Official Transcript of Proceedings

NUCLEAR REGULATORY COMMISSION

Title: 10 CFR 2.206 Petition Review Board
RE Vermont Yankee and Thomas Saporito

Docket Number: 50-271

Location: (telephone conference)

Date: Monday, March 8, 2010

Work Order No.: NRC-111 Pages 1-48

ORIGINAL

NEAL R. GROSS AND CO., INC.
Court Reporters and Transcribers
1323 Rhode Island Avenue, N.W.
Washington, D.C. 20005
(202) 234-4433

1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

3 + + + + +

4 10 CFR 2.206 PETITION REVIEW BOARD (PRB)

5 CONFERENCE CALL

6 RE VERMONT YANKEE

7 + + + + +

8 MONDAY, MARCH 8, 2010

9 + + + + +

10 The conference call was held at 2:00 p.m.

11 Eastern Standard Time, Thomas Blount, Chairperson of

12 the Petition Review Board, presiding.

13 PETITIONER: THOMAS SAPORITO

14 PETITION REVIEW BOARD MEMBERS

15 THOMAS BLOUNT, Deputy Director

16 Office of Nuclear Materials Safety and

17 Safeguards

18 JAMES KIM, Petition Manager for 2.206

19 petition

20 TANYA MENSAH, PRB Coordinator

21 MOLLY BARKMAN, Office of General Counsel

22 DAVID ALLEY, Division of Component Integrity

23 DON JACKSON, Region I, Division of Reactor

24 Projects

25 GREG BOWMAN, Office of Enforcement

1 NRC STAFF:

2 DAVID ALLEY, Senior Materials Engineer,

3 Division of Component Integrity

4 STEVE BAGGETT, Office of Executive Director for

5 Operations

6 PATRICK JEFFERSON, Office of Investigations

7 HEATHER JONES, Resident Inspector, Vermont

8 Yankee

9 SCOTT RUTENKROGER, Acting Senior Resident, Vermont

10 Yankee

11 NANCY SALGADO, Branch Chief in the Division of

12 Operator and Reactor Licensing

13

14

15

16

17

18

19

20

21

22

23

24

25

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

(2:03 p.m.)

MR. KIM: I would like to thank everybody for attending this meeting. My name is James Kim, and I am the Vermont Yankee project manager. We are here today to allow the Petitioner, Thomas Saporito, to address the Petition Review Board regarding 2.206 petition dated February 20, 2010.

I am the petition manager for the Petition. The Petition Review Board Chairman is Tom Blount. As part of the Petition Review Board's review of this Petition, Thomas Saporito has requested this opportunity to address the PRB.

This meeting is scheduled from 2:00 p.m. to 3:00 p.m. The meeting is being record by the NRC operation center and will be transcribed by a court reporter. The transcript will become a supplement to the Petition. The transcript will also be made publicly available.

I'd like to open this meeting with introductions. As we go around the room, please be sure to clearly state your name, your position, and the office that you work for within the NRC for the record. I'll start off.

This is James Kim in the Division of

1 Operating Reactor Licensing in NRR.

2 MS. SALGADO: I am Nancy Salgado, the

3 branch chief in the Division of Operator and Reactor

4 Licensing.

5 MR. BLOUNT: I'm Tom Blount. I'm the PRB

6 Chair. I'm a deputy director for the Division of

7 Policy and Rule Making in NRR.

8 MR. JEFFERSON: Patrick Jefferson,

9 operations officer, Office of Investigations.

10 MR. BAGGETT: Steve Baggett. I work in

11 the Office of Executive Director for Operations.

12 MS. BARKMAN: Molly Barkman. I'm an

13 attorney in the Office of General Counsel.

14 MR. BOWMAN: Greg Bowman. I'm the senior

15 enforcement specialist in the Office of Enforcement.

16 MR. ALLEY: David Alley. I'm a senior

17 materials engineer in the Division of Component

18 Integrity.

19 MS. MENSAH: Tanya Mensah, the 2.206

20 coordinator in the Office of Nuclear Reactor

21 Regulations.

22 MR. KIM: At this time, are there any NRC

23 staff from the headquarters or regional office on the

24 phone?

25 MR. JACKSON: Yes, this is Don Jackson

1 from NRC Region I.

2 MR. RUTENKROGER: Scott Rutenkroger,

3 acting senior resident of Vermont Yankee.

4 MS. JONES: Heather Jones, the resident

5 inspector at Vermont Yankee.

6 MR. KIM: Are there any representatives

7 for the Licensee on the phone?

8 MR. DEVINCENTIS: Yes, this is Jim

9 Devincentis, licensing manager, Entergy Nuclear

10 Operations.

11 MR. KIM: Mr. Saporito, would you please

12 introduce yourself for the record?

13 MR. SAPORITO: This is Thomas Saporito.

14 I'm the executive director for

15 RenewableElectricSystems.com.

16 MR. KIM: Are there any other associated

17 members of the public on the phone?

18 MR. AUDETTE: Bob Audette, Brattleboro

19 Reformer.

20 MR. GRICE: Owen Grice, Vermont citizen.

21 MR. KIM: Would you repeat that, please?

22 MR. GRICE: Owen Grice, Vermont citizen.

23 MR. KIM: Okay. Okay. I'd like to

24 emphasize that we each need to speak clearly and

25 loudly to make sure that the court reporter can

1 accurately transcribe this meeting.

2 If you do have something that you'd like

3 to say, please first state your name for the record.

4 For those that dialed into the meeting, please

5 remember to mute your phones to minimize any

6 background noise or distractions. If you do not have

7 a mute button, this can be done by pressing the keys

8 star, six. To unmute, press star, six -- star, six

9 keys again. Thank you.

10 At this time, I will turn it over to PRB

11 Chairman, Tom Blount.

12 MR. BLOUNT: Good afternoon. This is Tom

13 Blount. Welcome to the meeting regarding the 2.206

14 petition submitted by Mr. Saporito. I'd like to first

15 share some background on our process. Section 2.206

16 of Title 10 of the Code of Federal Regulations

17 describes the petition process, the primary mechanism

18 for the public to request enforcement action by the

19 NRC in a public process.

20 This process permits anyone to petition

21 NRC to take enforcement-type action related to NRC

22 licensees or licensed activities. Depending on the

23 results of this evaluation, NRC could modify, suspend,

24 or revoke an NRC-issued license or take any other

25 appropriate enforcement action to resolve a problem.

