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Title: 2.206 Petition of Raymond Shadis
RE Vermont Yankee

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1 ALSO PRESENT:

2 JAMES KIM, Petition Manager, NRR

3 BOB AUDETTE, Brattleboro Reformer

4 PAUL BLANCH, New England Coalition

5 FRED BOWER, Region 1, DPR

6 JIM DEVINCENTIS, Entergy Nuclear Operations

7 STEVEN GARRY, NRC

8 ROBERT HARDIES, NRR

9 DON JACKSON, Region 1, DPR

10 PATRICK JEFFERSON, NRC

11 ROBERT KUNTZ, NRC

12 TANYA MENSAH, NRR

13 RAYMOND SHADIS, Petitioner

14 NEIL SHEEHAN, Region 1, Office of Public Affairs

15 MARY SPENCER, Office of the General Counsel

16 ERNEST WILSON, Region 1, Office of Investigations

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T E L E C O N F E R E N C E

9:33 a.m.

MR. KIM: On the record. Good morning. I'd 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 Petitioners, Thomas Saporito and Raymond Shadis, to address the Petition Review Board as to an initial recommendation was made regarding the consolidated 2.206 petitions for Mr. Mulligan, Mr. Shadis and Mr. Saporito. I'm 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 and Raymond Shadis have requested this opportunity to address the PRB. This meeting is scheduled for 9:30 a.m. to 11:30 a.m.

The meeting is being recorded by the NRC Operations 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

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1 sure to clearly state your name, your position and the
2 office that you work for within the NRC for the
3 record. I'll start off. This is James Kim in the
4 Division of Operating Reactor Licensing in NRR.

5 MS. SPENCER: Ms. Mary Spencer from the
6 Office of the General Counsel.

7 MR. HARDIES: My name is Bob Hardies form
8 the Office of Nuclear Reactor Regulations, Division of
9 Component Integrity.

10 CHAIRMAN BLOUNT: This is Tom Blount. I'm
11 with the Division of Policy and Rulemaking, PRB Chair
12 in the Office of NRR.

13 MR. GARRY: And I'm Steve Garry in the
14 Division of Inspection and Regional Support in the
15 Office of Nuclear Reactor Regulation.

16 MR. KIM: At this time, are there any NRC
17 participants on the phone?

18 MR. JEFFERSON: This is Pat Jefferson,
19 Office of Investigations.

20 MS. MENSAH: This is Tanya Mensah, Office
21 of Nuclear Reactor Regulation.

22 MR. KUNTZ: This is Rob Kuntz, Division of
23 License Renewal. I'm the Licence Renewal Project
24 Manager for Vermont Yankee.

25 MR. KIM: Okay. We are finished with the

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1 introductions for the NRC headquarters at this time.
2 Are there any NRC participants from the regional
3 office on the phone?

4 MR. BOWER: Yes. This is Fred Bower and
5 I'm in Projects Branch 5 in Region I.

6 MR. WILSON: And this is Ernest Wilson,
7 Office of Investigations, Region I.

8 MR. SHEEHAN: Neil Sheehan, Office of
9 Public Affairs, Region I.

10 MR. JACKSON: Don Jackson, Projects Branch
11 5, Region I.

12 MR. KIM: Okay. Are there any
13 representatives for the licensee on the phone?

14 MR. DEVINCENTIS: Yes, this is Jim
15 Devinentis of Entergy Nuclear Operations. I'm the
16 Licensing Manager.

17 MR. KIM: Mr. Saporito.

18 MR. SAPORITO: Yes.

19 MR. KIM: Would you please introduce
20 yourself for the record?

21 MR. SAPORITO: My name is Thomas Saporito,
22 resident of Jupiter, Florida. I'm the Executive
23 Director for endangeredplanetearth.blogspot.com.

24 MR. KIM: Okay. Mr. Shadis, would you
25 please introduce yourself for your record?

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1 MR. SHADIS: Yes. My name is Raymond
2 Shadis. I'm a consultant with the New England
3 Coalition (NEC) headquartered in Brattleboro, Vermont.

4 MR. KIM: Are there any others associated
5 members of the public on the phone?

6 MR. AUDETTE: Bob Audette, Brattleboro
7 Reformer.

8 MR. KIM: Okay. I'd like to emphasize
9 that we each need to speak clearly and loudly to make
10 sure that the court reporter can accurately transcribe
11 this meeting. If you have something you would like to
12 say, please state your name for the record.

13 For those dialing into the meeting, please
14 remember to mute your phone for to minimize any
15 background noise or distractions. If you do not have
16 a mute button, this can be done by pressing the keys
17 *6. To mute press the *6 keys again. Thank you.

18 At this time, I'll turn it over the PRB
19 Chairman Tom Blount.

20 CHAIRMAN BLOUNT: Good morning. Welcome
21 to the meeting regarding the consolidated 2.206
22 petition submitted by Mr. Saporito and Mr. Shadis.
23 I'd like to first share some background on our
24 process.

25 Section 2.206 of Title 10 of the Code of

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1 Federal Regulations describes the petition process,
2 the primary mechanism for the public to request
3 enforcement action by the NRC in a public process.
4 This process permits anyone to petition NRC to take
5 enforcement type action related to NRC licensees or
6 license activities. Depending on the results of this
7 evaluation, NRC could modify, suspend or revoke an NRC
8 issued license or take any other appropriate
9 enforcement action to resolve a problem.

10 The NRC staff's guidance for the
11 disposition of 2.206 petition request is in Management
12 Directive 8.11 which is publicly available.

13 The purpose of today's meeting is to give
14 the Petitioners an opportunity to provide any
15 additional explanation or support for the petitions
16 after the Petition Review Board's initial
17 consideration and recommendation. This meeting is not
18 a hearing nor is it an opportunity for the Petitioners
19 to question or examine the PRB on the merits or the
20 issues presented in the petition request.

