

Official Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

Title: Vermont Yankee Nuclear Power Station
Limited Appearance: Afternoon Session

Docket Number: 50-271-LR

Location: Brattleboro, Vermont

Date: Thursday, October 11, 2007

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION
ATOMIC SAFETY AND LICENSING BOARD

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IN THE MATTER OF: :
ENTERGY NUCLEAR VERMONT YANKEE L.L.C. : Docket No.
and ENTERGY NUCLEAR OPERATIONS, INC. : 50-271-LR
(VERMONT YANKEE NUCLEAR POWER STATION) :

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Thursday
October 11, 2007
Latchis Theater
50 Main Street
Brattleboro, Vermont

The above-entitled matter was convened,
pursuant to Notice, at 1:02 p.m.

BEFORE: ALEX S. KARLIN, Administrative Judge
THOMAS ELLEMAN, Administrative Judge
RICHARD WARDWELL, Administrative Judge
MARCIA CARPENTIER, Law Clerk
LAUREN BREGMAN, Law Clark

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I N D E X

SPEAKER:

PAGE:

AFTERNOON SESSION

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Alex Karlin

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Howard Shaffer

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Gary Sachs

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Amanda Ibey

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P R O C E E D I N G S

(1:02 p.m.)

ADMINISTRATIVE JUDGE KARLIN: Good afternoon. I would like to convene the Atomic Safety and Licensing Board in the matter of Entergy Vermont Yankee license renewal, it is a limited appearance statement session we are convening.

For the record, I want the record to reflect that this is Docket number 50-271-LR, the LR means license renewal, and the ASLBP Number 6-84903-LR. Today's date is October 11, 2007 and we are having this session in the Latchis Theater in Brattleboro, Vermont. It is approximately 1:05 at this point, sorry we are starting a little bit late.

First, I would like to introduce the members of the Atomic Safety and Licensing Board. To my left is Dr. Richard Wardwell, he has a Ph.D. in Civil Engineering, formally was the Chairman of the Board of Environmental Protection of the State of Maine.

Dr. Elleman is on my right, Dr. Thomas Elleman, he has a Ph.D. in Nuclear Engineering, also formerly a certified health physicist and formerly the head of the Nuclear Engineering Department at North Carolina State University.

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1 My name is Alex Karlin, I'm a lawyer by
2 training, 30 years of basically environmental law
3 before coming to be a judge here, along with the other
4 two judges on this panel. Also on the staff of the
5 Atomic Safety and Licensing Board we have two lawyers
6 who are working with us, they are law clerks. One of
7 them is seated to our right, Marcia Carpentier, and
8 another one is out in the back assisting and her name
9 is Lauren Bregman.

10 Also, we have our administrative assistant
11 Karen Valloch who is occupying or stationed at, well,
12 she is in the back right there, right now, but she is
13 at a desk out front and if anyone wants to sign up or
14 get some materials, she has that there. To our left
15 is a court reporter, Martin Farley, he will be
16 transcribing this proceeding so we can have it for the
17 record. In addition, we have Diane Screnci, I'm not
18 sure whether she is here yet. Diane, let's see here,
19 okay, she is a bit delayed, there was some sort of
20 problem on the highway, but she will be here if the
21 media or anyone needs to talk with her.

22 Second, I would like to thank the Latchis
23 Theater for their hospitality, for allowing us to use
24 this facility, particularly Gail Nunziata, she is the
25 manager of the entire Latchis complex, as I understand

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1 it, and she has been very instrumental and patient
2 with us. Also, Darren Goldsmith I believe is here, he
3 is the theater manager. And finally, we would like to
4 thank Captain Gene Rinn in the Brattleboro Police
5 Department for assisting in some of the logistics and
6 arrangements here today.

7 Before we begin, I would like to cover
8 five housekeeping, five matters. I think it would be
9 helpful in explaining to you what these limited
10 appearance statements sessions are all about, what
11 they are, what they are not. We are going to have one
12 of these again this evening. Given the relatively
13 light attendance here, I might run through this a
14 little quicker than normal, I'll probably do it again
15 this evening, depending on whether additional people
16 show up.