1 The NRC staff guidance for the disposition
2 of 2.206 petition request is in Management
3 Directive 8.11, which is publicly available. The
4 purpose of today's meeting is to give the Petitioner
5 an opportunity to provide any additional explanation
6 or support for the petition before the Petition Review
7 Board's initial consideration and recommendation.
8 This meeting is not a hearing, nor is it
9 an opportunity for the petitioner to question or
10 examine the PRB on the merits or the issues presented
11 in the petition request. No decisions regarding the
12 merits of this petition will be made at this meeting.
13 Following this meeting, the Petition
14 Review Board will conduct its internal deliberations.
15 The outcome of this internal meeting will be discussed
16 with the Petitioner.
17 The Petition Review Board typically
18 consists of a chairman, usually a manager at the
19 senior executive service level at the NRC. It has a
20 petition manager and a PRB coordinator.
21 Other members of the Board are determined
22 by the NRC staff based on the content of the
23 information in the petition request. At this time, I
24 would like to introduce the Board.
25 I am Tom Blount, the Petition Review Board

1 Chairman. James Kim is the Petition Manager for the
2 petition under discussion today. Tanya Mensah is the
3 office's PRB coordinator.
4 Our technical staff includes Dave Alley
5 from the NRC's Division of Component Integrity, Don
6 Jackson from NRC's Region I Division of Reactor
7 Projects, and Greg Bowman from the Office of
8 Enforcement. We also obtain advice from our Office of
9 General Counsel, represented by Molly Barkman.
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 or review under the 2.206
15 process.
16 I would like to summarize the scope of the
17 petition under consideration and the NRC activities to
18 date. On February 20, 2010, Mr. Saporito submitted a
19 petition to the NRC under 2.206 requesting a cold
20 shutdown mode of operation for Vermont Yankee Nuclear
21 Power Station due to leaking radioactive tritium.
22 In this request, he requested that the NRC
23 issue a confirmatory order modifying the Licensee's
24 NRC issued license authorizing operation of a nuclear
25 reactor at the facility known as Vermont Yankee

1 Nuclear Power Station in such a manner to cause the
2 Licensee to bring the nuclear reactor to a cold
3 shutdown mode of operation until such time as the
4 Licensee can provide definitive, reasonable assurance
5 to the NRC under affirmation that the nuclear reactor
6 in question will be operated in full compliance with
7 the regulations of 10 CFR Part 50 and under Appendix A
8 to Part 50, general design criteria for nuclear power
9 plants Criterion 60 and 64, and in full compliance
10 with other NRC regulations and authority.
11 Allow me to discuss the NRC activities to
12 date. The PRB met on February 25, and denied your
13 request for immediate action to bring the Vermont
14 Yankee to a cold shutdown mode of operation because
15 the PRB did not identify any immediate public health
16 and safety concerns that would warrant an immediate
17 shutdown.
18 On March 1, you were informed of the PRB's
19 decision on the immediate action, and you requested an
20 opportunity to address the PRB prior to its initial
21 meeting to provide supplemental information for the
22 Board's consideration.
23 Currently, there are two other 2.206
24 petitions against Vermont Yankee from Mr. Mulligan and
25 Mr. Shadis, Mr. Shadis representing New England

1 Coalition, that are under PRB's review and with the
2 concurrence of NRR office management, the PRB has
3 decided to consolidate your petition with the other
4 two petitions, along with any future petitions that
5 may be submitted which meet the following criteria per
6 Management Directive 8.11.
7 Generally, all requests submitted by
8 different individuals will be treated and evaluated
9 separately. When two or more petitions request action
10 against the same licensee, specify essentially the
11 same basis, provide adequate supporting information,
12 and are submitted at about the same time, PRB will
13 consider the benefits of consolidating the petition
14 against the potential of diluting the importance of
15 any petition and recommend whether or not
16 consolidation is appropriate. The assigned office
17 director will determine whether or not to consolidate
18 the petition.
19 As a reminder for the phone participants,
20 please identify yourself if you make any remarks as
21 this will help us in the preparation of the meeting
22 transcript that will be made publicly available.
23 Additionally, please mute your phone when not speaking
24 in order to help everyone hear the comments provided
25 clearly. Thank you.

1 Mr. Saporito, I'll turn it over to you to
2 allow you to provide any information that you believe
3 the PRB should consider as part of your petition. You
4 will have about 30 minutes to provide additional
5 information to the PRB.
6 MR. SAPORITO: First of all, I was told I
7 would have 40 minutes by Mr. Kim, and I requested an
8 hour. So, I'm going to take the 40 minutes, and we'll
9 probably have to meet again if we don't finish today.
10 Introduction. For the record, it is
11 2:14 p.m. Eastern Standard Time. For the record, my
12 name is Thomas Saporito, and I am the executive
13 director for RenewableElectricSystems.com, or RES,
14 based in Jupiter, Florida.
15 I represent RES and the interest of myself
16 as a pro se litigant, as well as the interests of the
17 general public in this legal proceeding. RES is a
18 not-for-profit organization with a dual mandate to
19 educate the public about renewable energy and to
20 monitor and oversee U.S. Nuclear Regulatory
21 Commission, or NRC, regulatory activities with respect
22 to the Agency's oversight of 104 commercial nuclear
23 plants licensed for operation by the NRC.
24 For the benefit of those who may read this
25 public record, the NRC was created through an act of

1 Congress in 1974 known as the Energy Reorganization
2 Act of 1974, or ERA. Through the ERA, Congress
3 mandated the Congress to act to protect public health
4 and safety by ensuring the agency's licensees like
5 Entergy Nuclear Operations, or Entergy, operate
6 nuclear reactors in strict compliance with NRC safety
7 regulations under 10 CFR Part 50 and other NRC
8 regulations.
9 Where a licensee is found to have violated
10 NRC safety regulations, the NRC is authorized to take
11 enforcement action, including issuance of a
12 confirmatory order to require the licensee to bring
13 its nuclear reactor to a cold shutdown mode of
14 operation to protect public health and safety.
15 The NRC can be held accountable by filing
16 a complaint with the NRC Office of the Inspector
17 General in Washington, D.C. The NRC Inspector General
18 can be held accountable by filing a complaint with the
19 Integrity Committee at the Federal Bureau of
20 Investigation in Washington, D.C.
21 On February 20, 2010, RES and myself
22 jointly filed a petition under 10 CFR 2.206 seeking
23 enforcement action on the part of NRC against the
24 Agency's Licensee Entergy Nuclear Operations related
25 to circumstances surrounding Licensee's operation of