21 No decisions regarding the merits of this
22 petition will be made at this meeting. Following the
23 meeting, the Petition Review Board will conduct its
24 internal deliberations. The outcome of this internal
25 meeting will be discussed with the Petitioners.

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1 The Petition Review Board typically
2 consists of a chairman, usually a manager at the
3 senior executive service level at the NRC. It has a
4 petition manager and a PRB coordinator. Other members
5 of the Board are determined by the NRC staff based on
6 the content of the information in the petition
7 request.

8 At this time, I'd like to introduce the
9 Board. I am Tom Blount, the Petition Review Board
10 Chairman. James Kim is the Petition Manager for the
11 petition under discussion today. Tanya Mensah is the
12 PRB Coordinator. Our technical staff includes Steve
13 Garry from the NRC's Health Physics and Human
14 Performance Branch, Bob Kuntz from the NRC's Division
15 of License Renewal, Don Jackson and Fred Bower from
16 NRC Region I, Bob Hardies from our Integrity Division
17 in NRR. And we also obtained advice from our Office
18 of General Counsel represented by Mary Spencer.

19 As described in our process, the NRC's
20 staff may ask questions in order to further understand
21 the Petitioner's presentation and to reach a
22 reasonable decision to accept or reject the
23 Petitioners' request for review under the 2.206
24 process.

25 I would like to summarize the scope of the

1 petitions under consideration and the NRC activities
2 to date. On February 8, 2010, Mr. Shadis on behalf of
3 the New England Coalition submitted a petition to the
4 NRC under 2.206 regarding a degradation of public
5 safety margin due to tritium leak at the Vermont
6 Yankee Nuclear Power Station. On February 20, 2010,
7 Mr. Saporito submitted a petition to the NRC
8 requesting a cold shutdown mode of operation for
9 Vermont Yankee Nuclear Power Station due to leaking
10 radioactive tritium.

11 For Mr. Shadis' petition, the PRB met on
12 February 17th and denied the request for immediate
13 action to cold shutdown and depressurize all systems
14 in order to slow or stop the leak because the PRB did
15 not identify any immediate safety concerns that would
16 warrant an immediate shutdown.

17 On February 19th, you were informed of the
18 PRB's decision on the immediate action and you
19 requested an opportunity to address the PRB prior to
20 its initial meeting to provide supplemental
21 information for the Board's consideration. By
22 teleconference on March 3rd, you provided information
23 to the PRB as further explanation and support for your
24 petition and a copy of the transcript was forwarded to
25 you.

1 For Mr. Saporito's petition, the PRB met
2 on February 25th and denied your request for immediate
3 action of bringing the Vermont Yankee to a cold
4 shutdown mode of operation because the PRB did not
5 identify any safety concerns that would warrant an
6 immediate shutdown.

7 On March 1st, you were informed of the
8 PRB's decisions on the immediate action and you
9 requested an opportunity to address the PRB prior to
10 its initial meeting to provide supplemental
11 information for the Board's consideration. By
12 teleconference on March 8th, you provided information
13 to the PRB as further explanation and support for your
14 petition and a copy of the transcript was forwarded to
15 you.

16 The PRB also met on March 25 and April 22,
17 2010 and considered these 2.206 petitions as
18 consolidated and made an initial recommendation to
19 accept the petitions for review in part. Each of you
20 stated that the tritium leak is just one example of
21 many maintenance and management failures at Vermont
22 Yankee. You each raised a concern regarding what you
23 perceived as the NRC's failure to look at failures at
24 Vermont Yankee in an integrated manner.

25 Although the individual petition is

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1 written to request enforcement action due to the
2 tritium leak during each of the transcribed phone
3 calls each of you urged the NRC to take a broader view
4 to assess operational or performance failures at
5 Vermont Yankee collectively instead of individuals.
6 This concern meets the criteria for review in
7 accordance with Management Directive 8.11. With
8 regards to the common concern raised in these
9 petitions, specifically the leak itself, the PRB
10 determined that it did meet the criteria for review.

11 Allow me to discuss the summary of
12 specific issues and concerns identified in the
13 petitions and/or supplemented during the first phone
14 calls with the PRB's initial recommendations.

15 (1) Increasing concentrations of
16 radiocontaminants in the soil and groundwater at
17 Vermont Yankee Nuclear Power Station as well as an
18 increase in area of contamination are manifested on a
19 daily basis. Entergy Nuclear Vermont Yankee risk
20 aggravating the contamination by continuing to run the
21 reactor at full power while attempting over a period
22 of a month to triangulate the location of a presumed
23 leak by drilling a series of test wells in the
24 effected area. In accordance with Management
25 Directive 8.11 this meets the criteria for review and

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1 will be accepted for review under the 10 CFR 2.206
2 process.

3 (2) Entergy Nuclear EN VY is daily
4 discovering buried piping which the licensee did not
5 take into account when composing this license renewal
6 application. In fact, the licensee has heard that
7 until recently and well past the close of record in
8 ASLB license renewal application proceedings it was
9 unaware of the existence of some buried pipes, now
10 uncovered, and it has yet to discover their path and
11 purpose. Issues with the license renewal application
12 and adequacy of the aging management of buried piping
13 can be addressed in a licensing hearing. But issues
14 involving material false statement concerns met the
15 criteria for acceptance under 2.206 and will be
16 accepted for review under the 10 CFR 2.206 process.

17 (3) Entergy has in eight years of
18 ownership failed to learn and understand Vermont
19 Yankee's design, layout and construction. Failure to
20 comprehend and understand the layout, function and
21 potentially the interaction of its own piping systems
22 constitutes the loss of design basis. This meets the
23 criteria for review and will be accepted for review
24 under the 10 CFR 2.206 process.

25 (4) EN VY has demonstrated an inability to

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1 manage aging of its below ground components
2 effectively invalidating the aging management of
3 buried piping, a section of its license renewal
4 application.