17 But the five matters are, One:
18 Housekeeping. Two: What is the Atomic Safety and
19 Licensing Board? Three: What's the history of this
20 proceeding, the relevant history of the Atomic Safety
21 and Licensing Board proceeding? Four: The purpose of
22 a limited appearance statement sessions. And five:
23 The procedures we would like to follow today for this
24 session, so those are the five things I thought would
25 be helpful to cover.

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1 Housekeeping first, cell phones, please
2 turn your cell phones off and if you've got a
3 discussion, please handle it outside in the lobby or
4 something like that. The media, we welcome the media,
5 we are glad to have coverage, it's a good way to
6 inform the public. As a general matter, we ask you to
7 use ambient lighting that is part of the procedure,
8 rather than flash lighting, for this procedure because
9 that sometimes can become a problem and this is to
10 assure it doesn't distract things.

11 . And a third housekeeping item is the
12 transcript, as I mentioned before, a transcript will
13 be made, this will then be put on the NRC website and
14 available in the agency system called ADAMS, it's an
15 acronym. And it usually takes about two weeks before
16 the public can get access to the transcript but it
17 will be, a transcript will be taken, it will become
18 part of the record of this proceeding.

19 A second point is the role of the Atomic
20 Safety and Licensing Board, what we are, what we do.
21 It's kind of like the federal government or the
22 government. There are three branches of government,
23 right? Legislative, executive and judicial. Well,
24 maybe NRC is a little bit like that because there are
25 three branches that you should think of for these

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1 purposes. Well, first, the NRC itself is established
2 by federal law, it's here to regulate nuclear
3 facilities and it's headed by commissioners. There
4 are supposed to be five commissioners, right now there
5 are only three, but there are three commissioners,
6 they are appointed by the President, they bare
7 confirmed by the Senate and they are the executive
8 branch, as it were, of the NRC Nuclear Regulatory
9 Commission, the commissioners.

10 Second, there is an NRC staff, we will
11 refer to the staff sometimes and they are a large
12 number of people, professionals who work on the
13 details of applications, of renewals, of virtually
14 everything that comes before the commission and they
15 might be considered something like the Congress or the
16 legislature. They help write the regulations, the
17 commissioners ultimately approve them, and they have
18 reviewed Entergy's application here, they have issued
19 an environmental impact statement and they do a lot of
20 work, a tremendous amount of work on this. And they
21 have had meetings here before, as I'm sure all of you
22 who are interested in this matter know.

23 The third branch perhaps is the Atomic
24 Safety and Licensing Board, it's created by statute.
25 The Atomic Energy Act has a special provision that

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1 creates these boards and we are kind of the judicial
2 branch, okay? We have an independence from the NRC
3 commissioners and then NRC staff. Under the former
4 rules that we operate and are required to follow, we
5 are prohibited from talking with the commissioners
6 about this case, we are prohibited from talking with
7 the staff about this case. They are prohibited from
8 talking with us or sending us any material, other than
9 what's on the public record filed in the proceeding
10 that everyone can see.

11 And when there is a proceeding, it will be
12 public and when we have oral arguments, or a hearing
13 or a trial, it is open for the public to attend and
14 watch. So we have no ability to communicate with
15 them, other than what goes on formally and in the
16 public here, and the same is true really with regard
17 to Entergy, they can't communicate with us and we
18 can't communicate with them, except on the record in
19 the public. I mean we might see someone in the hall
20 and say hello, it's a nice day, but that's about as
21 far as it goes. And NEC, the interveners, the State
22 of Vermont, the State of New Hampshire, the New
23 England Coalition, NEC, likewise we don't communicate
24 with them except as a public matter.

