beginning. You
2 answered them later on in the petition so I have no
3 further questions for you either. Unless you have
4 other clarifying remarks you'd like to make or
5 statements you'd like to make.

6 MR. LOCHBAUM: The only additional thing
7 I will add is we were monitoring the GSI-191 with
8 attending some of the meetings and so on. We're a
9 little concerned that absent a petition or something
10 that could go on forever.

11 There's no commitment to meet 2007. It
12 could be anything. There's no chance at all for the
13 public to formally have any participation in that
14 process to either speed it, slow it down or agree or
15 disagree. It's basically a process between the agency
16 and the industry.

17 The 2.206 process is one of the few
18 mechanism the public has if they disagree with
19 schedules or scope or anything like that. That was a
20 way we used the only tool we have to look out for the
21 public outcry which will continuing.

22 CHAIRMAN LEEDS: I understand you
23 mentioned that in the petition specifically that there
24 is no public input to the GSI process.

25 MR. LOCHBAUM: Exactly.

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1 CHAIRMAN LEEDS: Point taken.

2 MR. LOCHBAUM: Thank you.

3 CHAIRMAN LEEDS: Thank you. If there are
4 no other questions from Entergy or the staff, I'll
5 conclude this meeting and then if there are any
6 questions from the public or the press, the NRC staff
7 would be willing to stay afterwards and respond to
8 your questions. Any other questions before we end the
9 meeting? We'll conclude the meeting then and take
10 questions from the public or the press. Off the
11 record.

12 (Whereupon, the above-entitled matter was
13 concluded at 3:37 p.m.)

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