5 In addition, the obvious inadequacies of
6 EN VY's underground piping aging management plan as
7 presented and approved in EN VY's license renewal
8 application is now made clear and the apparent failure
9 years in advance of the first scheduled overall aging
10 management inspection to capture pipe integrity and
11 contain radioactive liquids. Issues with the license
12 renewal application and adequacy of the aging
13 management of buried piping can be addressed in a
14 licensing hearing. In accordance with Management
15 Directive 8.11, this does not meet the criteria for
16 review because there is another proceeding for which
17 the petitioner could be a party to.

18 (5) The NRC's Reactor Oversight Process
19 has apparently failed to capture, anticipate and
20 prevent ongoing maintenance, engineering, quality
21 assurance and operation issues that have manifested
22 themselves in a series of high profile incidents since
23 Entergy took over Vermont Yankee. The agency has
24 repeatedly failed to catch on to the root cause trends
25 until they have as of this incident become grossly

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1 self-revealing.

2 From the March 3rd transcript, NRC's ROP
3 and supplemental inspections failed to pick up on
4 quality control, operational and maintenance failures
5 at Vermont Yankee. In accordance with the Management
6 Directive 8.11, this meets the criteria for review and
7 will be accepted for review under 10 CFR 2.206
8 process.

9 (6) March 3rd transcript, NRC to ensure
10 Entergy to have adequate decommissioning funds. The
11 tritium spill will increase decommissioning costs due
12 to site radiological examination and soil remediation.
13 In accordance with 8.11, this meets the criteria for
14 review and will be accepted for review under 10 CFR
15 2.206 process.

16 (7) Licensee cannot definitively provide
17 reasonable assurance to the NRC under the affirmation
18 that the nuclear reactor in question is operated in
19 full compliance with the regulations at 10 CFR Part 50
20 and under Appendix A, Part 50, General Design Criteria
21 for Nuclear Power Plants, Criterion 60 and 64 and in
22 full compliance with other NRC regulations and
23 authority. In accordance with Management Directive
24 8.11 this does not meet the criteria for review
25 because it fails to provide sufficient facts to

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1 support the petition. In addition as Mr. Saporito has
2 requested, Mr. Saporito's 2.206 petition and the March
3 8th transcript were provided to the OIG to further
4 their assessment of Mr. Saporito's claim, the staff
5 and propriety.

6 As a reminder for the phone participants,
7 please identify yourself if you make any remarks as
8 this will help us in the preparation of any transcript
9 that will be made publicly available. Additionally,
10 please mute your phone when you're not speaking in
11 order to help everyone hear the comments provided
12 clearly.

13 With that, thank you. Mr. Saporito, I'll
14 turn it over to you to allow you to provide any
15 information you believe the PRB should consider as
16 part of your petition. You will have approximately 35
17 minutes to provide additional information to PRB.

18 Immediately following Mr. Saporito's
19 presentation, Mr. Shadis, you will start your
20 presentation and you will also have 35 minutes for
21 your presentation. Again, thank you.

22 Mr. Saporito.

23 MR. SAPORITO: Good morning and thank you
24 for the opportunity to redress the NRC PRB. For the
25 record, it's 950 hours here Florida time.

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1 Just as a precursor, the PRB chairman made
2 a statement earlier with respect to the agency
3 providing me a copy of the previous transcript record
4 when I initially addressed the PRB and that's
5 factually appears to be inaccurate. It's my
6 recollection that I have actually accessed that
7 document through the agency's ADAMS which is a public
8 retrieval system for documents and I don't believe I
9 ever received a copy of that transcript from the
10 agency.

11 Okay. So before I -- Let me just give
12 some -- First of all, my name is Thomas Saporito and
13 I'm the Executive Director for
14 endangeredplanetearth.blogspot.com. And I make a
15 diligent effort to monitor the activities of the
16 United States Nuclear Regulatory Commission with
17 respect to inspection and regulation of some 104
18 licensed nuclear power plants across the United States
19 and the Vermont Yankee plant through my interest
20 because initially because of the leak of tritium.

21 For the benefit of the public, let me give
22 you a precursor of NRC authority and activities. On
23 April 19, 2010, the NRC Chairman, the Honorable
24 Gregory B. Jaczko -- that's J-A-C-Z-K-O -- addressed
25 the International Forum on Nuclear Safety Challenges

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1 in Seoul, South Korea. The Chairman stated a relevant
2 part that "Above all the NRC's mission has remained
3 clear and confident to ensure adequate protection of
4 public health and safety, promote the common defense
5 and security and protect the environment. The NRC
6 requires that old and new reactors meet the same
7 safety, security and environmental objectives that is
8 crucially important. An operator of an old or a new
9 reactor must meet essentially the same NRC safety
10 standards to ensure adequate protection of public and
11 environment.

12 The means by which new reactor applicants
13 and essentially reactor operators meet those standards
14 may differ. New reactor applicants can focus on
15 design-centric approaches, while existing reactor
16 operators necessarily must focus on mitigative
17 measures. But the safety and security objectives are
18 the same for both existing and new reactors.

19 Despite the significant safety gains that
20 developments and new reactor technology have achieved,
21 every regulator must be mindful of the importance of
22 human performance for nuclear safety and security.
23 That was one of the important lessons that the NRC
24 learned from the Three Mile Island incident. As
25 regulators, we all have to contemplate the possibility

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1 that plant personnel may not follow procedures, may
2 not understand the indications on their instruments,
3 or may not perform their duties with a focus on
4 safety. All those factors can contribute to errors
5 and compromise safety."

6 That's what the Chairman of the NRC has
7 conveyed to the public. The NRC's mission and some of
8 the oversight process, they just use to protect public
9 health and safety and to protect the environment.