1 a nuclear reactor at the Vermont Yankee Nuclear Power
2 Station.
3 Specifically, Petitioners requested that
4 the NRC issue a confirmatory order modifying the
5 Licensee's NRC-issued license DPR-28 in such a manner
6 to cause the Licensee to bring the nuclear reactor to
7 a cold shutdown mode of operation until such time as
8 the Licensee can provide definitive reasonable
9 assurance to the NRC under affirmation that the
10 nuclear reactor in question will be operating in full
11 compliance with NRC federal safety and reporting
12 standards as set out under NRC regulations at 10 CFR
13 Part 50 and under Appendix A to Part 50, General
14 Design Criteria for Nuclear Power Plants Criterion 60
15 and 64, and in full compliance with other NRC
16 regulations and authority.
17 For the record, prior to the filing of the
18 February 20, 2010 petition, Mr. Rob Williams, who is
19 associated with Entergy, was contacted by Petitioners
20 via email requesting that Entergy voluntarily bring
21 the subject nuclear reactor to a cold shutdown mode of
22 operation to protect public health and safety.
23 The Licensee never responded to the
24 request. To the extent that the NRC continues to
25 allow the Licensee to operate the Vermont nuclear --

1 the Vermont Yankee Nuclear Power Station at some level
2 of power, Petitioners contend that the health and
3 safety of the public is in grave danger and that the
4 environment is unnecessarily being contaminated from
5 radioactive effluent discharge from the Licensee's
6 nuclear power plant.
7 Therefore, Petitioners hereby request, on
8 the record, that the NRC provide a copy of
9 Petitioner's February 20, 2010 petition along with a
10 copy of the transcript record created today to the NRC
11 Office of the Inspector General for review in
12 determining whether the NRC's actions to date in
13 allowing the Licensees to continue operation of the
14 Vermont Yankee Nuclear Power Station is consistent
15 with the Agency's congressional mandate to protect
16 public health and safety and to protect the overall
17 environment in the circumstances.
18 In addition, Petitioners request that the
19 NRC also provide the same documents to the Integrity
20 Committee at the Federal Bureau of Investigation at
21 Washington, D.C. to enable that agency the means to
22 oversee the NRC Inspector General in these
23 circumstances.
24 For the record, Petitioners state that the
25 NRC's website at www.nrc.gov under Specific Plants of

1 Interest states that the NRC staff has developed web
2 pages for selective power reactor facilities where
3 heightened public interest is expected due to special
4 licensing or performance issues.
5 Petitioners advised the general public
6 that for whatever reason the Vermont Yankee Nuclear
7 Power Station is not listed by the NRC under Specific
8 Plants of Interest on the Agency's website.
9 Given the circumstances centered around
10 the events occurring over the last few months at the
11 Vermont Yankee Nuclear Power Station, the NRC's
12 failure to list this particular nuclear plant on the
13 Agency's website under Specific Plants of Interest is
14 of significant concern to Petitioners where the NRC
15 appears to be misleading the public by specifically
16 not listing the Vermont Yankee Nuclear Power Station
17 in this category.
18 Petitioners believe that such conduct and
19 behavior on the part of the NRC leaves the general
20 public with a false and misleading perception that the
21 Licensee has operated the Vermont Yankee Nuclear Power
22 Station in full compliance with NRC authority and
23 federal safety regulations under 10 CFR Part 50.
24 Petitioners aver here that the NRC's
25 conduct and behavior in this instance warrants

1 investigation and a review by the NRC Office of
2 Inspector General.
3 Petitioners contend that for reasons set
4 out in their February 20, 2010 Petition as
5 supplemented with their testimony provided here today
6 the Licensee can no longer provide definitive
7 reasonable assurance to the NRC that the Vermont
8 Yankee Nuclear Power Station will be operating in full
9 compliance with NRC regulations and authority
10 previously identified in their February 20, 2010
11 Petition as supplemented by Petitioners' testimony on
12 the record today.
13 Preliminary discussion and overview. For
14 the benefit of the general public who may be listening
15 to this presentation or who may later read the
16 transcribed record of this proceeding, I am going to
17 briefly describe the process which takes place inside
18 the nuclear reactor at the Vermont Yankee Nuclear
19 Power Station with respect to the processing of
20 radioactive tritium.
21 The Vermont Yankee Nuclear Power Station
22 operates as a boiling water nuclear reactor system, or
23 BWR. In a BWR, the water which covers the reactor
24 core is complemented with a creation of radioactive
25 tritium during the fission process. When water boils,

1 it becomes steam composed of H_2O, or water, and HTO,
2 or water with radioactive tritium.
3 The steam leaving the nuclear reactor,
4 which now contains H_2O and HTO along with non-
5 condensable gasses, flows to the turban generator to
6 create electrical power. The steam mixture then flows
7 to a big condenser to be cooled back to a liquid and
8 sent to the nuclear reactor to continue the process.
9 It is imperative that the big condenser
10 maintain the sufficient vacuum at all times.
11 Otherwise, the nuclear reactor safety protection
12 systems would engage in trip or scram the nuclear
13 reactor to an offline mode of operation.
14 Therefore, the Licensee must remove
15 hydrogen and oxygen from the condenser to maintain the
16 vacuum in the condenser. Since the hydrogen/oxygen
17 mixture can explode, tritium-laced steam is mixed with
18 the mixture to prevent an explosion.
19 The gaseous mixture then flows through a
20 hydrogen re-combiner where the hydrogen/oxygen are
21 reconverted to steamy water. The steam is then cooled
22 and condensed to water in a small condenser or off gas
23 system.
24 The water effluent from the off gas system
25 contains radioactive tritium and other radioactive

1 isotopes which are believed to be currently leaking at
2 the Licensee's Vermont Yankee Nuclear Power Station
3 into the environment, including the Connecticut River.
4 To the extent that the integrity of the
5 Licensee's off gas system must be maintained to
6 prevent a nuclear reactor trip, Petitioners contend
7 that the advanced off gas system is a nuclear safety
8 related system in these circumstances and subject to
9 the NRC's safety regulations and requirements.
10 To the extent that the NRC failed to
11 recognize Petitioners' nuclear safety concerns as
12 described above is cause for significant concern to
13 the public and warrants investigation and review by
14 the NRC Inspector General.
15 Licensee's background information. In
16 order for the NRC to properly consider the grave
17 jeopardy posed to public health and safety related to
18 the continued operation of the nuclear reactor at the
19 Vermont Yankee Nuclear Power Station, it is paramount
20 that the NRC review the Licensee's prior history of
21 conduct in direct violation of NRC authority and
22 federal safety regulations.
23 The Licensee Entergy's nuclear operations
24 operates several nuclear reactors on permissive
25 licenses issued by the NRC including Vermont Yankee