25 We have some independence in that we are

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1 appointed essentially for life. We don't get
2 promoted, we don't get fired, we don't get bonuses, we
3 don't get performance reviews depending on how we
4 judge a particular case or how we do. We just are
5 here, and we do our job and we try to call them the
6 way we see them, and this is an attempt to give us
7 some independence which we jealously try to guard and
8 think it's very important to us. We are not an
9 advisory board, we are an unfortunately phrase some
10 use in Washington, a decision making board.

11 We render a decision on the license
12 renewal, on the contentions that are brought before
13 us, we make the decision and that's the final decision
14 of the NRC, unless someone appeals it to the
15 commissioners themselves, and if they do, then all
16 bets are off and they can say the board got it wrong,
17 they did something improper, they missed a key point
18 and they can appeal it if they want to. But for that,
19 when we render a decision on the renewal issues of
20 this proceeding, that is the final decision of the
21 commission.

22 Let's see here, okay, I guess we go to the
23 history of this proceeding. Many of you know a
24 tremendous amount about this but I'll try to run
25 through it somewhat quickly. It's relevant because we

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1 have a limited jurisdiction and this proceeding is not
2 the same as the entire proceeding that is going before
3 the staff and the Applicant that you may have had
4 meetings about. In January of '06 it was, Entergy
5 submitted an application to the NRC staff, keep that
6 in mind, to amend their license to that they could get
7 a renewal, a renewal for 20 years, to extend it from
8 2012 to 2032.

9 In March of '06 the staff and the
10 commission issued a notice to the public saying, okay,
11 we got this application, anyone who wants to object or
12 raise a problem or a question or a challenge speak
13 now, and four different entities filed formal
14 petitions or contentions and petitions to have a
15 hearing, they were the Vermont Department of Public
16 Service, State of Vermont, the New England Coalition,
17 the Attorney General, the State of Massachusetts and
18 the Town of Marlboro, Vermont. Those four entities
19 filed petitions for hearings and filed what we call
20 our contentions.

21 In August of '06 this board came here to
22 Brattleboro and the middle school and we had oral
23 argument as to whether or not these petitions met the
24 regulatory criteria for being admitted and for getting
25 a hearing, and we listened to that and we issued a

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1 ruling in September of '06 granting the petitions of
2 the State of Vermont and of the New England Coalition
3 and denying the petition of the State of Massachusetts
4 and the Town of Marlboro. Subsequently, the State of
5 New Hampshire also filed and appearance and became
6 involved in this case, and so they are an interested
7 state but they are involved in a formal way.

8 As I do in each one of these, and you may
9 remember from the one time before, if we granted a
10 petition to have a hearing in September of '06, then
11 why is it October of '07 and we haven't had a hearing
12 yet? What happened? What are we waiting for? Well,
13 we are waiting because the staff is still working on
14 and the Applicant, to some extent, are working on the
15 application and the staff has to generate a final
16 safety evaluation report. It's a major document that
17 covers a lot of ground on safety issues and they are
18 still working on that and so until that happens, we
19 can't go through the final steps to have our hearing,
20 the evidentiary hearing, the trial.

21 So, we are waiting for that and the staff
22 issued a report on October 4th saying they still
23 weren't able to give us an estimated date of when they
24 are going to finish the final safety evaluation report
25 or SER, so we are waiting for that. And when that

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1 happens, we will then have, we have already prescribed
2 some procedures that fall into place for filing of
3 testimony, filing of exhibits, various motion issues,
4 and the hearing will probably be about six months
5 after the final SER is issued, so keep that in mind.

6 If you are watching this procedure, that's
7 kind of when we are going to try to have the
8 evidentiary hearing and it would be in this vicinity,
9 somewhere where we could find a courthouse or other
10 proper venue because that's a trial where people come
11 in, and they swear under oath and they present
12 evidence, and we have cross examinations and questions
13 like that, it's a trial type procedure.