10 As can be seen from the NRC Chairman's
11 statement, the NRC is clearly the government agency
12 charged by Congress to protect public health and
13 safety and the environment with respect to the Vermont
14 Yankee Nuclear facility. Since the Three Mile Island
15 nuclear accident which resulted in a partial meltdown
16 of the reactor core, the NRC has placed inspectors at
17 each of 104 licensed nuclear power plants in the
18 United States so that the agency has ready access and
19 oversight in the event of an emergency situation and
20 to better regulate licensed activities at those
21 facilities.

22 However, it appears that NRC resident
23 inspectors have become all too cozy with licensee
24 personnel at these nuclear facilities to daily
25 personal interactions and relationships developed

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1 throughout the tenure of the agency inspectors at
2 these nuclear facilities. This is a very well
3 documented -- This concern is very well documented in
4 numerous agency inspection reports where routine and
5 non-routine NRC inspection activities discover
6 deficiencies and a violation of Commission regulation
7 that were not discovered by the resident inspectors.

8 Clearly, the NRC Office of Inspector
9 General should conduct an audit to determine whether
10 NRC resident inspector activities are deficient in
11 these areas and, if so, what steps the NRC should take
12 to improve the activities of resident inspectors in
13 their day-to-day oversight of license activities at
14 the 104 licensed nuclear power plants in the United
15 States.

16 With respect to the petition filed with
17 the NRC seeking enforcement action against Entergy
18 Vermont Yankee Nuclear, let me begin by stating that
19 NRC was apparently aware of underground piping
20 carrying radioactive effluence at the Vermont Yankee
21 nuclear facility at the time that the licensee
22 management was denying the existence of that piping to
23 Vermont state officials.

24 To the extent that NRC was aware of the
25 existence of these underground pipes the agency was

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1 required under its Congressional mandate to protect
2 public health and safety and the environment to
3 disclose the existence of that underground piping to
4 state authorities. Because the NRC failed to make
5 this disclosure, the NRC Inspector General should
6 conduct an investigation to determine whether NRC was
7 negligent in their duty to protect public health and
8 safety and the environment in these circumstances.

9 Under the NRC Reactor Oversight Process,
10 inspection findings are evaluated using a significance
11 determination process and assigned a color indicating
12 its safety significance. A findings with very low
13 safety significance are labeled green. Findings with
14 low to moderate safety significance are labeled white.
15 Findings that have substantial safety significance are
16 labeled yellow. And findings that have high safety
17 significance are labeled red.

18 One of the tools that the NRC uses to
19 oversee and regulate nuclear power plants is the use
20 of the licensee's Corrective Action Program or CAP.
21 The NRC has routinely asserted that it is very
22 important for a licensee to promptly identify and
23 correct problems at its nuclear facilities.

24 With respect to the Vermont Yankee Nuclear
25 Power Plant, August 21, 2007 a portion of cooling

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1 tower collapsed while the plant was operating at full
2 power. Entergy had routinely performed remote
3 boroscopic and/or visual inspections, but had not
4 recognized the importance of utilizing hands-on
5 inspection techniques to detect degraded structural
6 conditions.

7 July 11, 2008, an auxiliary operator
8 observed a leak from a slip joint in a circulating
9 water distribution piping in a cooling tower cell.
10 September 16, 2008, plant operators identified
11 abnormal leakage from four slip joints in the
12 circulating water distribution piping in the cooling
13 tower cells.

14 In a March 31, 2009 inspection, NRC
15 identified a violation where Vermont Yankee failed to
16 take action to correct a specific and foreseen
17 malfunction of plant components, specifically Vermont
18 failed to initiate a condition report for an adverse
19 condition associated with water accumulating in the
20 turbine building supply fan housing plenum area which
21 led to the inoperability of the A Emergency diesel
22 generator on January 21, 2009 for four hours. The
23 finding was more than minor because it was associated
24 with equipment performance attribute of the mitigating
25 system's cornerstone.

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1 The NRC also identified a violation for
2 Vermont Yankee's failure to fully perform procedural
3 requirements, engineering evaluations, without bracing
4 the -- pipe supports. Again, the performance
5 deficiency was more than minor because if left
6 uncorrected the performance deficiency had the
7 potential to lead to a more significant safety
8 concern.

9 On April 23, 2009, NRC inspection
10 activities found Entergy's failure to take adequate
11 corrective actions for a condition adverse to quality
12 involving an issue that had the potential to
13 negatively impact high pressure coolant injection
14 systems. Specifically, Entergy failed to take timely
15 and appropriate corrective actions commensurable with
16 the safety significance, potential repeat functional
17 failure of the high pressure injection system due to
18 degraded direct current contactors. The adverse
19 condition represented a challenge to the reliability
20 of the high pressure injection system due to the
21 system's vulnerability to a repeat functional failure.

22 In a September 30, 2009 NRC inspection,
23 they found that Entergy did not initiate corrective
24 action reports for all deficient items identified
25 during the cooling power inspections. The inspectors

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1 determined that the finding was more than minor
2 because if left uncorrected it would have the
3 potential to lead to a more significant safety
4 concern.

5 In a December 31, 2009 NRC inspection,
6 inspectors identified a violation of 10 CFR 50.65,
7 paragraph (a)(4), the requirements for monitoring the
8 effectiveness of maintenance at nuclear power plants
9 because Entergy did not assess and manage the increase
10 in the risk that resulted from maintenance activities
11 the impact of the availability of the low pressure
12 coolant injection subsystem. The finding is more than
13 minor Entergy's risk assessment did not consider risk
14 significant structures, systems, components, i.e., the
15 low pressure injection subsystems that were
16 unavailable during the maintenance activities.

17 All of these maintenance activities were
18 a failure, a systemic and pervasive failure, by the
19 licensee to properly identify and timely resolve these
20 maintenance deficiencies through the licensee's
21 Corrective Action Program.

