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Light Company

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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PETITION REVIEW BOARD (PRB)

CONFERENCE CALL

+ + + + +

FRIDAY

JULY 10, 2009

+ + + + +

2.206 PETITION ON FLORIDA POWER AND LIGHT COMPANY

BY THOMAS SAPORITO

+ + + + +

The conference call was held, Thomas B. Blount, Petition Review Board Chair, presiding.

NRC HEADQUARTERS STAFF:

THOMAS B. BLOUNT, Chairman, PRB

TRACY J. ORF, Petition Manager

STACEY ROSENBERG, Branch Chief

PETER GUARNIERI, Summer Associate with OGC

MOLLY BARKMAN, OGC/GCHEA/AGCMLE

SHAHRAM GHASEMIAN, Representative, Office of Enforcement

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1 PETITIONER:

2 THOMAS SAPORITO

3

4 NRC REGION II STAFF:

5 JEFF HAMMOND, Project Engineer

6 MARVIN SYKES, DRP/PB2

7

8 MEMBERS OF THE PUBLIC:

9 DAVID HOFFMAN

10 SHERYL HOFFMAN

11

12 APPEARANCES:

13

14 On Behalf of Nuclear Regulatory Commission:

15 MOLLY BARKMAN, ESQ.

16 Office of General Counsel

17 Nuclear Regulatory Commission

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24 On Behalf of the Florida Power and Light Company:

25 WILLIAM BLAIR, ESQ.

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P R O C E E D I N G S

(10:32:03 a.m.)

1
2
3 MR. ORF: Okay. I'd like to thank everyone
4 for attending this meeting. My name is Tracy Orf, and
5 I'm sitting in for Jason Paige, the Turkey Point
6 Project Manager. We are here today to allow the
7 Petitioner, Mr. Thomas Saporito, to address the
8 Petition Review Board regarding the 2.206 petition
9 dated January 11th, 2009. I am the Petition Manager
10 for this petition. The Petition Review Board Chairman
11 is Tom Blount, Deputy Director for the Division of
12 Policy and Rulemaking.

13 As part of the Petition Review Board, or
14 PRB's review of this petition, Mr. Thomas Saporito has
15 requested this opportunity to address the PRB. This
16 meeting is scheduled from 10:30 to 12:00 p.m. The
17 meeting is being recorded by the NRC Operations
18 Center, and will be transcribed by a court reporter.
19 The transcript will become a supplement to the
20 petition, and the transcript will also be made
21 publicly available.

22 I'd like to open this meeting with
23 introductions. And as we go around the room, please
24 be sure to clearly state your name, your position, and
25 the office that you work for, and I'll start it off.

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1 My name is Tracy Orf, and I work for the
2 Office of Nuclear Reactor Regulation.

3 MS. ROSENBERG: I'm Stacey Rosenberg. I'm
4 the Branch Chief for the Special Projects Branch in
5 the Division of Policy and Rulemaking, and Office of
6 Nuclear Reactor Regulation.

7 MR. BLOUNT: I'm Tom Blount. I'm the PRB
8 Chair. I'm also the Deputy Director for the Division
9 of Policy and Rulemaking in NRR.

10 MR. GUARNIERI: I'm Pete Guarnieri. I'm a
11 summer associate with OGC.

12 MS. BARKMAN: This is Molly Barkman. I'm an
13 attorney with the Office of General Counsel.

14 MR. ORF: Okay. We've completed the
15 introductions at NRC Headquarters. Are there any NRC
16 participants from the Region?

17 MR. HAMMOND: Yes. This is Jeff Hammond.
18 I'm a Project Engineer, Region II.

19 MR. SYKES: And Marvin Sykes, Branch Chief,
20 Branch III here in the Division of Reactor Projects.

21 MR. ORF: Okay. The licensee for Turkey
22 Point is Florida Power and Light. Are there any
23 representatives from Florida Power and Light on the
24 phone?

25 MR. BLAIR: William S. Blair. I'm an

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1 attorney with Florida Power and Light, representing
2 the licensee.

