

**Official Transcript of Proceedings**  
**NUCLEAR REGULATORY COMMISSION**

Title:                   Petition Review Board  
                              RE Sherwood Martinelli

Petition Number:     G20090710

Location:             (teleconference)

Date:                  Tuesday, January 12, 2010

Work Order No.:     NRC-026

Pages 1-46

Edited by John Boska, NRC Petition Manager

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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NUCLEAR REACTOR REGULATION

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PETITION REVIEW BOARD DISCUSSION WITH PETITIONER

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IN THE MATTER OF:

10 CFR 2.206 PETITION

OF SHERWOOD MARTINELLI

WITH RESPECT TO INDIAN POINT 2 AND 3

PETITION NUMBER G20090710

+ + + + +

Tuesday, January 12, 2010

The above-entitled matter was  
convened via teleconference, pursuant to notice, at  
2:30 p.m. Eastern Standard Time.

BEFORE:

TOM BLOUNT, Petition Review Board Chairman

Deputy Director

Division of Policy and Rulemaking

Office of Nuclear Reactor Regulation

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ALSO PRESENT:

NRC OFFICE OF NUCLEAR REACTOR REGULATION:

JOHN BOSKA

GREG CASTO

STAN GARDOCKI

TANYA MENSAH

STACEY ROSENBERG

NANCY SALGADO

NRC REGION I:

SAM McCARVER

LICENSEE:

ROBERT WALPOLE, Entergy Nuclear Operations, Inc.

PAUL BESSETTE, ESQ., Counsel for Entergy

PETITIONER:

SHERWOOD MARTINELLI

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

(2:29 p.m.)

WELCOME AND INTRODUCTIONS

MR. BOSKA: I'd like to thank everybody for attending this meeting. And my name is John Boska. I'm the Indian Point project manager.

We are here today to allow the petitioner, Mr. Sherwood Martinelli, to address the Petition Review Board regarding his 2.206 petition dated December 19, 2009, on the feedwater systems at the Indian Point Nuclear Plant, which are located in Buchanan, New York.

I am the petition manager for the petition, and the Petition Review Board Chairman is Tom Blount.

As part of the Petition Review Board - or we may call it PRB --

PETITIONER MARTINELLI: Can I ask who all is in attendance so that I know for my own records?

MR. BOSKA: Yes, we are going to do introductions very shortly. I'm getting there.

PETITIONER MARTINELLI: Thank you.

MR. BOSKA: So Mr. Martinelli has requested this opportunity to address the PRB, and this meeting is being recorded by the NRC Operations

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1 Center, and will be transcribed by the court reporter.

2 The transcript will become a supplement to the  
3 petition, and the transcript will also be made  
4 publicly available.

5 I'd like to open with introductions. We  
6 will go around the room in headquarters first. Please  
7 state your name, your position, and the office you  
8 work for within the NRC. And I'll start.

9 I'm John Boska, from the Office of Nuclear  
10 Reactor Regulations.

11 MS. SALGADO: I'm Nancy Salgado. I'm  
12 also from the NRR Office, from the Division of  
13 Operating Reactor Licensing. I'm a branch chief.

14 MS. MENSAH: My name is Tanya Mensah.  
15 I'm from the Office of Nuclear Reactor Regulation, and  
16 I'm the 2.206 coordinator.

17 MS. ROSENBERG: Stacey Rosenberg. I'm in  
18 the Office of Nuclear Reactor Regulation, in the  
19 Division of Policy and Rulemaking, the branch chief  
20 for the special projects branch.

21 CHAIRMAN BLOUNT: Tom Blount, Deputy  
22 Director for the Division of Policy and Rulemaking in  
23 Nuclear Reactor Regulation. Also, the PRB chair.

24 PETITIONER MARTINELLI: Can you tell me  
25 what VRB is?

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1 CHAIRMAN BLOUNT: PRB, Petition Review  
2 Board.

3 PETITIONER MARTINELLI: Okay, it sounded  
4 like you said a "V."

5 CHAIRMAN BLOUNT: I get a little tongue-  
6 tied. My apologies. I will try and speak clearer.

7 PETITIONER MARTINELLI: Thank you.

8 MR. CASTO: Greg Casto, branch chief for  
9 balance of plant systems, in the Division of Safety  
10 Systems, Nuclear Reactor Regulation.

11 MR. GARDOCKI: Stan Gardocki, reactor  
12 engineer in the Division of Safety Systems for balance  
13 of plant, under NRR.

14 MR. BOSKA: That completes the  
15 introductions at NRC headquarters.

16 Are there any NRC participants from the  
17 regional office on the phone?

18 MR. MCCARVER: This is Sam McCarver NRC  
19 Region #1, Division of Reactor Projects.

20 MR. BOSKA: All right, thank you, Sam.

21 Are there any representatives from the  
22 licensee on the phone?

23 MR. WALPOLE: Bob Walpole, licensing  
24 manager.

25 MR. BESSETTE: This is Paul Bessette,

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1 counsel for Entergy.

2 MR. BOSKA: All right, thank you.

3 And Mr. Martinelli, would you please  
4 introduce yourself for the record?

5 PETITIONER MARTINELLI: Yes, Sherwood  
6 Martinelli, husband and spouse of Tina Josephine  
7 Martinelli, who has breast cancer that was  
8 deliberately and egregiously caused by the poor  
9 management and aging management plans of the Indian  
10 Point Reactors in Buchanan, New York.

11 MR. BOSKA: Thank you, Mr. Martinelli.

12 Is there anyone else on this phone call?  
13 And we do have a court reporter on the phone call, is  
14 that correct?

15 COURT REPORTER: Correct, I'm here.

16 MR. BOSKA: All right, thank you.

17 PETITIONER MARTINELLI: Can the court  
18 reporter identify themselves and the company they work  
19 for, please?

20 COURT REPORTER: My name is Charles  
21 Morrison. I'm a court reporter with Neal R. Gross &  
22 Company, court reporters located in Washington, D.C.

23 PETITIONER MARTINELLI: Thank you.

24 MR. BOSKA: I'd like to emphasize that we  
25 each need to speak clearly and loudly to make sure

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1 that the court reporter can accurately transcribe this  
2 meeting. And if you do have something to say, please  
3 first state your name for the record. And at this  
4 time I'll turn it over to the PRB chairman Tom Blount.

5 PRB CHAIRMAN'S INTRODUCTION

6 CHAIRMAN BLOUNT: Good afternoon.  
7 Welcome to this meeting regarding the 2.206 petition  
8 submitted by Mr. Martinelli.