22 Under 10 CFR Part 50, Appendix B,
23 Criterion 16 Corrective Action states that "measures
24 shall be established to assure that conditions adverse
25 to quality such as deficiencies, deviations and

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1 nonconformances are promptly identified and corrected.
2 In the case of significant conditions adverse to
3 quality, the measure shall assure that the cause of
4 the condition is determined with corrective action to
5 preclude repetition." Contrary to this NRC
6 requirement and regulation, the licensee failed to
7 take prompt -- failed -- First, they failed to timely
8 identify and timely resolve these deficiencies that I
9 have previously outlined through their Corrective
10 Action Program.

11 But it's more than just a failure on the
12 part of the licensee. It's also a failure on the part
13 of the NRC to protect public health and safety and the
14 environment in these circumstances because the NRC has
15 a resident inspector on site all the time at the
16 Vermont Yankee Nuclear facility. Those resident
17 inspectors should be mindful of whether or not the
18 licensee is implementing the Corrective Action Program
19 within the technical specifications of its license.

20 Apparently, NRC resident inspectors aren't
21 doing their jobs to a sufficient level which obviously
22 resulted in a licensee violating numerous NRC safety
23 margins by not properly timely and resolving
24 deficient, degraded balance of plant equipment and
25 systems so much so that you had a cooling tower

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1 collapse, so much so that you have the licensee now
2 engaged in maintenance repair activities to resleeve
3 the main condenser.

4 I mean how is it that the main condenser
5 has degraded to such a degree that the licensee wants
6 to invest \$10 million to resleeve it? Is there a
7 problem with the chemicals in the water being treated
8 at that facility? Does this failure of the
9 condenser's main piping resolve in the transgression
10 from radioactive effluence to the non radioactive side
11 of that condenser and then have those radioactive
12 effluence enter the environment? Has the NRC even
13 investigated that?

14 With respect to the licensee's Corrective
15 Action Program recently as identified in NRC accession
16 document ML 100990031 -- it's a 2009 Nuclear Safety
17 Culture Assessment -- presentation by the licensee
18 Entergy to Region I on April 13, 2010, going through
19 this document it's very apparent that the licensee
20 conducted a self-serving evaluation of numerous of its
21 facilities with respect to the culture at these plants
22 so much so as to whether the licensee's employees felt
23 comfortable in bringing nuclear safety concerns to
24 plant management for resolution, etc., etc. And these
25 self-serving assessments do not serve the interests of

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1 the NRC to protect public health and safety and they
2 do nothing for the public to protect public health and
3 safety.

4 What the public needs is for the NRC to do
5 its job in a proper oversight and regulation of plants
6 like the Vermont Yankee Nuclear Plant. And they do
7 its job by ensuring that the safety conscious work
8 environment that's supposed to be fostered or
9 maintained at these facilities is enhanced and
10 upgraded to become an integrated safety conscious work
11 environment. Now how do you integrate it?

12 The NRC has authority and regulation under
13 10 CFR Part 50 to require licensees like Entergy to
14 incorporate the employee concerns program into their
15 technical specifications through the Corrective Action
16 Program. What I mean by that is if a nuclear worker
17 at the Vermont plant said, "Hey. Look I've got a
18 problem with a valve out here. It's not stroking fast
19 enough. This doesn't meet our safety margin."

20 Well, that employee is raising a nuclear
21 safety concern. Now if the licensee's technical
22 specification would require that that employee input
23 that safety concern into the Corrective Action
24 Program. Then the licensee would have a means to
25 timely address that nuclear safety concern and correct

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1 it. And also over time the trend of that particular
2 concern, is this a generic concern for a particular
3 valve or was this just a out-of-normal problem because
4 of the packing in that valve was too tight or
5 whatever?

6 It also gives NRC the ability to do its
7 job and see if there's cross-cutting areas of concern
8 at the nuclear facility. They can go into that CAP,
9 the Corrective Action Program, and identify trend on
10 whether employees are comfortable raising nuclear
11 safety concerns or not. They can identify trends if
12 the employee feels that they were retaliated against
13 because they raised safety concerns. Because those
14 retaliation issues should be also entered into the
15 Corrective Action Program by the licensee so that the
16 licensee can track and monitor them as well the NRC.

17 Now that's not being done. This is not
18 being done not at all at any of the Entergy's nuclear
19 facilities and they have many. It's not being done at
20 any of the 104 licensed nuclear plants that are
21 regulated by NRC. These programs aren't integrated.
22 What they are-- There's not even a regulation issued
23 by NRC which requires the licensees to have employee
24 concerns programs. There's just a generic initiative
25 made by the agency a few years back which says, "You

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1 know this is a good idea. I think you ought to do
2 it."

3 But the agency just left it up to the 104
4 licensees to haphazardly invent these hodgepodge
5 employee concerns programs. And it's a collective
6 mess. One licensee does it one way. Another licensee
7 does it another way. And if you look at the
8 Department of Labor record of discrimination
9 complaints, you can see that employees are being
10 retaliated day in and day out across the United
11 States. And the NRC has been ineffective to stop this
12 discrimination.

13 The NRC rules and regulations, 10 CFR Part
14 50 specifically, address discrimination against
15 nuclear workers should they raise safety concerns and
16 be retaliated against. But the NRC is an ineffective
17 agency.

18 The Office of Investigations conducts
19 investigations sometimes but not always. They have a
20 very loose memorandum of understanding with the
21 Department of Labor. And it's a cooperative
22 agreement where if an employee feels that they were
23 fired because they raised a safety concern then they
24 can file a complaint with the Department of Labor.
25 And the Department of Labor through this memorandum of

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1 understanding merely notifies the NRC that this
2 employee filed such an action and then it's up to the
3 NRC whether they want to investigate separate and
4 apart from the Department of Labor or not. And in
5 most instances the NRC elects not to investigate and
6 what ensues is a lengthy, time consuming litigation by
7 the employee and by the plant operator. And sometimes
8 it takes five to ten years before they're ever
9 resolved.