3 MR. ORF: And, Mr. Saporito, would you
4 please introduce yourself for the record.

5 MR. SAPORITO: Yes. For the record, this is
6 Thomas Saporito, I am President of Saporito Energy
7 Consultants, Incorporated, and I am the Petitioner in
8 this proceeding.

9 MR. ORF: Are there any other members of the
10 public?

11 MR. HOFFMAN: Yes. David Hoffman, member of
12 the public.

13 MS. HOFFMAN: Sheryl Hoffman.

14 MR. ORF: I'd like to emphasize that we each
15 need to speak clearly and loudly to insure that the
16 court reporter can accurately transcribe this meeting.

17 If you do have something that you would like to say,
18 please first state your name for the record before you
19 begin.

20 At this time, I'll turn it over to the PRB
21 Chairman, Tom Blount.

22 MR. BLOUNT: Good morning. Welcome to the
23 meeting regarding the 2.206 petition submitted by Mr.
24 Saporito. I'd like to first share some background on
25 our process.

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1 Section 2.206 of Title 10 of the Code of
2 Federal Regulations describes the petition process,
3 the primary mechanism for the public to request
4 enforcement action by the NRC in a public process.
5 This process permits anyone to petition NRC to take
6 enforcement-type action related to NRC licensees or
7 licensed activities.

8 Depending on the results of this evaluation,
9 NRC could modify, suspend, or revoke an NRC-issued
10 license, or take any other appropriate enforcement
11 action to resolve a problem. The NRC Staff's guidance
12 for the disposition of 2.206 petition requests is
13 Management Directive 8.11, which is publicly
14 available.

15 The purpose of today's meeting is to allow
16 the Petitioner an opportunity to comment on the
17 Petition Review Board's initial recommendation. This
18 meeting is not a hearing, nor is it an opportunity
19 for the Petitioner to question or examine the PRB on
20 the merits or issues presented in the petition
21 request. No decisions regarding the merits of this
22 petition will be made at this meeting.

23 Following this meeting, the Petition Review
24 Board will conduct its internal deliberation. The
25 outcome of the internal meeting will be discussed with

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1 the Petitioner.

2 The Petition Review Board typically consists
3 of a Chairman, usually a manager at the Senior
4 Executive Service level at the NRC. It has a Petition
5 Manager, and a PRB Coordinator. Other members of the
6 Board are determined by the NRC Staff based on the
7 content of the information in the petition request.

8 At this time, I'd like to introduce the
9 Board. I am Tom Blount, the Petition Review Board
10 Chairman. Tracy Orf is the Petition Manager for the
11 petition under discussion today. Stacey Rosenberg is
12 acting in the capacity of the PRB Coordinator for this
13 petition. Marvin Sykes is the NRC's Region II
14 representative. We also obtained advice from our
15 Office of General Counsel, represented by Molly
16 Barkman. We also have a representative from the
17 Office of Enforcement.

18 MR. GHASEMIAN: My name is Shahram
19 Ghasemian. I'm stepping in for Lisa Jarriel.

20 MR. BLOUNT: Great. Thank you, Shahram.

21 MR. GHASEMIAN: Thank you.

22 MR. BLOUNT: With our Agency, as our Agency
23 Allegations Advisor.

24 MR. GHASEMIAN: Yes.

25 MR. BLOUNT: Great.

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1 MR. GHASEMIAN: She is.

2 MR. BLOUNT: She is, yes.

3 As described in our process, the NRC Staff
4 may ask clarifying questions in order to better
5 understand the Petitioner's presentation, and to reach
6 a reasoned decision whether to accept or reject the
7 Petitioner's request for review under the 2.206
8 process.

9 Florida Power and Light, the licensee for
10 Turkey Point, has been invited to this meeting, and
11 will be afforded an opportunity to ask clarifying
12 questions of the Petitioner.

13 For clarification, the licensee is not part
14 of the decision making process, for the NRC's review
15 of the 2.206 petition. We invite the licensees so
16 that they are aware of a request for action against
17 their facility, and provide an opportunity to ask any
18 questions, so that they may understand the details
19 pertaining to their facility.