9 I am Tom Blount, the PRB chair.

10 I'd like to first share some background on  
11 our process. Section 2.206 of Title 10 of the Code of  
12 Federal Regulations, describes the petition process,  
13 the primary mechanism for the public to request  
14 enforcement action by the NRC in a public process.

15 This process permits anyone to petition  
16 the NRC to take enforcement-type action related to the  
17 NRC licensees, or licensed activities. Depending on  
18 the results of this evaluation, the NRC could modify,  
19 suspend or revoke an NRC-issued license or take any  
20 other appropriate enforcement action to resolve a  
21 problem.

22 The NRC staff's guidance for the  
23 disposition of 2.206 petition requests is in  
24 Management Directive 8.11 which is publicly available.

25 The purpose of today's meeting is to give

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1 the petitioner an opportunity to provide any  
2 additional explanation or support for the petition  
3 before the Petition Review Board makes an initial  
4 recommendation on whether or not to accept this  
5 petition for review.

6 This meeting is not a hearing. Nor is it  
7 an opportunity for the petitioner to question or  
8 examine the PRB on the merits or the issues presented  
9 in the petition request. No decisions regarding the  
10 merits of this petition will be made at this meeting.

11 Following this meeting the Petition Review  
12 Board will conduct its internal deliberations. The  
13 outcome of this internal meeting will be discussed  
14 with the petitioner. The Petition Review Board  
15 typically consists of a chairman, usually a manager at  
16 the senior executive service level at the NRC. It has  
17 a petition manager and a PRB coordinator.

18 Other members of the board are determined  
19 by the NRC staff based on the content of the  
20 information in the petition request.

21 At this time I would like to introduce the  
22 board. As I indicated, I'm Tom Blount, the Petition  
23 Review Board Chairman.

24 John Boska is the Petition Manger for the  
25 petition under discussion today.

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1 Tanya Mensah is the office's PRB  
2 coordinator.

3 Our technical staff includes: Stan  
4 Gardocki from the Office of NRR's Balance of Plant  
5 Branch; Sam McCarver from NRC's Region #1, Division of  
6 Reactor Projects.

7 And as part of this review, but not with  
8 us today, Kim Green from NRR's Division of License  
9 Renewal.

10 As described in our process the NRC staff  
11 may ask clarifying questions in order to better  
12 understand the petitioner's presentation and to reach  
13 a reasoned decision whether to accept or reject the  
14 petitioner's request for a review under the 2.206  
15 process.

16 I'd like to summarize the scope of the  
17 petition under consideration and the NRC's activities  
18 to date.

19 On December 19<sup>th</sup>, 2009, Mr. Martinelli  
20 submitted to the NRC a petition, under 10 CFR 2.206,  
21 regarding the feedwater systems at Indian Point #2 and  
22 #3. In this petition request, Mr. Martinelli requests  
23 that the NRC immediately order cold shutdown of both  
24 Indian Point #2 and Indian Point #3. Upon completion  
25 of safe cold shutdown of both Indian Point 2 and 3,

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1 order NRC inspectors to conduct a full safe and  
2 equipment reliability inspection for all feedwater  
3 pumps and other systems that rely directly or  
4 indirectly on their safe and reliable operations.

5 Conduct a full and complete inspection of  
6 all steam pipes directly and/or indirectly attached to  
7 or fed by the feedwater pumps for leaks or bulges that  
8 may have been caused as a result of the unsafe  
9 vibrations of said feedwater pumps.

10 Maintain full and complete cold shutdown  
11 of Indian Point 2 and 3 until such time as any and all  
12 violations found as a result of these emergency  
13 inspections are dealt with or fixed.

14 Fine Entergy no less than \$120,000 per day  
15 from May 28<sup>th</sup> through - till cold shutdown is ordered  
16 - for operating outside the safety guidelines  
17 established under 10 CFR rules and regulations, and  
18 continue to keep in operation a feedwater pump that  
19 fails to meet minimum safe operation standards for the  
20 equipment in question, thus risking problems that  
21 could make Davis Besse and TMI pale in comparison.

22 Because such equipment aging management  
23 systems in place have been shown inadequate through  
24 the ongoing series of failures, order a complete  
25 agency-wide review of all current and/or proposed

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1 aging management programs for Indian Point 1, 2 and 3.

2 Because these dangers to our health and safety  
3 have been created through the negligence and greed of  
4 Entergy, order the company to secure and purchase  
5 energy from other sources to meet their obligations to  
6 its consumer base both wholesale and retail during the  
7 period of cold shutdown with costs of that action to  
8 be borne by them.

9 At this point, allow me to discuss NRC  
10 activities to date.

11 On December 22<sup>nd</sup>, 2009, the PRB met and  
12 considered the petitioner's request for the NRC to  
13 immediately order cold shutdown for Indian Point 2 and  
14 3. As the PRB did not identify any immediate safety  
15 concerns, the PRB denied the request for immediate  
16 cold shutdown.

17 Mr. Martinelli was informed on December  
18 23<sup>rd</sup> of the PRB's decision. Mr. Martinelli requested  
19 to address the PRB on his petition which led to this  
20 teleconference.

21 As a reminder for the phone participants,  
22 please identify yourself if you make any remarks, as  
23 this will help us in the preparation of the meeting  
24 transcript that will be made publicly available. And  
25 thank you.

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1           At this time, Mr. Martinelli, I'll turn it  
2 over to you, to allow you to provide any information  
3 you believe the PRB should consider.

4           PETITIONER MARTINELLI:   First, if I could  
5 ask a question, a point of clarification.   I'm  
6 correct in assuming that the purposes of us being here  
7 today is not to discuss and/or measure the merits of  
8 my 2.206 petition, but rather to ascertain whether or  
9 not, after I give additional information, that  
10 petition is going to move forward, correct?

11          CHAIRMAN BLOUNT:       The purpose of our  
12 conversation in this teleconference is to have you  
13 provide additional information in support of that  
14 petition, that is correct, sir.

15          PETITIONER MARTINELLI:       Right, to  
16 ascertain whether or not said petition should be moved  
17 forward?

18          CHAIRMAN BLOUNT:       Well, we won't make  
19 that determination after this phone call.

20          PETITIONER MARTINELLI:   No, I understand  
21 that. I don't think you are following me. In other  
22 words, I'm not here today, based on the correspondence  
23 that was given to me, I'm not here today to defend all  
24 the various and assorted issues of this petition, but  
25 rather I'm here today to defend why it's my belief

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1 that said petition should move forward through the  
2 process. And I just want to make sure we're on the  
3 same game page.