10 Instead the NRC should be doing
11 investigations through the Office of Investigations.
12 But even those investigations that the NRC has taken
13 upon themselves to do they are troubling because the
14 investigations take more than 30 days. They take a
15 period of approximately eight months or more to
16 complete. And, in fact, in one case, a recent case in
17 Florida, it took 20 months.

18 And that's ridiculous. The employee is
19 out of a job. The family is impacted. The employees
20 at the plant where the individual got fired from they
21 don't even know what's going on. So they're even more
22 chilled from raising safety complaints than the person
23 who got fired.

24 Now the NRC has the ability and the
25 capability to do timely investigation. But for

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1 whatever reason they're apparently not properly
2 trained to do it. And moreover, my evaluation of the
3 NRC findings in these investigations clearly show a
4 lack of training on the part of the Office of
5 Investigations with respect to their understanding of
6 the shipping burdens of proof and production and doing
7 motive analysis of these type of cases. That analysis
8 the due mode of analysis, is in fact not even done and
9 it's a big concern.

10 To the extent that the NRC is pushing
11 licensees in the direction to have employee concerns
12 programs, I would strongly suggest to the agency that
13 they require, not suggest, but they require all their
14 licensees like Vermont Yankee to incorporate and
15 integrate these employee concerns programs into the
16 plant license so that whatever concern is raised has
17 to put into the Corrective Action Program so that the
18 licensee and the NRC have proper oversight and can
19 evaluate whether the program is working or not.

20 These self-serving assessment do nothing
21 to enhance public health and safety or to protect the
22 environment because that's all they are. They're
23 self-serving. They're not an effective tool.

24 Let me see what else I wanted to cover on
25 this. With respect to the Vermont Yankee underground

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1 piping that had been leaking the radioactive tritium
2 and apparently there was some Cobalt-60 and other NRC
3 radionuclides discovered there, it's apparent that
4 that is just one of many systems that the licensee has
5 failed to maintain over the years. And it's one thing
6 that the NRC is supposed to look at when the licensee
7 makes application to extend their license for another
8 20 years.

9 I would hope that the NRC looks at that
10 very seriously because it's obviously a systemic
11 failure on the part of the licensee to maintain its
12 equipment. I don't care what system you want to look
13 at. The problems aren't properly identified by the
14 licensee. They're not being entered into the
15 Corrective Action Program. And they're not being
16 timely resolved. In fact, in some of the findings by
17 the NRC, it shows that they made some design changes
18 that weren't properly documented and resolved in
19 failure of one or more plant equipment and/or systems.

20 And the fact that the NRC allows licensees
21 like Entergy to operate nuclear power plants with
22 piping that is buried underground, not readily
23 accessible to the licensee or NRC for visual
24 inspection and testing is totally unacceptable. I
25 mean it just stands to reason if you can't see

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1 something you can't inspect it. If you can't inspect
2 it and it has a safety significance, in this case,
3 you're releasing the radioactive of effluent into the
4 environment, then I think the NRC needs to pay a
5 little bit more attention and require these systems to
6 be exposed for inspection.

7 Also in the case of this tritium leak, you
8 know the NRC allowed this plant to continue operations
9 despite three petitions requesting the NRC to do
10 otherwise and to require this licensee to shut the
11 plant down so that the leak could be identified and
12 corrected. By allowing the plant to continue
13 operations, the NRC was relying on the licensee's
14 report to the degree of the leak was entering the
15 environment through these monitoring wells.

16 But the NRC had no reasonable assurance to
17 believe the licensee because the licensee management
18 had lied under oath with respect to the existence of
19 the pipes to begin with. Also the NRC had no reason
20 to believe and had no reasonable assurance that the
21 representations made by the licensee were conclusive
22 and that these supposedly monitoring wells would have
23 captured the entirety of the leak at the time.

24 This effluent could be leaking elsewhere.
25 It just so happens that these wells may not have

1 detected it. So even to this day the NRC can't be
2 sure that the radioactive effluent hasn't enter the
3 environment at some point that wasn't captured by
4 these monitoring wells.

5 So I think the NRC Inspector General needs
6 to focus inspection activities on the NRC's conduct in
7 these circumstances because it's very questionable as
8 to whether public health and safety was protected or
9 not in these circumstances. In my view, it wasn't.
10 These should always -- The NRC, you know, the public
11 depends on the NRC to protect its public health and
12 safety and in these circumstances NRC should act in a
13 most conservative manner and bring that plant to a
14 cold shutdown. Let's dig up these pipes to see where
15 the leak is and let's fix it before this reactor is
16 allowed to continue operation.

17 Although there's numerous deficiencies on
18 the part of the licensee in these circumstances, there
19 is just as many deficiencies on the part of the NRC in
20 its failure to properly oversee this particular
21 nuclear power plant, the Vermont Yankee, and its
22 failure to protect public health and safety and the
23 environment in these circumstances. That's all I have
24 and I conclude. But I'm willing to address any
25 questions the PRB staff may have at this time or any

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1 questions from the licensee's representative.

2 CHAIRMAN BLOUNT: Mr. Saporito, thank you
3 very much. This is Tom Blount, PRB Chair. We
4 appreciate the additional information that you
5 provided. I would like to hold the questions if I
6 might for process purposes until we've completed Mr.
7 Shadis' presentation.