20 At this time, I would like to summarize the
21 scope of the petition under consideration, and the NRC
22 activities. On January 11th, 2009, Mr. Thomas
23 Saporito submitted to the NRC a petition under 2.206
24 regarding concerns with Turkey Point Employee Concerns
25 program. In this request, Mr. Saporito identified the

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1 following areas of concern. One, request for issuance
2 of a Notice of Violation with Civil Penalty for \$1
3 million. Two, request that NRC issue a confirmatory
4 order modifying the Florida Power and Light license to
5 impose requirements for safety culture assessment,
6 ratings of supervisors and managers by employees,
7 training programs for all supervisors and managers on
8 a safety conscious work environment, and the Employee
9 Protection Rule. And the licensee shall inform all
10 employees of the confirmatory order, and their rights
11 to raise safety concerns.

12 The proffered basis for the two requests are
13 that the licensee did a self-assessment of its ECP,
14 which identified weaknesses and areas for improvement
15 in the ECP, that the NRC has issued two Notices of
16 Violations for violations of the Employee Protection
17 Rule, and that Florida Power and Light has a 20-year
18 history of retaliatory action.

19 The NRC activities to-date have been to
20 review the information provided in the petition, and
21 during our teleconferences with the Petitioner, the
22 NRR Petition Review Board has met internally, and has
23 made an initial recommendation on this 2.206 petition.

24 Following the conclusion of today's call, the
25 Petition Review Board will convene internally to make

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1 a final recommendation. You will be informed of that
2 recommendation in writing.

3 So, as a reminder for the phone
4 participants, please identify yourself if you make any
5 remarks, as this will help us in the preparation of
6 the meeting transcript that will be made publicly
7 available. Thank you.

8 Mr. Saporito, you will have approximately
9 one hour to comment on the PRB's initial
10 recommendation, and we will alert you when there is
11 about 10 minutes remaining. With that said, Mr.
12 Saporito, I'll turn it over to you to provide your
13 comments.

14 MR. SAPORITO: All right. Thank you. This
15 is Thomas Saporito with Saporito Energy Consultants,
16 Incorporated, and I note for the record the time is
17 10:41 a.m. Eastern Standard Time.

18 As a threshold matter, I would like to
19 advise that to my recollection here today, no
20 representative from the NRC Office of Investigations
21 in Region II is in attendance, nor is any
22 representative from the NRC's Office of the Inspector
23 General. To that extent, I would request that the
24 PRB provide both agencies with a copy of the
25 transcript record for this meeting. Thank you.

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1 All right. First, I want to discuss two
2 housekeeping matters that are intertwined with this
3 existing 2.206 petition, as they relate directly to
4 Florida Power and Light's Turkey Point Nuclear plant
5 and the work environment at that facility.

6 First, I would like to discuss a June 5th,
7 2009 letter that Saporito Energy Consultants sent to
8 the NRC Chairman, Mr. Gregory B. Jaczko, regarding the
9 NRC allegation report, R 11-2009-A-0046 related to
10 William Blair, and related to Paul Infanger, a
11 previous employee at the Turkey Point Nuclear Plant
12 who held the position of Licensing Manager for Florida
13 Power and Light.

14 I wrote Mr. Jaczko, I'm sorry if I
15 mispronounce his name, the letter on June 5th because
16 I was concerned about the response, or lack thereof,
17 by NRC Region II in responding to those concerns. I
18 did receive a letter dated July 6th from the Regional
19 Administrator, Louis A. Reyes, R-E-Y-E-S. He's the
20 Administrator of Region II, the NRC Headquarters in
21 Region II in Atlanta, Georgia, responding on behalf of
22 the NRC Chairman. And, quite frankly, Mr. Reyes'
23 letter is extremely confusing, and non-responsive to
24 the central issues of the concerns identified to the
25 NRC Chairman. So, I want to touch again on those

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1 concerns.

2 The concerns I brought to the NRC Chairman's
3 attention was the fact that Florida Power and Light
4 fired Paul Infanger, spelled I-N-F-A-N-G-E-R, the
5 Licensing Manager for the Turkey Point Nuclear Plant
6 following Mr. Infanger's authoring of the Employee
7 Concerns program critique. He solicited various
8 members from the nuclear industry to assist him to
9 form a team to evaluate the ECP, the Employee Concerns
10 program at Turkey Point, and the result was that the
11 report was very critical of Florida Power and Light
12 management.