14 Let's see here, right now what you should
15 understand perhaps is that this proceeding is, there
16 are three contentions, three specific complaints that
17 have been brought forward by the litigants, by the
18 parties, that we have to decide. And these three
19 contentions are critical because that's our
20 jurisdiction, that's what we get to focus on. We just
21 don't get to make a general opinion of whether we like
22 nuclear, don't like nuclear, but there are three
23 contentions that we have to deal with, and I'm not
24 going to read them out to you. There is a notice on
25 the back table where Karen Valloch sits which is a

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1 copy of the notice of this proceeding. It's two pages
2 out of the *Federal Register* and it lays out the three
3 contentions that we are to address.

4 One of them deals with aging related to
5 metal fatigue. NEC is concerned and has raised a
6 contention that the metal fatigue issues at the plant
7 are problematic, and they haven't been handled
8 properly by the Applicant and maybe they won't be
9 during the renewal period. We don't know whether
10 that's true or not, but they've got a contention and
11 we are going to have a trial about it.

12 The second contention deals with the
13 adequacy of the steam dryer, and whether or not that's
14 going to be managed properly over the renewal period
15 and whether it's safe enough.

16 And the third deals with plant piping and
17 something called flow accelerated corrosion, corrosion
18 that occurs because of the flow of the water and the
19 steam through the pipes, and NEC has questioned the
20 adequacy of these things and those are the three
21 contentions that we have to deal with, so you can read
22 them in that notice.

23 So, on the history, I guess I would also
24 have a brief statement with regard to the history,
25 it's perhaps worth pointing out on the cooling

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1 structure, we read, we can see the newspaper as much
2 as anyone else and we understand that there was a, a
3 cooling structure had a collapse in August and this is
4 a matter of concern for the community and for other
5 people who have raised, and, as I understand, the
6 Applicant and the staff are looking into this matter
7 as we speak.

8 Please note a couple things. First,
9 although you may want to talk to us about the cooling
10 structure and the collapse of the cooling structure,
11 there is no contention that is before us on that
12 issue. So, I mean I guess you can talk about it, but
13 we don't have a specific, no one has come forward and
14 said there is a problem here that we want you to
15 address, and perhaps you will talk about it.

16 Second, as most of you know, there was
17 another board that existed here before this board,
18 there was an Atomic Safety and Licensing Board that
19 dealt with the uprate, the 20 percent uprate, and that
20 was ultimately issued.

21 And I was on that board and several
22 contentions were brought before that board, four
23 contentions were brought before that board, two by the
24 State of Vermont. The State of Vermont settled both
25 of those contentions and dropped them. Two by NEC,

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1 one of them, just before we had a trial on this matter
2 or a hearing, dealt with the integrity of the cooling
3 towers, and we were prepared to have a hearing on that
4 matter, and at the last minute that was settled and it
5 was not brought before us, that board. Not this board
6 but another board, so there was a prior history to
7 that and, for reasons we don't necessarily have full
8 knowledge of, that was settled and never came before
9 that prior board.

10 A final note on history is yesterday, on
11 the 10th of October, this board came into town and we
12 went to the facility, we visited the Vermont Yankee
13 plant. It's called a site visit and we did this in
14 the company of all the parties, all the litigants, the
15 Applicant, of course Entergy was there, NEC, the State
16 of Vermont, the State of New Hampshire, all were
17 represented with their lawyers and their technical
18 people, and we looked at the facility and we also
19 looked at the cooling structures and some other, and
20 the outfall into the river, so we thought this was an
21 informative and helpful thing for us to do.

22 The fourth point, the purpose of the
23 limited appearance statement session. I ought to read
24 that. In our notice, we said the purpose of a limited
25 appearance statement is to allow members of the public

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1 to alert the board and the parties to areas related to
2 the license renewal and the admitted contentions in
3 which evidence may be needed to adduce and to assist
4 the board in considering these issues. So, hopefully,
5 we are here listen to you and if you can give us,
6 point us in certain areas or things we should look at
7 more carefully, related to the contentions, or maybe
8 the parties and the litigants will hear something that
9 will help them litigate this matter better and learn
10 more about it. The purpose is for us to listen.