8 MR. SAPORITO: Okay. Good.

9 CHAIRMAN BLOUNT: Thank you very much.

10 Mr. Shadis, I have approximately 10:20
11 a.m. at this time if you'd care to provide
12 presentation.

13 MR. SHADIS: Yes. Good morning. Thank
14 you for the opportunity to --

15 MR. SAPORITO: I can't hear. I'm sorry to
16 interrupt, but I can't hear.

17 MR. SHADIS: Okay. Can you hear me now?

18 MR. SAPORITO: Yes. Now I can.

19 MR. SHADIS: Okay. Thank you. I had set
20 the phone on mute.

21 In any case, thank you very much for the
22 opportunity to enlarge on our 2.206. We have several
23 concerns arising from the draft recommendations of the
24 PRB.

25 One is that in NEC's 2.206 we provided

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1 several examples where we believe that there was not
2 follow-through on maintenance where the reactor
3 oversight process had apparently failed to track
4 maintenance and management issues from one event to
5 the next. And I want to make it clear that these
6 examples were select examples only and that we believe
7 that because NRC staff has access to all of the
8 relevant documents that would spell out the history of
9 these accidents and equipment and personnel failures
10 that have occurred since Entergy took ownership of
11 Vermont Yankee. It is our hope that in reviewing
12 this the staff would be proactive in bringing those
13 documents, having a look at all of those examples.

14 The way that ADAMS is structured
15 differentiates between the public access and staff
16 access in that the staff, our understanding, is able
17 to retrieve information essentially bundled by event,
18 by licensee's submission or license amendment
19 application, whatever the categorization may be.
20 Whenever there is an NRC action underway, they are
21 pretty much able to bundle the documents and retrieve
22 them wholesale.

23 For the public to go through and pull out
24 all of the licensee submissions from ADAMS, it's
25 really a burdensome task. It's not easily done. So

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1 we didn't do it. We're relying on NRC staff as they
2 take up these issues to look at what they have in
3 ADAMS in their individual files to look at what the
4 licensee has in its condition reports, in its
5 Corrective Action Program documents, especially in the
6 disposition of issues as they are entered into and
7 checked off in the Corrective Action Program. And I'm
8 hoping that NRC staff will take a proactive position
9 with respect to the examples and not just say, "Well,
10 NEC did not provide sufficient examples or sufficient
11 documentation of these events for us to draw any
12 conclusions."

13 I do appreciate the fact that Mr. Saporito
14 did cite some additional examples of management
15 failure and maintenance failure in his presentation
16 this morning. That's one item of concern that we
17 have.

18 And the second item of concern goes to --
19 Hang on one second. It goes to number six in the
20 review matrix. This is NEC's concern that the reactor
21 oversight process has apparently failed to capture,
22 anticipate or prevent ongoing maintenance,
23 engineering, etc., issues. And I would like to add an
24 observation in that regard. If you'll just bear with
25 me because it's story time.

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1 Last week the New England Coalition --

2 PARTICIPANT: I'm on the phone.

3 MR. SHADIS: -- had four of its
4 representatives.

5 PARTICIPANT: What?

6 MR. SHADIS: Hello. Okay.

7 Last week NEC had four of its
8 representatives on a site visit to Vermont Yankee. In
9 particular, we were able to do a walk-around of the
10 excavation area where they're attempting to address
11 the tritium leak. And what I observed is not
12 reflected in any NRC reports thus far or in any of the
13 public presentations made by NRC and it kinda further
14 leaves us to question the efficacy of NRC review,
15 especially in this particular matter.

16 And that is that as we toured this site we
17 were impressed by the number of -- I don't know what
18 better to call them, but manhole covers, pipes and so
19 on exiting the ground at various locations in the
20 immediate vicinity within 40 or 50 feet of this
21 excavation. You know this is a basic telltale that
22 the underground systems adjacent to where these leaks
23 were found are complex. This is any number of
24 potential pathways for water flow, for the dispersal
25 of contamination.

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1 The ground around this site is literally
2 honeycombed with piping pathways, with pipe tunnels,
3 pipe trenches as they're called, whatever. It's well
4 excavated and built underground. You know this has
5 been reflected in none of the NRC presentations that
6 we've seen and for us it was an immediate stimulus to
7 inquire as to whether the company in attempting to
8 address these leaks had lifted these coverplates and
9 accessed this subterranean passages or not.

10 And we've seen none of that questioning at
11 least on the record to date coming from NRC. It may
12 well be that site resident inspectors saw this. I
13 don't know. But you know it hasn't at least come out
14 in any public document yet and it makes us anxious,
15 concerned, about whether NRC is exhibiting the full
16 questioning attitude that is necessary for reactor
17 oversight really to look at the excavations and not
18 inquire as to the proximity of all of these
19 underground passages with respect to them as potential
20 pathways.

21 For us, it's beyond a pail. And if, at
22 the primary level, inspection doesn't have this
23 questioning attitude, this inability to project
24 possibilities then we cannot see how the reactor
25 oversight process can effectively build on the routine

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1 inspection regime or even the special inspections that
2 NRC has done in this case. If the questioning
3 attitude isn't there, if the ability to project real
4 possibilities isn't there, then we don't see how it
5 can go up into the reactor oversight process itself.
6 And therefore this sort of underscores our concern
7 with number six.

8 I would like to -- I guess also with
9 respect to number six and that particular site visit
10 I should say that we were struck by the proximity of
11 the condensate storage tank to the groundwater
12 remediation pumping well. This is in a depressed area
13 in an alleyway between buildings between plant
14 structures and it is as close to the condensate
15 storage tank as it is to the off-gas building. And
16 everything that we saw and heard from the company gave
17 us no confidence that the leaks have indeed represent
18 all of the leaks.

19 The leaks that have been found and
20 isolated may very well not be the only leaks that just
21 simply from the proximity of the condensate storage
22 tank, its contents and the pumping wells. It could
23 just as well be that additional leaks are present in
24 the condensate system. So there's that further
25 observation and we've seen none of that reflected in

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1 any NRC public statements or public documents so far.