1 Nuclear Power Station, the Palisades Nuclear Plant,
2 the Peach Bottom Atomic Power Station, and the Indian
3 Point Nuclear Generating Station.
4 As you will learn from the following
5 discussion, the Licensee on numerous occasions
6 deliberately and willfully provided inaccurate, false,
7 and misleading information to the NRC directly related
8 to operation at one or more nuclear reactors within
9 the jurisdiction and oversight of the NRC.
10 Petitioners contend that the Licensee's
11 history of violating NRC authority and federal safety
12 regulations related to operation of nuclear reactors
13 under the jurisdiction of the NRC is compelling
14 evidence that the Licensee can no longer provide the
15 NRC with definitive reasonable assurance that will
16 fully comply within our authority and federal safety
17 regulations related to operation of nuclear reactors
18 on 10 CFR Part 50, including, but not limited to,
19 operations of Vermont Yankee Nuclear Power Station.
20 The following is a brief, but not
21 inclusive, history of the Licensee's failure to adhere
22 to NRC authority and federal safety regulations under
23 10 CFR Part 50 related to the Licensee's operation of
24 nuclear reactors under the NRC's jurisdiction and
25 oversight.

1 Petitioners ask the NRC to take note of
2 the number of times the Licensee was found to have
3 provided the NRC with false, misleading, or inaccurate
4 information or simply failed to provide required
5 information to the Agency related to operation of its
6 nuclear reactors.
7 On August 2, 1996, NRC took enforcement
8 action under EA-09-269 against the Licensee related to
9 a violation during operations at the Palisades Nuclear
10 Plant. The violation involved Appendix R violations
11 related to fire prevention. The Licensee was fined
12 $50,000 for the violation.
13 On August 28, 1996, the NRC took
14 enforcement action under EA-00-165 against the
15 Licensee related to a violation during operations at
16 the Vermont Yankee Nuclear Power Station. The
17 violation involved the failure to analyze emergency
18 cooling system equipment to be free from a single
19 failure criteria.
20 On May 27, 1997, the NRC took enforcement
21 action under EA-96-509 and 97-031 and 97-113 and 97-
22 191 against the Licensee related to a violation during
23 operations at Indian Point Nuclear Generating Station.
24 The violation involved Appendix R, fire
25 protection issues involving hot shorts of loss

1 instrumentation, inadequate corrective actions, and
2 feedwater regulating valve that failed to open due to
3 sandblasting grits and a failure to identify actuation
4 of fire dampers. The Licensee was fined $205,000 for
5 the violation.
6 On July 6, 1997, NRC took enforcement
7 action under EA-97-576 and 97-028 and 98-056 and 98-
8 192 against the Licensee related to a violation during
9 operations at the Indian Point Nuclear Generating
10 Station.
11 The violation involved inaccurate
12 information. Inaccurate information, I repeat. DB-50
13 breaker, its technical specifications and containment
14 atmosphere controls. The Licensee was fined $110,000
15 for the violation.
16 On August 19, 1997, the NRC took
17 enforcement action under EA-97-294 against the
18 Licensee related to a violation during operations at
19 the Indian Point Nuclear Generating Station. The
20 violation involved design and control problems. The
21 Licensee was fined $55,000 for the violation.
22 On October 7, 1997, NRC took enforcement
23 action under EA-97-367 against the Licensee related to
24 a violation during operations at the Indian Point
25 Nuclear Generating Station. The violation involved

1 inoperability of the reactor re-circulation pump. The
2 Licensee was fined $110,000 for the violation.
3 On April 2, 1998, NRC took enforcement
4 action under EA-97-567 and EA-97-569 against the
5 Licensee related to a violation during operations at
6 the Palisades Nuclear Plant. The violation involved
7 work control staff operations. The Licensee was fined
8 $55,000 for the violation.
9 On April 14, 1998, the NRC took
10 enforcement action under EA-97-531 against the
11 Licensee related to a violation of operations at the
12 Vermont Yankee Nuclear Power Station. The violation
13 involved violations of design control. Correct action
14 and reporting -- here again, and reporting, reporting
15 to the NRC.
16 On June 11, 1998, NRC took enforcement
17 action under EA-98-221 against the Licensee related to
18 a violation or operations at the Peach Bottom Atomic
19 Power Station. The violation involved inoperable
20 containment sump pump. The Licensee was fined $55,000
21 for the violation.
22 On August 19, 1998, NRC took enforcement
23 action under EA-98-336 and 98-344 against the Licensee
24 related to a violation during operations at the Indian
25 Point Nuclear Generating Station.

1 The violation involved the failure to have
2 adequate design measures to ensure that the emergency
3 diesel generator auxiliaries were performed within the
4 design basis. The Licensee was fined $55,000 for the
5 violation.
6 On February 25, 2000, the NRC took
7 enforcement action under EA-99-319 against the
8 Licensee related to a violation during operations at
9 the Indian Point Nuclear Generating Station.
10 The violation involved number one, failure
11 to translate design basis requirements into procedure
12 of the 480-volt vital bus degraded voltage relays,
13 which led to a loss of offsite power to the vital
14 buses.
15 And two, failure to ensure that procedures
16 used to calibrate the breaker trip units for the
17 emergency diesel generators were adequate, which led
18 to the inoperability of one of the diesel generators.
19 And three, failure to take corrective
20 action for significant condition adverse to quality
21 involving repetitive problems with reactor protection
22 system over-temperature/delta-temperature circuitry
23 which led to initiation of a reactor trip. The
24 Licensee was fined $88,000 for the violation.
25 On August 3, 2000, the NRC took

1 enforcement action under EA-00-125 against the
2 Licensee related to a violation during operations at
3 the Peach Bottom Atomic Power Station. The violation
4 involved improper classification of radioactive waste
5 for shallow land burying.
6 On August 9, 2000, the NRC took
7 enforcement action under EA-00-155 against the
8 Licensee related to a violation during operations at
9 the Indian Point Nuclear Generating Station. The
10 violation involved failure to meet NRC emergency
11 planning standards for number one, the timely
12 augmentation by the emergency response organization;
13 and two, the timely accountability of onsite radiation
14 emergency workers; and three, the factual and
15 consistent dissemination of information to the media
16 and a local official.
17 These failures contributed to the
18 emergency response efficiencies that were exhibited
19 during the course of a steam generator tube failure
20 alert. This means that one of the tubes in the steam
21 generator failed causing the Licensee to declare an
22 emergency situation, and they provided inconsistent
23 factual -- and some information where they misled the
24 public through the media and they misled a local
25 official concerning that event.