13 And based on information and belief, and
14 other evidence, which they may or may not provide at
15 this meeting, because this is a public meeting, but
16 based on that evidence, and other witnesses, I request
17 again that the NRC Office of Investigations conduct a
18 meeting with me personally to provide extensive
19 details on this violation of NRC requirements by
20 Florida Power and Light, violation of 10 CFR 30.7,
21 violation of 10 CFR 50.7 with respect to Mr.
22 Infanger's employment at the Florida Power and Light
23 Company, and raising safety concerns, nuclear safety
24 concerns with the NRC, and suffering retaliation, the
25 ultimate retaliation being discharge for that conduct.

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1 I would say on this record, based on
2 information and belief, that FPL attorney, William
3 Blair, is involved in that discriminatory event, and
4 that based on information and belief that the
5 collaboration of other senior executive management at
6 FPL, including Mitch Roth, who is Executive Vice
7 President of FPL, and a managing attorney for FPL, and
8 Mr. J.A. Stahl, who was the Executive Vice President
9 for FPL's nuclear division, but I have received
10 information that he has, apparently, taken another
11 position at FPL, and is no longer in that position.
12 And I believe the collaboration may continue all the
13 way up to the Chief Executive Officer, Louis Hays,
14 III. And just so the PRB is aware, I am personally,
15 along with Saporito Energy Consultants, Incorporated
16 involved in several complaints that were filed under
17 the Energy Reorganization Act, the ERA, with the
18 Department of Labor against Florida Power and Light.
19 And those proceedings are ongoing. And at some point,
20 there will most likely be depositions taken in the
21 discovery process, and we intend to solicit the
22 deposition of Mr. Louis Hays, III, and these other
23 individuals. So, at that time, the NRC may be
24 provided additional follow-up information on the
25 actions of those individuals related to Paul

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1 Infanger's case.

2 In addition, David Hoffman, who is a Senior
3 Nuclear Plant Operator at Turkey Point Nuclear Power
4 Plant, there was a serious incident there at one of
5 Florida Power and Light's substations back in 2006,
6 failed as a result of a field engineer, I believe, who
7 violated a procedure at that substation, resulting in
8 failure of that substation, caused an unbalance in
9 FPL's high lines, high voltage distribution lines,
10 which tripped several power plants, including the
11 reactors at the Turkey Point Nuclear facility.

12 Mr. Hoffman was on duty at one of those
13 reactors at the time of this incident, and he was in
14 charge for the operation of that nuclear reactor being
15 in the position of the Senior Nuclear Plant Operator.

16 Mr. Hoffman, at the time with his employment at FPL
17 held a separate license issued by the Nuclear
18 Regulatory Commission, in addition to licenses held by
19 FPL, DPR 31 and 41 for Turkey Point facility.

20 Mr. Hoffman's employment ended because he
21 was effectively constructively discharged following
22 pressure from FPL management, i.e., the Plant Manager,
23 Mr. Bill Jefferson, requiring Mr. Hoffman to restart
24 the nuclear reactor in under a 12-hour time frame.
25 Mr. Hoffman could not comply with that order, because

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1 it would obviously place the health and safety of the
2 public in jeopardy due to the transition of various
3 parameters associated with restarting the nuclear
4 reactor that had just been scrammed. Scram is an
5 emergency shutdown where the rods fall into the
6 reactor core.

7 So, to the extent that this individual was
8 constructively discharged, we believe that this is a
9 violation of the Energy Reorganization Act because Mr.
10 Hoffman was constructively discharged, and being
11 pressured to violate NRC regulations and requirements
12 in the operation of that nuclear reactor. And we
13 would, again, like to meet with the Office of
14 Investigations to discuss that matter further.

15 In addition to those individuals, based on
16 information and belief, we believe there's another
17 plant operator, Mr. Kohl, at the Turkey Point facility
18 who understands and believes that there's a hostile
19 work environment at that nuclear facility, and that
20 the work environment does not encourage nuclear
21 workers to raise nuclear safety concerns either
22 directly to the NRC, or to FPL managers.