11 Under the federal regulations, we don't
12 have to have a limited appearance statement session,
13 it's kind of an optional deal, some boards do it, some
14 don't. We thought it would be a good idea to come
15 here and listen to people of the community, as they
16 wanted to speak to us, and I think it's a good
17 approach, if we can do that.

18 Let me see here, there are representatives
19 of the staff of the NRC, the Applicant, the State of
20 Vermont who are here. I'm not going to introduce
21 them, this is not their day to speak. There will be
22 a trial, there will an evidentiary hearing, that's
23 when they get their day in court. This is the time
24 for the members of the public to speak and for the
25 board to try to listen and to absorb what they say.

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1 Finally, the fifth point, the procedures
2 for our limited appearance statement session. We
3 issued this notice, it came out in the *Federal*
4 *Register* July 24th, it explains a lot of this, if you
5 want to look at it. We ask people to preregister if
6 they wanted to. We didn't get too many
7 preregistrations, that is by mail ahead of time, we
8 also have a registration desk out front, Karen Valloch
9 again is out there, and anyone who wants to speak, we
10 ask you please to register first, and just put your
11 name down and we are going to call people in the order
12 that they registered to speak.

13 At this point, we always do our best to
14 make sure we listen, hear everybody who comes to
15 speak. Right now we've got two people signed up and
16 that's it. I mean it may be, we always try to have
17 two of these things, one in the afternoon and one in
18 the evening, so that people who are working and
19 otherwise can't make it, they can hopefully attend the
20 evening session. If we end up being done with the
21 speakers this afternoon, we will simply adjourn early
22 and reconvene at 6:30 this evening, that's when our
23 session this evening starts.

24 And people can also submit written
25 appearance statements, if they want something to say

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1 written. We try to limit people to five minutes, and
2 we have timing, you know, Marcia Carpentier will let
3 you know the time status of things as you are
4 speaking. And right now we've only got a couple of
5 people, we can probably cut some slack there and
6 somebody can talk a little longer if they want to, so
7 long as everybody gets a chance to speak. And when
8 you do speak, if you could simply come up to the mic.
9 Again, I will call the names of people as they have
10 registered, come up to the mic and, if you would,
11 introduce yourself, perhaps tell us who you are
12 affiliated with, that would be helpful, and then we
13 will listen. Thank you.

14 With that, I would ask whether Dr. Elleman
15 or Wardwell would want to add anything? Okay, great,
16 well, then we will proceed.

17 The first person who registered is Howard
18 Shaffer. Mr. Shaffer? Please.

19 MR. SHAFFER: Good afternoon.

20 ADMINISTRATIVE JUDGE KARLIN: Good
21 afternoon.

22 MR. SHAFFER: Can everyone hear me?

23 ADMINISTRATIVE JUDGE KARLIN: We can hear
24 you. You might get a little closer to the mic.

25 MR. SHAFFER: My name is Howard Shaffer,

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1 I'm a retired nuclear engineer, still licensed in
2 nuclear engineering in Vermont, Massachusetts and New
3 Hampshire, and a 2001 Congressional Fellow, operating
4 under the hearing of nuclear public outreach right
5 now. As background, I would like to comment on what's
6 going on.

7 This is really about politics, not about
8 technology. Many people who oppose the plant disagree
9 with the national policy established by Congress and
10 maintained by Congress to have nuclear power. They
11 have the right to do everything available to try and
12 tilt the political scales in the direction of their
13 own opinion.

14 There are a number of issues in the public
15 arena besides energy, abortion and so forth, where
16 this continues and I would like to emphasize that this
17 is their right to continue in every way they can find
18 to push their opinion forward in our political system
19 and I support that right. Those who agree with the
20 national policy also have the right to express their
21 opinion, and oppose them and point out the weaknesses
22 in their argument. In this case of nuclear power
23 there are many because of their relative lack of
24 technical experience and knowledge and really pushing
25 a political decision and not a technical one.