1 On October 18, 2000, the NRC took
2 enforcement action under EA-00-165 against the
3 Licensee related to a violation during operations at
4 the Vermont Yankee Nuclear Power Station. The
5 violation involved a former mechanical maintenance
6 manager deliberately causing a violation of procedure
7 implementing the requirement to control contracted
8 service during the 1998 refueling outage.
9 On November 20, 2000, the NRC took
10 enforcement action under EA-00-179 against the
11 Licensee related to a violation during operations at
12 the Indian Point Nuclear Generating Station.
13 The violation involved the Licensee's
14 failure to identify and correct a significant
15 condition adverse to quality involving the presence of
16 primary water stress corrosion cracking flaws in the
17 steam generator tubes despite opportunities during the
18 1997 refueling outage.
19 As a result, one of the tubes failed on
20 February 15, 2000 when the reactor was 100 percent
21 power. In this scenario, we have a breach of
22 integrity; radioactive water transgressing into the
23 un-radioactive water at the plant. Very serious
24 violation.
25 On November 20, 2000, the NRC took

1 enforcement action under EA-02-262 against the
2 Licensee related to a violation during operations at
3 Indian Point Nuclear Generating Station. The
4 violation involved Entergy's failure over a 24-year
5 period from the time of initial construction in 1978
6 to August 2002 to implement and maintain in effect all
7 provisions of NRC approved fire protection program.
8 On June 27, 2001, NRC took enforcement
9 action under EA-01-088 against the Licensee related to
10 a violation during operations at Palisades Nuclear
11 Plant. The violation involved the Licensee's failure
12 to provide complete and accurate information in
13 letters to the NRC. The Licensee was fined $55,000
14 for the violation.
15 On October 23, 2001, NRC took enforcement
16 action under EA-01-188 against the Licensee related to
17 a violation during operations at the Peach Bottom
18 Atomic Power Station.
19 The violation involved the willful
20 creation of inaccurate and incomplete fire testing and
21 maintenance records by two former maintenance
22 technicians and deficiencies with the ability to
23 provide early notification to the populace surrounding
24 the facility in event of an emergency.
25 On February 2, 2005, NRC took enforcement

1 action under EA-04-174 against the Licensee related to
2 a violation during operations at the Vermont Yankee
3 Nuclear Power Station. The violation involved the
4 failure to issue tone alert radio to the entire
5 populace within the emergency plan.
6 The violation cited Licensee's failure to
7 follow its emergency plan to establish means to
8 provide early notification and clear instruction to
9 the populace within the plume exposure pathway and
10 emergency planning zone.
11 On June 22nd, 2005, NRC took enforcement
12 action under EA-04-174 against the Licensee related to
13 a violation during operations at the Vermont Yankee
14 Nuclear Power Station. The violation involved the
15 Licensee's failure over a 24-year period between
16 January 1980 and July 13, 2004 to ensure that two
17 irradiated fuel rods were in the spent fuel pool as
18 detailed in the Licensee's inventory.
19 The Licensee also failed to conduct
20 adequate inventories of the location of the two fuel
21 pieces. Very serious violation. Everyone knows the
22 placement of those spent fuel assemblies can, in fact,
23 cause a nuclear reaction in and of itself. Very, very
24 serious.
25 On December 20, 2006, the NRC took

1 enforcement action under EA-06-253 against the
2 Licensee related to a violation during operations at
3 the Vermont Yankee Nuclear Power Station. The
4 violation involved a shipment of a package containing
5 radioactive material in an opened transport vehicle.
6 The package containing radioactive
7 material was not designed and prepared to assure that
8 radiation level on any point on the external surface
9 of the package would not exceed 200 millirems per
10 hour.
11 On April 23, 2007, NRC took enforcement
12 action under EA-07-092 against the Licensee related to
13 a violation during operations at the Indian Point
14 Nuclear Generating Station. The violation involved
15 the failure of Licensee to meet the requirements of a
16 confirmatory issue on January 31, 2006.
17 The order required the Licensee to
18 maintain backup power supply for the emergency -- for
19 the Indian Point emergency notification system. The
20 Licensee was fined $130,000 for the violation.
21 On January 24, 2008, the NRC took
22 enforcement action under EA-006 -- or, excuse me, EA-
23 08-006 against the Licensee related to a violation
24 during operations at the Indian Point Nuclear
25 Generating Station.

1 The violation involved a continuing
2 violation of the NRC's January 31, 2006 confirmatory
3 order, which required Entergy to install backup power
4 for the Indian Point alert and notification system by
5 January 1, 2007. The Licensee was fined $650,000 for
6 the violation.
7 On January 6, 2009, the NRC took
8 enforcement action under EA-08-298 against the
9 Licensee related to a violation during operations at
10 the Peach Bottom Atomic Power Station. The violation
11 involved multiple security officers at the nuclear
12 plant that were deliberately inattentive on multiple
13 occasions or sleeping on the job.
14 In addition, multiple security officers
15 deliberately, deliberately failed to report
16 observations of inattentiveness or sleeping to their
17 supervision. The Licensee was fined $65,000 for the
18 violation.
19 On December 1, 2009, the NRC took
20 enforcement action under EA-09-007 against the
21 Licensee related to a violation during operations at
22 the Peach Bottom Atomic Power Station. The violation
23 involved the deliberate failure of a former reactor
24 operator to report an arrest in a timely manner and
25 the deliberate failure of a former maintenance

1 supervisor to provide complete and accurate
2 information on a personal history questionnaire.
3 Summation. Clearly, in review of the
4 Licensee's dubious record over the last 14-year
5 period, it is apparent that the Licensee was found to
6 have provided inaccurate, misleading, or false
7 information to the NRC related to operations at its
8 nuclear facilities within the jurisdiction and
9 oversight of the NRC.
10 In one or more instances, the Licensee was
11 found to have deliberately engaged in wrongdoing in
12 direct violation of NRC authority and federal safety
13 regulations under 10 CFR Part 50 and under other NRC
14 regulations.
15 Discussion on recent events related to the
16 Vermont Yankee Nuclear Power System. On March 1,
17 2010, Mr. James Kim, project manager, Division of
18 Operating Reactor Licensing for the NRC, authored an
19 email letter to Petitioners in which Mr. Kim stated,
20 in relevant part, that in accordance with MD 8.11 and
21 based upon the following, the PRB agrees that there is
22 no need for immediate action since there are no
23 immediate public health and safety concerns in that
24 the Vermont Yankee leak has not resulted in the
25 facility exceeding any public radiation safety dose

1 limits established in 10 CFR 20.1301.