4 CHAIRMAN BLOUNT: I'm with you, sir.  
5 This is Tom Blount, the PRB chair. Yes, sir, you are  
6 here to provide us additional information in the  
7 advent of moving this effort forward.

8 PETITIONER MARTINELLI: Okay, I just  
9 wanted to make sure, because in reading your original  
10 correspondence, that was the impression I was under,  
11 and I wanted to make sure that I was correct. I  
12 thought that's what I heard, but I just wanted to  
13 verify that. Okay.

14 PETITIONER'S PRESENTION

15 PETITIONER MARTINELLI: You have my  
16 petition, and it doesn't take any of us any time at  
17 all to ascertain that there are issues and problems  
18 with feedwater pumps at Indian Point. There are  
19 newspaper articles that reiterate this. There have  
20 been trips caused by vibrations of one of the  
21 auxiliary feedwater pumps, okay? And the NRC itself  
22 has for instance said that yes there are problems, and  
23 Entergy doesn't know what these problems are, but for  
24 right now we are going to take a wait and see  
25 attitude, and then after that decision by the NRC was

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1 released out into the general public so that we the  
2 stakeholders became aware of it, Entergy itself, which  
3 I still have to file a petition to intervene on, has  
4 basically admitted that there are serious issues with  
5 the feedwater pumps and the auxiliary feedwater pumps.

6 And as witnessed by their petition on one of the  
7 reactors to seek a license amendment to attempt to  
8 make an experimental repair while the reactor  
9 continues in operation.

10 So I'd like to point out right going in  
11 that we all know there are issues with these feedwater  
12 pumps, and the issues that do exist do put NRC - or  
13 not NRC, but the licensee, in a position of having  
14 equipment that is in the process of failing, that  
15 should it fail would put them in a situation of not  
16 being able to have that equipment function in the way  
17 that it's meant to function in a design basis  
18 accident.

19 And so now we move to trying to understand  
20 not just the serious nature of the feedwater pumps  
21 that necessitate my request to have the reactors  
22 shutdown and the things I've alleged in my petition  
23 move forward, okay. What I think we need to do, and I  
24 would like to see us do, is, take a broader scope view  
25 of why it's necessary to shut these reactors down,

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1 until the pumps are adequately repaired or replaced  
2 and then inspected.

3 Let's step back - pardon?

4 (Pause.)

5 I thought someone was asking a question.

6 Let's step back and look at the bigger  
7 picture that is the nuclear industry first. The NRC,  
8 Entergy, and Indian Point, okay, have gotten to a  
9 point where specialization and various and assorted  
10 study groups dealing with problems on an individual  
11 basis where instead of looking at the reactor as a  
12 whole, instead of looking at aging management as a  
13 whole, instead of looking at the whole big picture,  
14 everybody is looking at teeny, tiny parts of the  
15 picture, very similar to the way Homeland Security and  
16 the FBI and the CIA and our various and assorted  
17 information gathering groups were gathering  
18 information while failing to look at the bigger  
19 picture that led to almost a catastrophic terrorist  
20 attack on December 25<sup>th</sup>, and led to our president  
21 admitting that we had a systemic failure in the  
22 homeland security system.

23 That same kind of a problem exists with  
24 the NRC because of its incestuous nature with the  
25 licensee, and its inability due to a huge shortage of

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1 manpower at the NRC itself, to be able to take a  
2 larger worldview, and look at not just one specific  
3 event, or look at one specific failing part of the  
4 structures at Indian Point, but be able to put  
5 everything together and, as President Obama said,  
6 connect the dots.

7           And it's my belief here that what we're  
8 seeing is a potential nuclear incident slash accident  
9 at Indian Point that will be far more catastrophic  
10 than Chernobyl was because the NRC and their  
11 inspectors are not connecting the dots. They are  
12 trying to deal with each and every little issue in a  
13 compartmentalized way that fails to look at the bigger  
14 picture.

15           In the past few years the situation with  
16 our American economy, okay, shows us the great danger  
17 in not taking the time to look at this bigger picture,  
18 to put all the pieces of the puzzle on the table for  
19 closer inspection as a composite whole, rather than  
20 studying each piece as a stand-alone object or issue,  
21 okay? It's like you can look at all kinds of various  
22 and assorted issues at the Indian Point reactors, the  
23 underground leaks of radioactively contaminated  
24 liquids, the leaking spent fuel pools, the leaking  
25 spent fuel rod transfer canal that is leaking. Okay,

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1 the almost 300,000 gallon plume of radioactive  
2 contaminants under Reactor #3 that is rapidly  
3 migrating to the Hudson River.

4 Each of these issues, instead of being  
5 looked at and put together on a table like a complete  
6 puzzle, are being looked at individually, it's the  
7 same way with this feedwater plant. And I'm  
8 suggesting that my petition needs to move forward,  
9 because we need to not just look at the one individual  
10 problem, but the whole of all of it. If we look at  
11 9/11, we failed to look at the big picture. If we  
12 look at the collapse of the banks and real estate  
13 market in Wall Street, okay, it was because our  
14 regulators failed miserably. They failed to look at  
15 the bigger picture. They failed to enforce their  
16 laws. They gave the people they were supposed to be  
17 policing exemption after exemption after exemption, to  
18 a point where we watched literally our nation get  
19 thrown into a near second great depression, okay.

20 We are sitting here now on the edge of a  
21 dark abyss with our Nuclear Regulatory Commission  
22 threatening to throw our nation, okay, over a cliff,  
23 as we watch an accident on American shores that is  
24 far, far worse than Chernobyl ever thought about  
25 being.

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1 We got lucky and dodged a bullet at TMI.  
2 We got lucky and dodged a bullet at Davis Besse, okay.

3 But at every one of those you look, and those  
4 accidents were allowed to happen because the NRC  
5 refused to look at the big picture. They refused to  
6 look at the totality of the action and behaviors and  
7 aging management plans of their licensees, okay, and  
8 in doing so put us at great risk. Like if you take a  
9 casual look at the nuclear industry and the way it  
10 conducts its business, it does it in private. It  
11 compartmentalizes almost every facet of what they do  
12 so that there is never any discussion with the  
13 stakeholder community of the big picture.