23 In addition to those individuals, there are
24 other individuals which I would like to bring to the
25 NRC's attention through the Office of Investigations

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1 through a personal meeting, who also are knowledgeable
2 and can provide information to the Agency regarding
3 the Turkey Point Nuclear Plant's work environment, and
4 its work environment at the Florida Power and Light
5 St. Lucie Nuclear Plant.

6 In addition to those individuals, based on
7 information and belief, and discussions with Mr. Mike
8 Mulligan, spelled M-U-L-L-I-G-A-N, there is reason to
9 believe and to substantiate that the work environment
10 at the St. Lucie Nuclear Power Plant and the Turkey
11 Point Nuclear Plant is not conducive, and does not
12 encourage nuclear workers to raise safety concerns,
13 either directly to the NRC, or to FPL management. And,
14 again, I'd like to provide details to the NRC's OI
15 through a personal meeting to enhance my knowledge and
16 discussion with Mr. Mulligan.

17 All right. The next housekeeping matter is
18 a letter Saporito Energy Consultants, Incorporated
19 authored to the NRC Chairman. It's dated July 9th,
20 2009, and this letter is regarding an NRC letter dated
21 June 3rd of 2009, authored by Thomas B. Blount, NRC
22 employee, regarding two items, regarding Saporito
23 Energy Consultants' May 2nd, 2009, and May 8th, 2009
24 petitions filed under 10 CFR 2.206, which both
25 petitions sought enforcement action by the NRC against

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1 Florida Power and Light Company. And, very quickly -

2 MR. ORF: Mr. Saporito?

3 MR. SAPORITO: Yes?

4 MR. ORF: Were those letters related to this
5 petition, or were they related to another petition?

6 MR. SAPORITO: They're intertwined with this
7 petition, because they're dealing with the work
8 environment at the Turkey Point Nuclear Plant. And
9 the letter dated June 5th, 2009 specifically addresses
10 the NRC's response to the safety concerns.

11 First, I would like to talk about one of the
12 petitions, which is -- let's talk about the May 2nd
13 petition. Excuse me, I lost my place. Okay. I
14 believe it's the May 8th petition, talks about my
15 employment at the Turkey Point Nuclear Plant back in
16 1988, where I was fired after I raised nuclear safety
17 concerns directly to the NRC, and where FPL managers
18 had knowledge of that communication. And I
19 specifically addressed this to the NRC, and I believe
20 Mr. Blount, himself, replied to my concerns in a
21 letter dated June 3rd, 2009.

22 However, Mr. Blount's response was not in
23 conformance with NRC Management Directive 8.11, in so
24 far as the Secretary of Labor made a decision in my
25 Department of Labor case, case number 89-ERA7 and 17,

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1 to the extent that FPL violated the Energy
2 Reorganization Act regarding my employment at that
3 plant. And the NRC's method of operation in the past
4 is to issue Notices of Violations, and issue civil
5 penalties where need be, which was based on decisions
6 issued by the Department of Labor. NRC has done this
7 consistently in the past, and at least two times
8 concerning retaliation claims filed under the Energy
9 Reorganization Act against FPL specifically at the
10 Turkey Point Nuclear Plant. One dealt with an
11 engineer by the name of Richard Robanez, and another
12 dealt with a plant operator.

13 However, in my case, the NRC never issued --
14 took any enforcement action whatsoever against FPL.
15 Now, Mr. Blount's response indicates all these issues
16 have been addressed in prior petitions, and it has
17 been resolved to the NRC's satisfaction. However, he
18 misses the point, the point being that the NRC did not
19 follow its pattern of practice in issuing enforcement
20 action against FPL when the Department of Labor finds
21 that FPL violated the ERA, which the Secretary of
22 Labor did on June 3rd, 1994. The Secretary of Labor,
23 Robert Reiche, found that FPL violated ERA with
24 respect to my employment at the Turkey Point Nuclear
25 facility. So, again -- once again here, I'm asking

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1 the PRB, which Mr. Blount is now the Chairman, to
2 reconsider their actions in that matter, because it's
3 certainly relevant here in this proceeding because my
4 case was the first ERA case filed against FPL. And
5 it's consistent -- the requested enforcement action is
6 consistent with prior decisions by the NRC. And the
7 NRC never addressed the issue, they never squared off,
8 even in Mr. Blount's - they never squared off on the
9 issue being that the Secretary of Labor found that FPL
10 violated the ERA with respect to my employment when
11 they fired me in 1988. And, to that extent, the NRC
12 needs to take enforcement action.