2 The Vermont Yankee leak has not resulted
3 in the facility exceeding any licensed condition
4 related to achieving the 10 CFR 50 Appendix I numeric
5 guidelines for design objectives and limiting
6 conditions for operations to meet the criterion as low
7 as reasonably achievable for radioactive material.

8 There is reasonable assurance that the
9 facility is being operated without undue risk to the
10 health and safety of the public in that the tritium
11 has been only -- has been found only in onsite
12 subsurface monitoring wells.

13 There has been no tritium detected in any
14 environmental substance was taken from onsite or
15 offsite drinking water wells or/and the river that has
16 been caused by the leak. There has been no evidence
17 that the integrity of the safety systems related has
18 been affected by the leak, and Vermont Yankee has
19 taken aggressive corrective action to identify and
20 repair the leak in accordance with their corrective
21 action program.

22 In response to the NRC's March 1, 2010
23 email, Petitioners aver that for the reasons stated in
24 their February 20, 2010 petition as supplemented with
25 their testimony given on the record here today that,

1 number one, the NRC's assertions and conclusions
2 related to the Licensee's Vermont Yankee Nuclear Power
3 System are incomplete, non-conclusive, erroneous, and
4 are absent and devoid of any evidence or fact
5 elaborated by the Agency in their March 1, 2010 email
6 to Petitioners.
7 Furthermore, Petitioners aver here that
8 the failure of the NRC to take immediate action as
9 requested by Petitioners to cause the Licensee to
10 bring the nuclear reactor at the Vermont Yankee
11 Nuclear Power System to a cold shutdown mode of
12 operation continues to place the public health and
13 safety -- continues to place the health and safety of
14 the public in grave danger and presents an unwarranted
15 contamination of the environment from the radioactive
16 effluent leaking from that nuclear facility.
17 Number two, the Licensee cannot provide
18 the NRC with any measure of reasonable assurance that
19 the Vermont Yankee leak has not resolved and the
20 facility exceeding any public radiation safety dose
21 limits, as established in 10 CFR 20.1301; and
22 Number three, the Licensee cannot provide
23 the NRC with any measure of reasonable assurance that
24 the Vermont Yankee leak has not resolved in the
25 facility exceeding any licensed condition related to

1 achieving the 10 CFR 50 Appendix I numerical guides
2 for design objectives and limiting conditions for
3 operations to meet the criterion as low as is
4 reasonably achievable for radioactive material; and
5 Four, the Licensee cannot provide the NRC
6 with any measure of reasonable assurance that the
7 facility is being operated without undue risk to the
8 health and safety of the public and that the detected
9 tritium has been found only in the onsite subsurface
10 monitoring well or that there has been no tritium
11 detected and environmental samples taken from onsite
12 or offsite drinking water wells on the river has been
13 caused by the leak; and
14 Five, the Licensee cannot provide the NRC
15 with any measure of reasonable assurance that there
16 has been no evidence that the integrity of any safety
17 system related has been affected by the leak; and
18 Six, the Licensee cannot provide the NRC
19 with any measure of reasonable assurance that Vermont
20 Yankee is taking aggressive corrective action to
21 identify and repair the leak in accordance with their
22 corrective action program.
23 In addition, Petitioners aver that the NRC
24 failed to consider factual evidence provided by
25 entities other than the Licensee as more fully

1 described on the record as follows.

2 On January 22, 2010, a letter was authored
3 to the NRC chairman, the Honorable Gregory B. Jaczko,
4 by U.S. Senator Patrick Leahy, U.S. Senator Bernard
5 Sanders, and U.S. Representative Peter Welch. In
6 their letter, the distinguished Congressmen informed
7 the NRC chairman that, "We write to follow up on our
8 letter of January 15 in light of further alarming news
9 regarding contamination on the grounds of the Vermont
10 Yankee plant.

11 "Since our initial letter, the levels of
12 the tritium found in the surface water leak are
13 reported to have tested up to 2 million picocuries per
14 liter, according to an NRC spokesman, but 100 times
15 the safe drinking water level prescribed by the EPA.

16 "Further, a state investigator reported
17 last night that a trace amount of cobalt-60, a more
18 dangerous radioactive isotope, has been found in an
19 enclosed concrete trench at the nuclear power plant.

20 "These recent developments, coupled with
21 our ongoing concerns about Entergy Vermont Yankee's
22 commitment to safety and forthrightness with public
23 and regulatory and safety agencies force us to
24 reiterate our request for an immediate and thorough
25 investigation.

1 "This investigation should only determine
2 whether there was an attempt by Entergy Vermont Yankee
3 to mislead state officials regarding a plant's safety
4 and underground piping, but also a complete and
5 accurate assessment of the full scope of the
6 contamination at and near the plant as soon as
7 possible."
8 Petitioners aver here that the NRC's email
9 letter dated March 1st to Petitioners comes well after
10 the Agency was made aware of significant certain
11 documents to the NRC by two U.S. Senators and one
12 U.S. Representative related to the discovery of
13 cobalt-60 at the Agency's Vermont Yankee nuclear
14 facility and the concerns expressed by the Senators
15 and Representative regarding the apparent attempt by
16 the Licensee to mislead state officials regarding the
17 nuclear plant safety and underground piping.
18 Petitioners further aver that the concerns
19 raised in the January 22, 2010 letter to the NRC
20 Chairman by the Senators and Representative are more
21 than sufficient to demonstrate that the Licensee
22 cannot provide the NRC with any measure of reasonable
23 assurance that will fully comply with NRC authority
24 and federal safety regulations under 10 CFR Part 50
25 related to the Licensee's operation or the Vermont

1 Yankee Nuclear Power System.

2 Despite this material evidence, the NRC
3 has failed to cause the Licensee to bring the nuclear
4 reactor in question to a cold shutdown mode of
5 operation leaving the health and safety of the public
6 in grave danger.

7 Petitioners also note for the record that
8 the NRC failed to identify, compare, analyze, or
9 resolve the concerns raised in their February 20, 2010
10 petition against those concerns raised by the Senators
11 and the Representative for which the Agency was well
12 aware.