14 When there was a leak of radioactive  
15 contaminates into the air recently, okay, the licensee  
16 basically says, oh, no big deal, we're not worried  
17 about it. Well, the problem is, we the stakeholders  
18 are worried about it. We the stakeholders would like  
19 to see the NRC force Entergy to release the  
20 environmental contaminant studies that they have been  
21 doing in our community now since 2001. I think it's  
22 not fair that I can sit there and see their testing  
23 equipment and know that they are doing air sample  
24 modeling but we are told we might misconstrue the  
25 results of the information so we are not entitled to

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1 have it.

2           It's like how can we trust the industry,  
3 how can we trust Entergy, how can we trust the NRC,  
4 okay, when you are not doing your job, when you are  
5 not looking at the big picture, where because you  
6 compartmentalize everything, you take this problem and  
7 oh, it's little, and you take this problem, oh it's  
8 little. You take this problem, oh it's little. Where  
9 is the person standing back and seeing the forest from  
10 the trees and saying, wait a minute, maybe all these  
11 problems are little, but when you put them all  
12 together we have a systemic failure with Entergy, not  
13 just at Indian Point 2, not just at Indian Point 3,  
14 but at every single one of their reactors in the  
15 United States. All you got to do to look at that is  
16 look at the fact that Entergy as a company represents  
17 more than 25 percent of the entire shortages for the  
18 entire nuclear industry in decommissioning fund  
19 shortfalls, even though they barely own 10 percent of  
20 the reactors. And what does the NRC do? It looks at  
21 us as a stakeholder community and says, oh, it's okay,  
22 the licensee gave us information that says that if we  
23 put these two reactors into safe store in 2013 and  
24 2015, okay, by the time 50 years goes by and we start  
25 the decommissioning process our funds will be where

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1 they are supposed to be.

2 That is absolutely ludicrous. You don't  
3 give somebody 50 years to meet the bare minimum  
4 requirements in their decommissioning fund. This is  
5 the type of problem that we see, okay. We are tired  
6 of having our national intelligence agencies, back on  
7 December 26<sup>th</sup>, they couldn't connect the dots. Now we  
8 are sitting here as citizens, we want to connect the  
9 dots. We want to have hearings. We want these kinds  
10 of petitions to move forward.

11 But part of the problem is, how can we  
12 connect the dots when the NRC, coupled with NEI,  
13 coupled with their licensees, coupled with EPRI, take  
14 our tax dollars okay, do the studies. There are six  
15 feedwater pump studies going on right now in EPRI okay  
16 that show there are serious problems with the long-  
17 term viability of these feedwater pumps, okay, and  
18 that the repairs to them are going to be extremely  
19 complex and costly, we can't get access to them  
20 because the NRC used our tax dollars to pay for these  
21 studies and then turned around and let EPRI claim  
22 proprietary information for these studies, okay, and  
23 put them behind locked doors with a 25, 100, \$200,000  
24 price tag on them. How can we sit there and talk  
25 intelligently about the feedwater pumps when we are

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1 denied access to that information, and denied it  
2 wrongfully, because the fact of the matter is if you  
3 look at the basic premise of granting a licensee  
4 proprietary status to a document, for starters, that  
5 information has to be unique and specific to that  
6 company, to that licensee, okay, and they would have  
7 to suffer deliberate harm from their competition,  
8 which would be the other licensees, if that  
9 information were released publicly.

10 The fact of the matter is, none of what  
11 Entergy has for instance in their application for a  
12 license amendment regarding the feedwater issue, none  
13 of the documents they have asked to have classified or  
14 proprietary even meet that basic criteria. Because  
15 the fact of the matter is these studies, the  
16 information that they are asking to be kept  
17 proprietary is known by every one of their  
18 competitors.

19 CHAIRMAN BLOUNT: Mr. Martinelli?

20 PETITIONER MARTINELLI: Yes?

21 CHAIRMAN BLOUNT: Question on the EPRI  
22 studies. Do you happen to have a title or a document  
23 number?

24 PETITIONER MARTINELLI: Not that I'm  
25 willing to divulge right now, because I'm - according

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1 to the way the FAFC (phonetic) cover attachment to  
2 these documents is written, okay, I'm not even  
3 supposed to have been able to look at and see these  
4 documents. And so therefore giving you - this is part  
5 of the problem. If I give you the document number,  
6 okay, I have admitted seeing information and studies  
7 which are classified as proprietary and therefore  
8 would open up myself to possible legal litigation on  
9 the part of EPRI even though my tax dollars helped to  
10 pay for those studies.

11 CHAIRMAN BLOUNT: Thank you. I was just  
12 looking for a little additional insight. Thank you.

13 PETITIONER MARTINELLI: Okay.

14 CHAIRMAN BLOUNT: I understand.

15 PETITIONER MARTINELLI: So we sit there,  
16 and it's like literally, I can give you - for  
17 instance, if EPRI right now, if they gave me a waiver,  
18 I could give you right now off the top of my head, a  
19 list of over 500 studies that have been paid for in  
20 part, oftentimes in great part, by American taxpayer  
21 dollars, paid for and funded by DOE, and the NRC,  
22 okay, and yet those documents are locked away behind  
23 the closed doors of EPRI, and they keep the citizens  
24 from being able to do our job as citizen policemen by  
25 putting price tags on them that we can't afford. But

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1 in the meantime everybody in the industry has free  
2 access to them.

3 Well, if our tax dollars are paying for  
4 them, we should be able to have access to them. And  
5 one of the reasons why this petition needs to move  
6 forward, okay, is because these documents, okay, would  
7 be called in, and FOIAs would be sent in to the NRC  
8 and to EPRI and to the DOE, okay, asking that these  
9 documents be provided to us. A letter would be filed  
10 with the chairman of the NRC asking, as is our right,  
11 to have the proprietary status of these documents  
12 waived. Because if you read the NRC's own rules and  
13 regulations regarding the granting of proprietary  
14 status, it very very very specifically says that even  
15 if the company could potentially be harmed by having  
16 these documents released to the public, the public's  
17 need to know has to be weighed against that damage  
18 that could potentially be done to the company, and if  
19 the public's need to know outweighs their desire to  
20 have it kept private, even if it's going to cost them  
21 money, you have to make those documents available to  
22 us publicly. And the fact of the matter is if you  
23 look at the severity of the design basis accidents  
24 that can be caused as a result of a feedwater pump  
25 ceasing to operate, a lot of times that creates a

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1 chain reaction where not one stops working but you can  
2 see two, three, you can see all of them stop working,  
3 which literally would lead us down a very disastrous  
4 path similar to what we almost saw at Davis Besse.  
5 And no, I'm not talking about the hole in the liner,  
6 okay.