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1 To move right to the matter of the steam
2 dryer, not only is it a component which is not safety
3 related, it's in the reactive vessel but it's removed
4 every refueling, as you know. It's easily inspectable
5 and of course it's also replaceable. And as you know
6 but I think that many are not aware, one of the
7 plants, I believe it was Quad Cities, already replaced
8 theirs, and the company that made the replacement has
9 run an advertisement saying what a great job they are
10 doing. So, as to whether the steam dryer might be
11 adequate for 20 years, it's not, because it's a
12 replaceable component and can be inspected very
13 easily.

14 As to the adequacy of a piping inspection,
15 when I was working for Yankee Atomic Electric Company
16 back in 1991 and 92 I worked extensively under loan at
17 the Millstone Station on piping inspection and
18 replacement due to flow accelerated corrosion. So I
19 know, as you do, that the techniques are adequate to
20 detect thinning piping and the technology exists to
21 replace piping, to do so is a matter of having the
22 will and making the financial commitment.

23 I know in the various hearings and
24 discussions about Vermont Yankee it's often been
25 compared to an old car, and Mr. Gary Sachs is here,

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1 who we have been in contact with for many years, he
2 had a good letter in the paper comparing the plant to
3 an old car, but the comparison shows the difference
4 between the plant and an old car, not the
5 similarities. Most cars wear out, deteriorate, have
6 things not working right, become less and less what
7 they were when they were brand new until finally they
8 are disposed of. The original owners may sell them to
9 somebody else and they pass on to somebody else, but
10 finally they are junked out.

11 But this is a matter of economics and
12 choice, not technology. As you know and as I know,
13 not only do I have one car which is in that getting
14 ready to get junked or pass on to somebody, it's a
15 1992 car, but our son has a classic car, 1968, so the
16 technology and the will exists to keep something up to
17 100 percent or even step it up, and this is true for
18 Vermont Yankee plant too. The incentives are there
19 financially for them and we know we have the
20 technology to keep the plant up to original standards,
21 and even to improve it and run it safely for 20 years.

22 So, comparing it to an old car points out
23 the differences between letting a car deteriorate and
24 be junked and the plant being kept up, it's more like
25 that classic car or antique which not only can be kept

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1 up but can even be improved, as the plant has.

2 Thank you.

3 ADMINISTRATIVE JUDGE KARLIN: Thank you.

4 Mr. Gary Sachs? Mr. Sachs?

5 MR. SACHS: My understanding of this
6 limited appearance hearing is it's the NRC's version
7 of discovery by regulatory boards, by courts, and I
8 don't imagine there is many worthwhile ideas coming
9 from lay people who are here, granted Mr. Shaffer is
10 a nuclear engineer, although I don't agree that his
11 son drives his car at 120 miles an hour constantly at
12 its age, so I think his analogy is fairly useless,
13 given the 120 percent uprate. So, I question how many
14 worthwhile ideas come from lay people, other than from
15 people who have spent countless hours, unpaid, toiling
16 over NRC protocols and through documents, etcetera.

17 But let me speak to the issues at hand,
18 which would be aging and metal fatigue. It's clear to
19 me, as evidenced by the recent cooling tower collapse,
20 that many of the NRC sanctioned, industry approved
21 inspection processes rely on remote controlled camera,
22 not on hands-on inspection, this may lead, as it just
23 did, to catastrophic collapse. The alleged difference
24 that the NRC allows between safety related systems and
25 non-safety related systems, in terms of deferred

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1 maintenance, is yet, in my opinion, one more subsidy
2 to the nuclear industry which allows Entergy to cut
3 costs until the rate payers get to eat the costs of
4 the replacement power while the reactor is derated
5 through the repairs.