13 Petitioners contend that the NRC enjoys
14 too cozy a relationship with the Licensee, which
15 resulted in the NRC failing to protect public health
16 and safety and acting to cause the Licensee to bring
17 the nuclear reactor in question to a cold shutdown
18 mode of operation and leaving the public health and
19 safety -- and leaving the health and safety of the
20 public -- and leaving the health and safety of the
21 public in grave danger.

22 Petitioners further contend that in this
23 instance, the NRC placed the economic concerns of the
24 Licensee ahead and above its congressional mandate to
25 protect public health and safety in these

1 circumstances.

2 On February 18, 2010, the State of Vermont
3 Department of Public Service documented that the
4 Agency was contacted and provided in relevant part the
5 following information.

6 On February 16, 2010, the Department of
7 Public Service received an email from the public
8 oversight panel that recounted the substance of a
9 February 14, 2010 telephone conversation between an
10 anonymous individual claiming to be an employee of the
11 Vermont Yankee plant and a Mr. Arnie Gundersen, one of
12 the oversight panel members.

13 Petitioners restate the relevant content
14 of that email here for the record. Mr. Gundersen
15 writes, "I received a call from a Vermont Yankee
16 employee, refused to give name or phone number, at
17 3:00 p.m. Sunday, 2/14/10.

18 "The employee wanted to tell me that there
19 had been previous radioactive underground pipe leaks
20 in the AOG system that the employee wanted me to be
21 aware of. Employee said that in addition to the
22 current tritium leak, there have been other leaks in
23 the AOG, off gas system -- advanced off gas system in
24 previous years.

25 "Specifically, employee said that

1 approximately two years ago there was an unisolatable
2 radioactive steam leak into the underground AOG drain
3 pit. Employee said that access to the AOG pit --
4 drain pit was achieved by the staff through an outside
5 access hatch and that a TAP and HEPA filter were used
6 to prevent the spread of airborne radioactive
7 contamination from the drain pit into the environment.
8 "The HEPA filter exhausted air into the
9 area that is presently being evacuated. Employee said
10 that the access time, stay time, was limited because
11 the radiation and that employees wore full protective
12 clothing to assess and repair the leak.
13 "Employee said that the leak could not be
14 isolated, and a shutdown would have been required to
15 repair the leak. Employee said that Furmanite, if you
16 can believe that, Furmanite leak sealant was applied
17 to plug the hole until a complete repair -- until
18 complete repair during the next outage.
19 "Employee said the oversight panel needs
20 to be aware of the prior history of the leaking
21 underground radioactive pipes in the AOG system."
22 Now, based on information and belief,
23 Petitioners aver that the NRC was made aware of the
24 February 18, 2010 letter submitted to the State of
25 Vermont and the significant nuclear safety concerns

1 described in the letter within days, if not hours, as
2 received by the State.
3 Petitioners contend that in addition to
4 the allegations made in that letter which reflect on
5 the Licensee's apparent failure to timely report those
6 safety issues and maintenance activities to the NRC,
7 that Licensee also appears to be in violation of NRC
8 regulations under 10 CFR Part 50, which require the
9 Licensee to foster and maintain a safety conscious
10 work environment at its nuclear facilities when
11 nuclear workers are free and feel free to raise
12 nuclear safety concerns to Licensee management or
13 directly to the NRC.
14 Clearly, the February 14, 2010
15 communication between Mr. Gundersen and an apparent
16 Licensee employee evidences the existence of a hostile
17 work environment at the Vermont Yankee nuclear
18 facility where nuclear workers are killed and
19 dissuaded from engaging in protective activity to
20 identify nuclear safety concerns.
21 This situation should be of grave concern
22 to the NRC, which depends on the eyes and ears of
23 Licensee employees to report nuclear safety concerns
24 for the time and resolution of their safety concerns.
25 In this particular instance, the NRC --

1 the Licensee appears to be in direct violation of NRC
2 regulations under 10 CFR Part 50 for an extended
3 period of time dating back to at least 2008 and failed
4 to timely report said violations to the NRC as
5 required as a condition of their operating license,
6 DPR 28.
7 Petitioners once again contend that the
8 NRC is negligent in failing to cause the Licensee to
9 immediately bring the nuclear reactor in question to
10 a cold shutdown mode of operation and thereby placing
11 the health and safety of the public in grave danger.
12 On February 24, 2010, Dave Graham, a
13 reporter with the Associated Press, documented that
14 Donald Jackson, an NRC section chief, confirmed in a
15 conference call between NRC officials and reported
16 that the 2005 leak occurred in the same pipe system
17 that is the focus of search for the source of the
18 current leak.
19 "In 2005, within the confines of this pipe
20 channel, there was a problem with one of the pipes,"
21 he said. The newspaper article goes on to state that
22 plant officials admitted last month that they had
23 mislead state officials, sometimes under oath, by
24 saying that the plant did not have the sort of
25 underground pipes that would carry tritium.

1 Confirmation that Vermont Yankee found a
2 leak of tritium from an underground pipe in 2005 could
3 provide new evidence that plant officials knew the
4 existence of the pipe before the incorrect statements
5 about them in 2008 and 2009.
6 State Attorney General William Sorrell has
7 launched a criminal investigation to whether plant
8 officials lied under oath. Petitioners aver here that
9 the statement made by the NRC official, Donald
10 Jackson, clearly substantiates the nuclear safety
11 allegation made by the Vermont Yankee nuclear worker
12 to Mr. Gundersen earlier and documented by the State
13 of Vermont related to the leak of radioactive effluent
14 from the nuclear plant in question.
15 Yet, despite this documented evidence of
16 deliberate wrongdoing by the Licensee where the
17 Licensee executive management apparently admitted
18 providing false testimony under oath about the
19 existence of leaking underground piping containing
20 radioactive fluid, the NRC continues to allow the
21 Licensee to operate the nuclear reactor in question at
22 some level of power.
23 Petitioners contend that the failure of
24 the NRC to act to cause the Licensee to immediately
25 bring the nuclear reactor in question to a cold

1 shutdown mode of operation is negligence on the part
2 of the NRC in direct violation of the Agency's
3 congressional mandate to protect public -- protect the
4 health and safety of the public and to protect the
5 environment.
6 Conclusion. For the record, Petitioners
7 aver here that based on their February 20, 2010
8 petition as supplemented by the record here today, the
9 Licensee cannot provide the NRC with any measure of
10 reasonable assurance it will operate the Vermont
11 Yankee Nuclear Power System and the Palisades Nuclear
12 Plant and the Peach Bottom Atomic Power Station and
13 the Indian Point Nuclear Generating Station in full
14 compliance with NRC federal safety regulations under
15 10 CFR Part 50 as required under each of the
16 respective operating licenses issued to the Licensee
17 by the NRC authorizing operations of those nuclear
18 reactors.
19 Therefore, Petitioners hereby officially
20 supplement their February 20, 2010 petition submitted
21 under 10 CFR 2.206 and request that the NRC take
22 additional enforcement action against the Licensee by
23 issuing confirmatory orders revoking the respective
24 operating licenses from each of the nuclear reactors
25 identified on this record and operated by the