7 So that's one of the reasons why this  
8 petition, okay, should move forward. We are sitting  
9 here, and what has happened is our public safety, is  
10 being sacrificed on the altar of reactor efficiency  
11 and Entergy bottom line profits. Okay, that is just  
12 wrong. We are sitting here and we have feedwater pump  
13 issues - very, very serious issues. This isn't the  
14 time to take a wait-and-see attitude, okay. A  
15 perfect example of the NRC's wrongness in taking a  
16 let's wait and see attitude, all you got to do is look  
17 at the decommissioning funds. Entergy, at Vermont  
18 Yankee, literally has threatened State legislatures,  
19 they have said if you don't approve us joining all  
20 these reactors into a brand new company, Vermont  
21 Yankee isn't viable, and we are going to shut it down  
22 when its licensee expires, because we can't make the  
23 decommissioning fund whole without financial support  
24 from our other nuclear reactors that would be in this  
25 company.

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1           Okay, you look at another one where the  
2 NRC has said, okay, no problem, Entergy has to submit  
3 a financial report every two years that their  
4 decommissioning funds are meeting minimum standards.  
5 We are sitting here, go down to their nuclear plant  
6 down South, okay, what have they done? The NRC has  
7 said, oh, no problem, we are going to give you 20  
8 years, 25 years, to make this account whole. How does  
9 Entergy make it whole? They've gone to the public  
10 utilities commission for the State of Louisiana and  
11 threatened them saying, you let us pass this cost on  
12 to our subscribers, okay, or we are going to close the  
13 plant down.

14           CHAIRMAN BLOUNT:       Mr. Martinelli, this  
15 is Tom Blount again. I don't mean to interrupt, but I  
16 would like to --

17           PETITIONER MARTINELLI:       Excuse me, I'm  
18 sitting here trying to paint a picture. Okay, I'm  
19 trying to sit here and show where because all of these  
20 problems are separated and looked at individually you  
21 are putting me and my family and my community at grave  
22 risk.

23           When you are sitting there and you are  
24 allowing these reactors to continue to operate while  
25 Entergy tries to preserve its profit line by applying

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1 for a license amendment that would let them try an  
2 extremely dangerous and never-before-tried fix of the  
3 feedwater pumps while the reactors are at full service  
4 is risking my life and the life of my family and  
5 members of our community, and it's threatening our  
6 property value.

7 So you need to let me take and present my  
8 case today on why this petition should move forward in  
9 the way I feel serves my best interest. And I say  
10 that with the utmost respect.

11 CHAIRMAN BLOUNT: Thank you. I was just  
12 trying to get a little clarification on the discussion  
13 around the feedwater pump. So I appreciate that.

14 PETITIONER MARTINELLI: Okay, we are  
15 sitting here and what I'm trying to do today is show  
16 okay and like for instance I'm getting ready to give  
17 examples. We can't just look at feedwater pumps and  
18 say, oh, that's one action, let's take a wait and see.

19 Okay, we are taking a wait and see on a boric acid  
20 leak that is pumping literally 20 gallons a minute  
21 into the reactor - in between the steel lining and the  
22 concrete wall outside. That could have horrible  
23 consequences but it's being looked at as an individual  
24 issue. And you guys again are taking a wait and see  
25 look at this even though the licensing renewal people

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1 have said this actually is an issue of great concern  
2 for us moving forward if the licensee is allowed to  
3 have their license extended for another 20 years.

4 Well, color me stupid here, but if there  
5 are serious known issues like that existing now, those  
6 are supposed to be repaired and restored and the  
7 reactor brought up to where it meets the basic design  
8 basis for safe operation as you find in their  
9 documents. The DBT and the DBA, okay, they have to  
10 meet certain minimum requirements. If the reactor is  
11 failing to meet those minimum requirements, if there  
12 are portions of the reactors and/or the underlying  
13 equipment to make them run and bring them into cold  
14 shutdown have serious problems with them, those should  
15 be fixed now, today, not at some point in time down  
16 the road when and if they are granted a new 20-year  
17 license extension to operate.

18 And yet that is what you people are doing  
19 to us. Everything is being pushed down the road for  
20 some future day and time after the license has been  
21 renewed, and it's being done at a great risk to our  
22 community. It's like example after example. When you  
23 look at Entergy, and this is just it, you have to look  
24 at what kind of a licensee are you looking at here.  
25 Do they deserve having the NRC, in regards to

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1 feedwater pumps, take a wait-and-see attitude, giving  
2 the licensee quote unquote the benefit of the doubt.  
3 Vermont Yankee is supposed to be able to stand alone.

4 Its licensee is capable of covering its separate  
5 decommissioning shortfalls. The Vermont government  
6 has not decided yet to approve the creation of  
7 Entergy's new company. But what does Entergy do?  
8 Entergy threatens State officials with plant closure.

9 Okay? Those aren't the kinds of actions of somebody  
10 that deserves the NRC to say you know what, yes, we  
11 have a problem here, and yes technically you are  
12 violating 10 CFR rules and regulations, but you know  
13 what? We are going to wait and see, let's see what's  
14 going here.

15 You look at Indian Point. The NRC  
16 wrongfully dismissed my allegation of a shortfall in  
17 the decommissioning fund, okay, not because the  
18 shortfall didn't exist but because Entergy lied to the  
19 NRC. They postulated and put forth, okay, a straw man  
20 argument, okay, they said if we put these reactors  
21 into safe storage, in 2013 and 2015, okay, 50 years  
22 out when we go to start decommissioning them we will  
23 have adequate funds there to make our account meet the  
24 minimum requirement. That's a straw man argument,  
25 because the fact of the matter is Entergy has

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1 absolutely zero intent at this point in time of  
2 putting those two reactors into safe storage. They  
3 currently have pending a license renewal application  
4 pending for IP2 and IP3. So what they did was, they  
5 presented a false set of facts to the NRC to make  
6 their argument.

7 That's not the kind of corporate behavior,  
8 that's not the kind of licensee behavior, that  
9 deserves the NRC sitting there saying, yes, we have  
10 feedwater pump issues, but we are willing to take a  
11 let's wait and see attitude, and let you deal with  
12 this down the road because we trust you.