13 All right. Now, with respect to this
14 current meeting that we're here today about, I want to
15 discuss Saporito Energy Consultants' expectations of
16 the NRC, should the Agency decide to act on our
17 petition currently before the NRC PRB.

18 If the NRC decides to issue a Notice of
19 Violation and imposition of civil penalty to FPL in
20 this matter, that instead of requiring FPL to make
21 payment of any such civil penalty to the U.S.
22 government, that FPL be required to enhance its
23 existing Employee Concerns program to include the
24 establishment of a monetary fund to be further
25 maintained by FPL through the duration of its NRC's

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1 licenses at the Turkey Point Nuclear and St. Lucie
2 Nuclear Power Plant, and to be used in the following
3 manner.

4 The fund should be used to enhance FPL's
5 Employee Concerns program by providing payment of cash
6 awards to nuclear workers who raise valid nuclear
7 safety concerns where the licensee was able to
8 identify and correct the safety concern. The amount
9 of cash award could be established based on the
10 significance of the nuclear safety concern identified.

11 The licensee could then maintain a monthly posting
12 through its nuclear facilities of cash award
13 recipients, and a description of the nuclear safety
14 concern, and its resolution.

15 These cash awards could be issued to the
16 recipients during plant meetings in front of the
17 recipient's peers and managers. This Employee
18 Concerns program enhancement would encourage nuclear
19 workers to bring nuclear safety concerns to the
20 licensee's attention, and would obviate any need for
21 confidentiality of concerns on the part of nuclear
22 workers who might otherwise fear retaliation by that
23 licensee for identification of nuclear safety
24 concerns.

25 This proposal would also provide for

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1 continued payment of wages and benefits to any nuclear
2 worker who identifies a complaint of retaliation or
3 discrimination to the Department of Labor under the
4 Energy Reorganization Act of 1974, as amended, 42 USCA
5 58-51. This benefit continued through the course of
6 the ERA proceeding until a final determination is
7 rendered by the government up to the United States
8 Supreme Court.

9 This Employee Concerns program enhancement
10 would encourage FPL to make certain that its work
11 environment encourages nuclear workers to raise
12 nuclear safety concerns without fear of retaliation or
13 discrimination. These funds would also go to enhance
14 FPL's Employee Concerns program by providing Employee
15 Concerns program training to licensee management from
16 the Executive CEO level down to first line
17 supervision, and to all nuclear plant workers. And the
18 ECP training must include training about, one, the
19 process to report nuclear safety concerns directly to
20 the NRC. And, two, the use of the NRC's website to
21 report nuclear safety concerns. And, three, an
22 explanation of NRC regulations and requirements that
23 FPL maintain a work environment which encourages
24 nuclear workers to raise safety concerns to FPL
25 management, or directly to the NRC without fear of

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1 retaliation by FPL management for so doing. And the
2 Employee Concerns program training must include
3 training about, one, the process to file a
4 discrimination or retaliation complaint with the U.S.
5 Department of Labor, if a nuclear worker believes they
6 have suffered discrimination or retaliation for having
7 brought a nuclear safety concern directly to the NRC,
8 or to FPL management. And, two, the process of filing
9 a complaint with the Occupational Safety and Health
10 Administration, or OSHA, and use of OSHA's website
11 describing the method of how and where to file a
12 Whistle Blower complaint. And, three, a description
13 of the Whistle Blower process, once a complaint is
14 filed with OSHA, including, but not limited to, (A)
15 assignment of an OSHA investigator, and interviewing
16 with the OSHA investigator. And (B), the employee's
17 right to object to OSHA's findings, and to request a
18 hearing before a Department of Labor Administrative
19 Law Judge. And (C), the hearing process, including
20 the function of the Administrative Law Judge. And
21 (D), the employee's right to appeal findings of the
22 Administrative Law Judge to the Administrative Review
23 Board. And (E), the function of the Administrative
24 Review Board. And (F), the right of an employee to
25 appeal the Administrative Review Board's decision to

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1 the relevant Circuit Court of Appeals, and to the
2 United States Supreme Court.