1 Licensee.

2 Petitioners further aver that the Licensee
3 cannot provide the NRC with any measure of reasonable
4 assurance that it will operate any of its nuclear
5 reactors in full compliance with NRC regulations under
6 10 CFR Part 50 as evidenced by the Licensee's numerous
7 acts of deliberate and willful wrongdoing over the
8 years and most recently with respect to the Vermont
9 Yankee nuclear facility in direct violation of NRC
10 regulations under 10 CFR 30.10.

11 Consequently, the NRC must conclude that
12 the Agency lacks the requisite reasonable assurance
13 that licensed activities at Licensee's nuclear
14 facilities can be conducted in compliance with the
15 Commission's requirements and that the health and
16 safety of the public will be protected if the Licensee
17 were permitted at this time to be involved in NRC
18 license activities.

19 Therefore, the public health, safety, and
20 interest require that the Licensee be prohibited from
21 any involvement in NRC licensed activities for a
22 period of not less than one year from the date of the
23 NRC's confirmatory requested by Petitioners.

24 Petitioners aver that the Commission has
25 taken such action as requested above against

1 individuals who were found by the NRC to have
2 deliberately engaged in wrongdoing to a far lesser
3 degree than did Entergy. See Federal Register
4 Volume 75, No. 44, Monday, March 8, 2010, at
5 Pages 10526 to 10529.
6 To the extent that the NRC fails to grant
7 Petitioner's request for enforcement action as fully
8 described on this record, Petitioners request that the
9 NRC Office of the Inspector General initiate an
10 investigation to review -- initiate an investigation
11 and review of the NRC's action and conduct in these
12 circumstances in failing to comply with the Agency's
13 congressional mandate to protect public health and
14 safety and the environment as a whole with respect to
15 operation of commercial nuclear reactors operated by
16 the Licensee.
17 Finally, Petitioners proffer to the
18 general public this one simple question related to the
19 NRC's oversight of the Vermont Yankee Nuclear Power
20 System. Is the tail wagging the dog in these
21 circumstances? This concludes Petitioners' comments
22 on the record today, and I'll answer any questions
23 that the NRC or the Licensee or the public may have.
24 MR. BLOUNT: This is Tom Blount. Thank
25 you very much, Mr. Saporito. I appreciate the input.

1 First of all, Mr. Saporito, are you aware that there
2 are ways to contact the OIG directly off our NRC web
3 page?
4 MR. SAPORITO: Yes. I've engaged the NRC
5 OIG many times, but I want to officially on this
6 public record request that the NRC do it, that they
7 self-identify and request review by the IG.
8 MR. BLOUNT: Okay. I just wanted to
9 clarify that you are aware, and that if you're making
10 an accusation of staff impropriety that it would be a
11 direct action on your part to contact the IG. That 1-
12 800 number is 1-800-233-3497 or from the NRC's web
13 page, under Contact Us you can report your concern
14 directly.
15 MR. SAPORITO: Mr. Blount, as I have
16 stated earlier, I have contacted and engaged NRC
17 Office of the Inspector General on more than one
18 occasion and I -- again, I'm stating for the record I
19 want this entire record provided to the NRC IG for
20 their decision on whether to investigate and review
21 the NRC's conduct in these circumstances.
22 MR. BLOUNT: I understand, sir, and I'm
23 just simply trying to encourage you to reach out to
24 them directly, but I understand your point, and thank
25 you very much for that.

1 Let's see. The one other point that I
2 would make, Peach Bottom, the Peach Bottom facilities
3 that you indicated I believe are operated by Exelon,
4 not Entergy, but I'll share that with you.
5 Other than that, any other questions that
6 anyone here at headquarters has for Mr. Saporito?
7 No questions here at headquarters. Anyone
8 from headquarters on the line have a question for
9 Mr. Saporito?
10 Anyone from the Region have questions for
11 Mr. Saporito?
12 MR. JACKSON: No, I'm fine.
13 MR. BLOUNT: Thank you very much. Any --
14 does the Licensee's representative have any questions
15 for Mr. Saporito?
16 MR. DEVINCENTIS: We have no questions.
17 MR. BLOUNT: Thank you very much. Before
18 I conclude the meeting, members of the public may
19 provide comments regarding the Petition and ask
20 questions about the 2.206 petition process.
21 However, as stated at the opening, the
22 purpose of this meeting is not to provide an
23 opportunity for the Petitioner or the public to
24 question or examine the PRB regarding the merits of
25 the Petition request.

1 Do any of the members of the public have
2 questions about the process or questions for
3 Mr. Saporito? Hearing none, I take that as a no.
4 Mr. Saporito, thank you for taking the
5 time to provide the NRC staff with clarifying
6 information on your petition that you submitted.
7 Before we close, does the court reporter
8 have -- need any additional information for the
9 meeting transcript?
10 COURT REPORTER: If the parties from the
11 Region and the Licensee could identify themselves, the
12 two people who just spoke three minutes ago. I didn't
13 catch their names. Who's the gentleman who spoke from
14 the region?
15 MR. JACKSON: Donald Jackson.
16 COURT REPORTER: Okay. From the Licensee,
17 who spoke?
18 MR. DEVINCENTIS: Jim Devincentis.
19 COURT REPORTER: Could you spell your last
20 name, sir?
21 MR. DEVINCENTIS: D as in David, E-V as in
22 Victor, I-N-C-E-N-T-I-S.
23 COURT REPORTER: Thank you very much.
24 That's all the questions I have.
25 MR. BLOUNT: Thank you. With that, this

1 meeting is concluded and we will be terminating the
2 phone connection.
3 COURT REPORTER: Thank you.
4 (Whereupon, the above-entitled matter was
5 concluded at 2:55 p.m.)
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE

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

Name of Proceeding: 10 CFR 2.206 Petition Review Board, In Re Thomas Saporito

Docket Number: 50-271

Location: (telephone conference)

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

John Mongoven
Official Reporter
Neal R. Gross & Co., Inc.