13 We are sitting here, and it's like you go  
14 to their other reactors, they all have decommissioning  
15 fund shortfalls. Entergy isn't meeting their minimum  
16 requirements. Instead they are finding ways to take  
17 those minimum requirements and to cost contain therein  
18 and pass it along to their ratepayers, even though  
19 that money is already supposed to be there; it is  
20 already supposed to be paid on to account. If they  
21 can afford for instance three years ago to pay out  
22 almost \$700 million in profits to their shareholders,  
23 why should we as stakeholders be forced to cover those  
24 decommissioning fund shortfalls, and why isn't the NRC  
25 right now today saying no, you know what, these are

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1 supposed to be whole today - not next week, not next  
2 year, not six years down the road from now.

3 But more importantly we are beginning to  
4 see that Entergy is not a good shepherd of its  
5 reactors. Entergy doesn't deserve the benefit of the  
6 doubt. We need the NRC to start enforcing its rules  
7 and regulations. We need the NRC to start forcing  
8 this particular licensee to toe the red letter of the  
9 law as it is written in the regulations rather than  
10 being granted exemption after exemption, amendment  
11 after amendment, and being allowed to push repair  
12 after repair after repair further down the road, okay.

13 We are sitting here, and it's like you take and you  
14 look at some of the things that like Entergy, another  
15 example of why they cannot be trusted, why it's time  
16 to say, okay, you know what, enough is enough, we are  
17 going to hold you responsible for this feedwater pump  
18 problem.

19 We are sitting here. We already know for  
20 a fact that the domes and the nozzle pumps and  
21 everything at Indian Point are failing and that they  
22 have boric acid leak problems similar to Davis Besse.

23 And that can be borne out and proven just by simply  
24 looking at the orders for installation and replacement  
25 of those parts for 2011 and 2013 respectively. Those

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1 are serious repairs. And yet if you look at Entergy's  
2 license renewal application they flat out lie to the  
3 NRC, they misrepresented the facts, by claiming that  
4 there were no major repair issues that needed to be  
5 addressed in the license renewal process, there were  
6 none that needed to be reviewed and looked at closely  
7 during the environmental impact study and statements  
8 that is a part of that license renewal process. They  
9 basically presented a red herring, okay, put up a  
10 false argument, told a flat out lie to the NRC. We  
11 are sitting here, okay, we have leaking spent fuel  
12 pumps at the Indian Point site. We have for IP2 the  
13 spent fuel rod transfer canal that moves the spent  
14 fuel from the reactor into the spent fuel pool has an  
15 underground leak in it, okay.

16 You have leaking failing boric acid tanks  
17 at the Indian Point site. You have leaking  
18 underground pipes, okay, all of which the NRC  
19 licensees are very very aware of, and so is the NRC.  
20 But the problem is, each one of them is  
21 compartmentalized. You look at this little problem  
22 and say, oh yes, there are some issues with the boric  
23 acid storage tank, but that is one issue. Oh, there  
24 are some serious issues with the fact that all the  
25 backup diesel generators are all in one building so

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1 that if there is a fire in that one building all the  
2 backup generators that are supposed to keep the  
3 reactors up and running and preserve Entergy's ability  
4 to put them into cold shutdown suddenly vanish,  
5 because if there is a fire where those diesel  
6 generators are at, all the backup is gone. Even more  
7 disturbing is the fact that Entergy is literally  
8 taking one backup generator, okay, and claiming it's a  
9 backup generator for IP2, and then turning around and  
10 all you have to do is read their license renewal  
11 application, taking that same backup generator, okay,  
12 and claiming it again for IP3.

13 How can you take the same backup generator  
14 and say, oh, it's the backup generator for this  
15 reactor and it's the backup generator for this  
16 reactor. No, it only gets to be used for one or the  
17 other, and yet the NRC, because they are not paying  
18 attention, because they are asleep at the wheel, is  
19 letting this licensee get away with this egregious and  
20 negligent and dangerous behavior that is threatening  
21 our community.

22 So again when we look at the spent fuel  
23 pool or when we look at the feed pumps and the  
24 problems attached to them, when we look at the severe  
25 vibration, okay, and look at the impact - in other

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1 words, I will give you an example, that kind of  
2 vibration could very easily sit there and cause a  
3 severe pipe break which in turn could cause a turbine  
4 blade accident. But no, you guys are all looking at  
5 one teeny tiny little facet, one little part of the  
6 bigger whole, okay. We are sitting here, we got  
7 feedwater pump issues that if not properly fixed make  
8 known bulges in the steel containment a much more  
9 serious problem, especially since those bulges,  
10 coupled with the boric acid leak every time that they  
11 are in a refueling situation, boric acid, if you do  
12 any kind of study or reading on it at all, boric acid  
13 leaking into that space between the steel liner and  
14 containment is going to throw off all the sonar  
15 readings that are used to ascertain the safety of  
16 certain key portions of the inside of that reactor.  
17 And yet you people are ignoring that.

18 You know, do the math. Forty gallons a  
19 minute times 60 minutes an hour, that's 2,400 gallons  
20 an hour, times 24 hours a day, and how long is the  
21 average refueling? And this problem has been allowed  
22 to continue now by my studies for no less than six  
23 years?

24 Okay, we need to start connecting the  
25 dots. We need to start holding our licensees

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1 accountable. We need to sit here in this case and we  
2 need to say hey, no, you know what, Entergy doesn't  
3 deserve to have this important safety violation and  
4 issue pushed down the road again. And all you got to  
5 do to look at that is sit there, and I'll give you an  
6 example. Because let's understand your licensee, and  
7 let's understand how the NRC sees its licensees.

8 I took the liberty of pulling, okay, some  
9 of your installation inspection reports. Inadequate  
10 design change package for installation of main boiler  
11 feed pump control system tubing. The finding was more  
12 than minor - more than minor - because it was  
13 associated with the defined control attribute of the  
14 initiating events cornerstone, and it affected its  
15 objective to limit the likelihood of events that  
16 impact plant stability, and challenge critical safety  
17 functions during shutdown as well as power operations.

18 Let's go to the next one: failure to  
19 identify damaged components in EDG ventilation motor  
20 control center number two. Keep in clear mind here  
21 the fact that the NRC, because they don't want to have  
22 extra inspectors there, has avoiding telling the  
23 company we got serious cross-cutting issues here even  
24 though we do. We sit here, we look at failure to  
25 identify damaged components in EDG ventilation motor

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1 control center number two. This issue - again I  
2 repeat - this issue was more than minor because the  
3 finding was associated with the external factors  
4 attributes of the initiating events cornerstone and  
5 impacted the cornerstone objective of limiting the  
6 likelihood of those events that upset plant stability  
7 and challenge critical safety systems during shutdown  
8 as well as power operations.