6 Case in point, iron salts. Entergy has
7 yet to get back to the Vermont State Nuclear Advisory
8 Panel regarding whether or not that's just another
9 fancy name for rust, but one of the reasons given for
10 the cooling tower collapse was iron salts. They have
11 the NRC approved remote cameras underneath the roof in
12 that structure, looking at the structure, yet they
13 were not able to detect the degree of the degradation
14 of the hardware with 35 years of degradation on it,
15 and that is in the part of the reactor that is without
16 radionucleide bombardment.

17 For the NRC to continue to rely on the
18 licensee for its data about the licensee, as it's been
19 said before, whether it's to you or to other NRC
20 boards, to me that's a recipe for disaster. Case in
21 point number two, non-NRC related, however it would be
22 Mihana, Japan, Mihana unit three reactor which is from
23 an NRC document, ML05291408. It is expected, quote:
24 "It is expected that recipients will review the
25 information for applicability to their facilities and

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1 consider actions as appropriate to avoid similar
2 problems."

3 Where an accident occurred at this reactor
4 in Japan due to flow induced corrosion, which resulted
5 in five deaths and six injuries, "a review of plant
6 parameters did not uncover any precursor indicators
7 before the accident". This was in 1996, by the way,
8 I believe. Maybe it was 2006, excuse me, and I can
9 get that for you by tonight, if you would like.

10 A review of plant parameters did not
11 uncover any precursor indicators before the accident,
12 nor were there any special operations that could have
13 caused the pipe rupture. An investigation concluded
14 that water quality had been maintained since the
15 commissioning of the plant.

16 On to the steam dryer issue. Not being an
17 engineer, not knowing NRC protocol, what exactly are
18 the steam dryers attached to the walls of the steam
19 dryer with? I assume that hardware is repeatedly
20 changed, being directly in the steam, in the flow, for
21 the years that it is. And although I've seen the root
22 cause analysis for the steam dryer cracks that exist
23 currently, it's the industry and the NRC's onus to
24 provide that data and to explain how the steam dryer
25 is to be monitored over the license renewal period, if

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1 the license renewal is granted, irrelevant, there's
2 three of us now.

3 The EPU at Quad Cities reactor in Illinois
4 led to excessive flow induced vibration which broke
5 off a drain line in one of the four main steam drain
6 pipes. Two months later, the pressure increased by
7 100,000 pounds in steam line A while the pressure
8 dropped in the other steam lines. For the audience,
9 we are talking about 3.05 million pounds per hour to
10 2.95 million pounds per hour. Then, line here at VY,
11 only Quad Cities was undoubtedly safety related,
12 within two weeks the water droplets increased by a
13 factor of four or five over its usual from the
14 previous 30 year history.

15 Cause: A piece of the steam dryer had
16 fallen and was pushed beyond the main steam isolation
17 valve to the now infamous stop valve here at VY or
18 there are Quad Cities. As anyone who attended last
19 week's VSNAT meeting can attest to, when the valve
20 closes as it is supposed to and does not open as
21 expected, Entergy employees, on the 30th or 31st of
22 August, admit to "taking a mallet and tapping", that's
23 from John Dreyfus, Entergy engineer, the valve to make
24 it function. The SCRAM was caused by that behavior.

25 I am somewhat appalled that tapping with

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1 a mallet is sanctioned or approved by the NRC. What
2 if there had been due cause for the stuck stop valve
3 and by the engineer's opening it, it released
4 something that was intentionally restrained? And
5 lastly, in the '90s, the collapse of the cooling tower
6 occurred at Prairie Island, 1997, in the winter, and
7 a notice similar to the one above from Japan was
8 hopefully released to other reactors so that it can
9 learn from the previous failure. Apparently, Entergy
10 did not heed the notice until it was too late.

11 This illustrates that while I would expect
12 the industry to learn from prior experience, I do not
13 see evidence that they did in that example, I do not
14 trust they will when it comes to safety related issues
15 either, which of course is the purview of the NRC.