3 The Employee Concerns program training must
4 also advise nuclear workers that filing a complaint
5 with OSHA is a means to provide and make whole
6 remedies to the employee, including, but not limited
7 to, (A) reinstatement to their job at Florida Power
8 and Light, and (B), an award of compensatory damages;
9 and (C), an award of exemplary damages; and (D), an
10 award of back pay and benefits; and (E), an award of
11 attorney's costs and fees.

12 To enhance FPL's Employee Concerns program,
13 the funds would also be used to enhance FPL's Employee
14 Concerns program by upgrading the Employee Concerns
15 program Manager's office space, to include a
16 professional office area within the Turkey Point
17 Nuclear Plant, and within the St. Lucie Nuclear Plant
18 facilities, to demonstrate to employees that
19 management is serious about the employee concerns
20 program by providing the Employee Concerns Manager
21 with at least two assistants to provide necessary
22 coverage for both facilities, which include four
23 nuclear reactors, to include providing the Employee
24 Concerns Program Manager with office equipment, like a
25 computer system linked to the FPL server to allow

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1 interaction by FPL managers with the Employee Concerns
2 Program Manager for resolution of nuclear safety
3 concerns.

4 In closing, Saporito Energy Consultants,
5 Incorporated has requested employment at Florida Power
6 and Light through Louis Hays, III, the Chief Executive
7 Officer of FPL, as an independent contractor,
8 specifically to address the Employee Concerns program
9 enhancements discussed here today. Mr. Hays has yet
10 to respond to Saporito Energy Consultants' application
11 for employment as an independent contractor. However,
12 that opportunity remains available to FPL, and
13 Saporito Energy Consultants would welcome such an
14 opportunity.

15 And that ends our presentation to the NRC
16 PRB today, and we remain on line to answer any
17 respective questions.

18 MR. BLOUNT: Thank you, Mr. Saporito. At
19 this time, do we have any questions from the Staff
20 here at headquarters? Then I would make note that the
21 time is 11:04. Do we have any questions from the NRC
22 Staff in the Region?

23 NRC STAFF: No, we do not.

24 MR. BLOUNT: Okay. Do we have any questions
25 from the licensee?

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1 MR. BLAIR: No, there are no questions from
2 Florida Power and Light.

3 COURT REPORTER: Excuse me. This is the
4 court reporter. May I kindly request that each person
5 introduces themselves at least once before they
6 continue speaking, so I can get the log note right.

7 MR. BLOUNT: My apologies. This is Tom
8 Blount.

9 COURT REPORTER: Thank you very much, Mr.
10 Blount.

11 MR. BLAIR: This is William Blair from
12 Florida Power and Light. Florida Power and Light has
13 no questions of the Petitioner.

14 MR. SYKES: This is Marvin Sykes in Region
15 II, and Region II has no questions for the Petitioner.

16 MR. BLOUNT: Very good. Before I conclude
17 the meeting, members of the public may provide
18 comments regarding the petition, and ask questions
19 about the 2.206 petition process. However, as stated
20 at the opening, the purpose of this meeting is not to
21 provide an opportunity for the Petitioner or the
22 public to question or examine the PRB regarding the
23 merits of the petition request.

24 I want to thank Mr. Saporito for taking the
25 time to provide the NRC with clarifying information on

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1 the petition. Are there members of the public that
2 have questions? Very well. Hearing none, are there
3 any other comments that need to be made? And hearing
4 no other comments, with that, this meeting is
5 concluded, and we will be terminating the phone
6 connection at this time.

7 (Whereupon, the proceedings went off the
8 record at 11:07:06 a.m.)
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