9 While I'm reading keep in mind: feedwater  
10 pumps - hello? Can you hear me?

11 CHAIRMAN BLOUNT: Yes, Mr. Martinelli.

12 PETITIONER MARTINELLI: Okay, I heard a  
13 phone ringing in the background.

14 CHAIRMAN BLOUNT: Sorry, it wasn't us.

15 PETITIONER MARTINELLI: Okay, you sit  
16 there, and you go to the next one, inadequate  
17 maintenance procedure for EDG ventilation motor  
18 control. Again, okay, it says, okay, more than minor.

19 It's an initiating event cornerstone violation. I --  
20 all the same thing. Okay? Now, we sit here and - and  
21 everybody knows there's issues with these pumps.  
22 Okay? The question is, can we trust the NRC and  
23 Entergy and their risk studies.

24 And the fact of the matter is, is the NRC  
25 is basically relying on its own licensees and their

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1 information in deciding to push these things down the  
2 block. And I read from your own NRC inspector  
3 general's report, senior NRC officials confirm that  
4 the Agency is highly reliant on information from  
5 licensee risk assessments. Agency officials also  
6 noted that there are no PRA standards, no requirements  
7 for licensee PRAs to be updated or accurate, and that  
8 the quality of the assessments varies considerably  
9 among licensees.

10 It's the same thing. Look at Entergy's  
11 aging management. It is not working. It's failing  
12 dismally. Okay? We have them going to the NRC and  
13 then by proxy going to us, the citizen stakeholders,  
14 and saying, when it comes to the feedwater pumps, when  
15 it comes to these vibrations, okay, that are affecting  
16 our ability to put the plant into cold safe shutdown  
17 in the case of a serious accident, trust us, we can  
18 keep these pumps running. We can make a repair if you  
19 just grant us a license change that would give us an  
20 extra 40 days to try an experimental fix.

21 No, they do not deserve our trust. They  
22 do not deserve the NRC giving them the benefit of the  
23 doubt. Again, over and over and over again, because  
24 if you look at the big picture, if you look at  
25 mismanagement at the site, if you look at the fact

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1 that every one of their violations that were cited  
2 last year directly impacted a cornerstone component of  
3 plant safety and stability, that is not the licensee  
4 that deserves the benefit of the doubt.

5 And that's why I argue today that my  
6 petition must be allowed to move forward.

7 CHAIRMAN BLOUNT: Mr. Martinelli, this  
8 is Tom Blount. I just wanted to understand, given the  
9 time that we are at this point, would you need  
10 additional time to make your case?

11 PETITIONER MARTINELLI: Well, - in other  
12 words, correct me here if I'm wrong. Part of the  
13 problem is, the way the letter was presented to me  
14 about today's opportunity, the only issue I was  
15 supposed to argue today was whether or not this  
16 particular 2.206 petition is going to move forward  
17 through the process. And if it's decided that it's  
18 going to move through the process, at some future date  
19 and time I would get the opportunity and chance to  
20 argue the merits of the claims and allegations I've  
21 brought up in the petition itself.

22 CHAIRMAN BLOUNT: So I think I attempted  
23 to be clear that this was your opportunity to present  
24 supporting information on this 2.206.

25 PETITIONER MARTINELLI: And if you go

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1 back and have the court reporter read what you even  
2 said about the purpose of our being here today was,  
3 you stated today again that the purpose of us being  
4 here today was to decide whether or not this petition  
5 should move forward.

6 CHAIRMAN BLOUNT: Then I spoke in error  
7 if I indicated that this open conference call was  
8 going to be a decision making call. It is not.

9 PETITIONER MARTINELLI: No, I don't think  
10 you are hearing me clearly. In other words the point  
11 I'm making is, the impression you have given me today  
12 and prior to today was, the purpose of this  
13 opportunity to speak to you today --

14 CHAIRMAN BLOUNT: Yes.

15 PETITIONER MARTINELLI: -- was merely to  
16 present evidence and/or information and perspective  
17 from myself about why I feel this petition should be  
18 able to move forward in the process for further  
19 action.

20 CHAIRMAN BLOUNT: And I believe we are  
21 in alignment there.

22 PETITIONER MARTINELLI: In other words I  
23 did not come today for instance, as one example I  
24 cited, for instance, I know for a fact, I have studies  
25 in my possession that are EPRI documents that I

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1 legally downloaded off the Internet dealing with  
2 feedwater issues okay, that I can't even give you the  
3 title of and/or the number of because once I legally  
4 downloaded them from the Internet and printed them  
5 off, there is a cover sheet on the front page that  
6 says I'm not supposed to have this document even  
7 though it was readily available and downloadable on  
8 the Internet. And it further goes on to say that if I  
9 divulge any information in the document, including the  
10 number of the document, I could be taken into court  
11 for serious legal issues regarding divulging  
12 proprietary information that I was not entitled to be  
13 in possession of.

14 CHAIRMAN BLOUNT: I understand your  
15 point, sir. I believe I understand your point. At  
16 this juncture I was simply trying to determine if you  
17 need additional time.

18 PETITIONER MARTINELLI: I don't need  
19 additional time I don't think to present why I feel  
20 the petition should be allowed to move forward.

21 CHAIRMAN BLOUNT: That's really what I  
22 was asking you. Thank you.

23 PETITIONER MARTINELLI: But I do feel  
24 that if the petition is allowed to move forward, which  
25 I feel it should be, I have a tremendous amount of

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1 information that I would want to bring to the  
2 attention of the board in defending and proving the  
3 various and assorted allegations that are contained  
4 within the petition itself.

5 CHAIRMAN BLOUNT: And in accordance with  
6 management directive 8.11, I believe that after we  
7 have the initial determination, and the board needs to  
8 make that initial determination, you will get a second  
9 opportunity to address the board.

10 PETITIONER MARTINELLI: Right.

11 CHAIRMAN BLOUNT: Okay, so I was just  
12 trying to determine for the purposes of today --

13 PETITIONER MARTINELLI: No, I think for  
14 today, because it really comes down to a basic  
15 situation: is whether or not this licensee and their  
16 behaviors and their overall record, okay, should  
17 entitle them to a benefit of the doubt where the NRC  
18 and your inspectors and your staff basically roll the  
19 dice with our community safety and say, oh you know  
20 what, we know they are violating the rules. We know  
21 this equipment isn't up to par. But we are going to  
22 step back and take a wait and see attitude. We are  
23 just going to keep an eye on things.