16 Thank you.

17 ADMINISTRATIVE JUDGE KARLIN: Thank you,
18 Mr. Sachs.

19 And the next person we have signed up is
20 Amanda Ibey. I hope I got that right.

21 Ms. Ibey?

22 MS. IBEY: Yes, you did get that right,
23 thank you. Good afternoon. My name is Amanda Ibey,
24 I'm Executive Director for the Vermont Energy
25 Partnership.

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1 I would like to thank the board for the
2 opportunity to speak here today. We feel it's
3 important to recognize that Vermont Yankee has many
4 supporters and that the facility is well respected
5 statewide. Vermont Energy Partnership, for example,
6 is comprised of more than 75 member organizations and
7 professionals, including major business organizations,
8 labor groups, community leaders such as former Vermont
9 Governor Tom Salmon, who all support the license
10 renewal of Vermont Yankee.

11 Our mission is to advocate for sound
12 policies that will provide an ample supply of clean
13 and affordable electricity for the long-term economic
14 and environmental vitality of our state, Vermont
15 Yankee is an important part of that long-term
16 equation. We know that the board will receive expert
17 testimony today on the contentions raised and we urge
18 you to focus on the facts and not the rhetoric. This
19 is an important process that needs to be governed by
20 dispassionate facts, the issues raised in the
21 contentions are ones that can and should be promptly
22 evaluated and decided upon.

23 Safety is of the utmost importance and it
24 is a responsibility Entergy and 600 highly skilled men
25 and women who work full-time at Vermont Yankee take

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1 very seriously. This is why Entergy has invested
2 millions of dollars in upgrading safety equipment and
3 measures of the plant since they purchased it in 2002.
4 Because of their diligence and commitment to safety,
5 the NRC has continually given Vermont Yankee high
6 safety ratings. This plant is a vital part of
7 Vermont's electricity portfolio, it currently supplies
8 1/3 of our power with practically zero greenhouse gas
9 or toxic emissions and it has helped Vermont to
10 maintain the lowest carbon emissions of any state and
11 the second lowest emissions per capita.

12 While the key to Vermont's future
13 prosperity is through a broad, diversified electricity
14 portfolio, without Vermont Yankee it would be
15 difficult if not nearly impossible to achieve the
16 portfolio that is clean, reliable and affordable. As
17 long as the plant continues to operate safely and
18 efficiently, we feel it should play a role in
19 Vermont's energy future for another 20 years.

20 And I would also like to just state that
21 we have a member who has provided written remarks.

22 ADMINISTRATIVE JUDGE KARLIN: Provided
23 what? I'm sorry.

24 MS. IBEY: Provided written remarks.

25 ADMINISTRATIVE JUDGE KARLIN: Oh, written,

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1 yes, okay, thank you. Well, I don't know whether they
2 are on the contentions or not.

3 You are right, Mr. Sachs, we are trying to
4 keep people to the contentions but we listen to what
5 they want to say.

6 I just want to check, Ms. Bregman, do we
7 have anymore people signed up? I think you are saying
8 no. Is there anyone else who would like to speak at
9 this point? They can sign up. All right, that's
10 fine. We thought we might be more well attended this
11 evening and perhaps that will be so.

12 We are going to reconvene at 6:30 this
13 evening, same place. Those who spoke today or this
14 afternoon are I think probably allowed to speak again
15 this evening, time permitting. We'll probably try to
16 put them closer to the end and let the newcomers or
17 new speakers come first.

18 But we will then stand adjourned until
19 6:30 this evening and then reconvene. Thank you all
20 for coming and we'll be back at 6:30. Thanks.

21 (Whereupon, at 1:41 p.m., the hearing was
22 adjourned.)

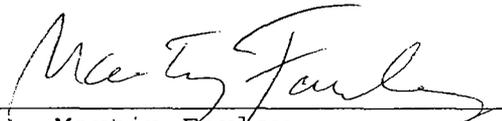
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CERTIFICATE

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

Name of Proceeding: Vermont Yankee Nuclear Power
Station Limited Appearance
Docket Number: 50-271-LR
Location: Brattleboro, Vermont

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.



Martin Farley
Official Reporter
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