24 And I believe I very well today presented  
25 the fact that if you look at the totality of the

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1 evidence, if you stop looking at each individual  
2 situation and for a minute step back and look at the  
3 big broad range picture of that particular licensee  
4 and their management style and their failing aging  
5 management issues where they have had serious serious  
6 problems at every one of their reactor sites, if you  
7 look at their huge shortage of funds in their  
8 decommissioning funds, they are not the kind of  
9 licensee that should be entitled to a sort of if you  
10 will, a free chance, an opportunity to have the rule  
11 set aside for awhile. It's time that the NRC in this  
12 particular case, with this licensee, follow President  
13 Obama's directive to eliminate a systemic failure all  
14 along when it comes to Entergy and start connecting  
15 the dots.

16 And if you connect the dots and you look  
17 at all the issues at IP2, and all the issues at IP3,  
18 it's absolutely imperative that those two facilities  
19 be shut down immediately and that the board decide to  
20 take action to require immediate repair of the  
21 feedwater pumps.

22 PRB CHAIR'S CLOSING REMARKS

23 CHAIRMAN BLOUNT: Thank you, Mr.  
24 Martinelli. I believe we understand your supporting  
25 information.

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1           We will be making a transcript of this.  
2           But before we get to any of that part of this meeting,  
3           this is Tom Blount the PRB chair, I'd like to ask the  
4           staff if they have any questions for Mr. Martinelli  
5           here at headquarters.

6           Seeing that no one has any questions here  
7           at headquarters, how about at the region?

8           MR. McCARVER:       This is Sam McCarver,  
9           Region 1. I do not have any questions.

10          CHAIRMAN BLOUNT:    Thank you, Sam.

11          Does the licensee have any questions for  
12          Mr. Martinelli?

13          MR. WALPOLE:       This is Bob Walpole,  
14          licensee manager. I have no questions for Mr.  
15          Martinelli.

16          CHAIRMAN BLOUNT:    Thank you, Bob.

17          And I don't believe we have any members of  
18          the public on the line at this point in time.  
19          Therefore, Mr. Martinelli, I would like to thank you  
20          very much for taking the time to explain and provide  
21          additional information to the NRC staff.

22          Your clarifying information is very  
23          important to us, and we appreciate that. Before we  
24          close this meeting, does the court reporter have any  
25          additional information or need any additional

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1 information from anyone?

2 COURT REPORTER: This is the court  
3 reporter. Can you hear me?

4 CHAIRMAN BLOUNT: Yes.

5 COURT REPORTER: I only have questions  
6 about the spellings of name, but they needn't be done  
7 while on record.

8 CHAIRMAN BLOUNT: I think John Boska can  
9 handle that for you offline. And we will make that  
10 happen.

11 With that then --

12 PETITIONER MARTINELLI: Can I ask a  
13 question?

14 CHAIRMAN BLOUNT: Mr. Martinelli?

15 PETITIONER MARTINELLI: Yes, how can I  
16 verify the accuracy of who is alleged to have attended  
17 this meeting, if clarification of the spelling of  
18 names is done in secret?

19 CHAIRMAN BLOUNT: The transcript will  
20 have that information.

21 PETITIONER MARTINELLI: I know, but in  
22 other words the court reporter just said that he needs  
23 some clarification with regards to the spelling of  
24 names of who was here in attendance, and my point is  
25 if that information isn't clarified while everybody is

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1 here, okay, I for instance like as an example, Entergy  
2 has somebody here. That name, the spelling of it,  
3 could very easily be changed and misconstrued to  
4 misrepresent who in fact was here. And I would feel  
5 much more comfortable if any questions and spelling  
6 verifications that the court reporter needs, be done  
7 while I'm here to verify and able to attest that that  
8 information is true and accurate.

9 CHAIRMAN BLOUNT: I understand your  
10 point, and we'll take care of that right now even as  
11 we speak.

12 PETITIONER MARTINELLI: Thank you.

13 CHAIRMAN BLOUNT: Could I have the  
14 request from the court reporter?

15 COURT REPORTER: Very well, you want to  
16 do it while we are on the record, and therefore this  
17 will be in the transcript itself.

18 CHAIRMAN BLOUNT: Yes.

19 COURT REPORTER: Okay. Let me bring up  
20 my list.

21 First, Nancy Salgado, is that correct?

22 MS. SALGADO: Correct.

23 COURT REPORTER: And that's S-a-l-g-a-d-  
24 o?

25 MS. SALGADO: Correct.

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1 COURT REPORTER: And then a Ms.  
2 Rosenberg?

3 MS. ROSENBERG: Yes?

4 COURT REPORTER: That's R-o-s-e-n-b-e-r-  
5 g?

6 MS. ROSENBERG: Correct.

7 COURT REPORTER: And your first name,  
8 please?

9 MS. ROSENBERG: Stacey, S-t-a-c-e-y.

10 COURT REPORTER: Okay, and then a Greg  
11 Casto.

12 MR. CASTO: Correct.

13 COURT REPORTER: Can you spell that for  
14 me, sir.

15 MR. CASTO: Sure, first name is G-r-e-g,  
16 last name C-a-s-t-o.

17 COURT REPORTER: Okay, and Mr. Walpole,  
18 can you spell that name for me, please sir?

19 MR. WALPOLE: Sure, whiskey, alpha, lima,  
20 papa, oscar, lima, papa, echo.

21 COURT REPORTER: I'm sorry, one more  
22 time, sir.

23 MR. WALPOLE: Whiskey, alpha, lima, papa,  
24 oscar, lima, echo.

25 COURT REPORTER: Okay, and first name

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1 Robert, is that correct?

2 MR. WALPOLE: Correct.

3 COURT REPORTER: Okay, and then a Mr.  
4 Bessette.

5 MR. BESSETTE: Yes, that's Paul Bessette,  
6 B as in boy, e-s-s-e-t-t-e.

7 COURT REPORTER: Okay, two s's and two  
8 t's, is that right?

9 MR. BESSETTE: Yes.

10 COURT REPORTER: Okay, that's actually  
11 all the spelling questions that I had. Thank you.

12 CHAIRMAN BLOUNT: Thank you.

13 I think that takes care of all of our  
14 issues. With that this meeting is closed. We will be  
15 terminating the conversation, terminating the phone  
16 connection.

17 Thank you all, everyone, for your time.

18 PETITIONER MARTINELLI: Thank you.

19 (Whereupon, at 3:34 p.m. the proceeding in  
20 the above-entitled matter was adjourned.)

21

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