2 Okay. Bear with me. On the draft
3 recommendation matrix, items numbers two, four and
4 five have all been tagged as issues which in part or
5 in all can be handled in the licensing hearing. We
6 have a lot of problem with this because as the PRB may
7 be aware New England Coalition is an intervenor in the
8 license renewal application. And that is -- There has
9 not been a final decision or confirmation from the
10 Commission on that.

11 However, the Atomic Safety and Licensing
12 Board, ASLB, ruled on that last year and the record is
13 closed. Now the regulations with respect to -- the
14 rules, excuse me, with respect to how one may raise
15 new issues or ask for a reopening of the record are
16 very narrow. They're very specific. And they are
17 very time sensitive.

18 Our understanding is that one must apply
19 for a reopening of the record within 30 days of having
20 ascertained the new information. And the new
21 information has to be such that if it forms the basis
22 of a contention and that contention is proven correct
23 that the Atomic Safety and Licensing Board would be
24 led to a different conclusion than the one that had in
25 the original hearing.

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1 This is a humongous burden. This is
2 onerous. It's something that's beyond the resource
3 capability of New England Coalition at this time to
4 find expert witnesses, to prepare affidavits, to find
5 an attorney to prepare a watertight filing, to get
6 this in front of the Atomic Safety and Licensing
7 Board. It's not impossible, but it's real close to
8 impossible.

9 And it's our recollection that when we
10 questioned the Atomic Safety and Licensing Board
11 during the hearings about issues that seems to be
12 maturing but would not mature before the ASLB rendered
13 its decision as to how exactly we could them or bring
14 them to the ASLB the response was you have the 2.206
15 process available to you and that's where any post
16 licensing issues need to be taken.

17 So that's where we've taken these items
18 numbers two, four and five. But now the Petition
19 Review Board is telling us apparently to take it to
20 the ASLB. I know that this opportunity this morning
21 is not an opportunity to question the Board. But if
22 the Petition Review Board, in particular, the Office
23 of General Counsel would care to give us some advice
24 on this it would be greatly appreciated.

25 And that summarizes. That's it for my

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1 comments. I thank you very much for your attention.

2 CHAIRMAN BLOUNT: Thank you, Mr. Shadis.
3 We appreciate your comments and your information.

4 I would like to clarify that you're
5 correct in that the purpose of this meeting was to
6 gain additional information regarding your petition.
7 And I don't believe that the legal counsel for the
8 agency is going to be providing advice at this point.

9 MR. SHADIS: Well, let me just say that
10 New England Coalition at this point, at this juncture,
11 we believe that the PRB is wrong to refuse to consider
12 these items on the basis that there is a licensing
13 hearing opportunity available to us. We don't see it
14 and so we want to be very clear that and for the
15 reasons I stated that this is wrong. And we would ask
16 the PRB on these items two, four and five to please
17 reconsider. Thank you.

18 CHAIRMAN BLOUNT: Thank you. Again, Mr.
19 Shadis, we appreciate your information and we will
20 take all of the information that we've received under
21 consideration.

22 At this point, I would ask does anyone
23 here at Headquarters that has a question for either
24 Mr. Saporito or Mr. Shadis.

25 MR. GARRY: This is Steve Garry from

1 Division of Inspection and Regional Support. I just
2 want to ask if either Mr. Saporito or Mr. Shadis if
3 they're aware of any of the tritium leaks that has
4 caused an accedence of any of the NRC ALARA standards
5 or any of the EPA Drinking Water Standards.

6 MR. SAPORITO: This is Mr. Saporito. To
7 the extent that the licensee's leak of radioactive
8 tritium occurred at the Vermont Yankee Nuclear
9 Facility, I maintain that the NRC to this date has no
10 reasonable measure of reasonable assurance that the
11 licensee did in fact not violate NRC requirements with
12 respect to the quantity of that leak of radioactive
13 effluent.

14 The NRC has relied on only selective
15 monitoring wells that the licensee placed at their
16 discretion to ascertain the quantity of that leak of
17 radioactive effluent. Therefore the licensee's
18 assertion as to the quantity of that leak of
19 radioactive effluent may not be in fact accurate as
20 determined by the licensee. So the NRC doesn't appear
21 to this date to have made any reasonable reliable
22 conclusions with respect to whether the licensee
23 violated its technical specifications and safety
24 margins at that plant vis à vis the radioactive leak
25 of effluence in these circumstances.

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1 MR. SHADIS: Hello. This is Ray Shadis
2 responding also on that question. To be specific with
3 respect to drinking water that was sampled, the answer
4 is no. The groundwater however certainly exceeded EPA
5 maximum concentration limits by a factor of 100 or
6 more. And the only issue there is whether we're
7 limited to considering actual drinking water well
8 samples or if the groundwater can at some level be
9 considered drinking water.

10 I would also point out that while there is
11 not a violation of the limits per se in tight
12 definition there is a contradiction to NRC's stated
13 goals and I would refer you there as we had did in our
14 2.206 to SECY 090174 December 2, 2009 which states and
15 this is just in part with regard to buried piping "the
16 goals of current regulations are" and an ellipsis here
17 at the end of that "to maintain inadvertent releases
18 below licensee tech specs and other applicable limits
19 which apply at the site boundary." And I guess the
20 operative word there is "to maintain" these
21 inadvertent releases below these limits, not wait
22 until they exceed these limits.

23 Thank you.

24 CHAIRMAN BLOUNT: This is Tom Blount.
25 Thank you very much both of you gentlemen.

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1 Any other questions from here at
2 Headquarters?

3 (No verbal response.)

4 Any questions from any of the Headquarters
5 staff on the phone?

6 MS. MENSAH: This is Tanya Mensah.

7 CHAIRMAN BLOUNT: I'm sorry. Tanya. Are
8 you there?

9 MS. MENSAH: Yes. This is Tanya Mensah.
10 No comments.

11 CHAIRMAN BLOUNT: Thank you.

12 Bob Kuntz, are you still on the line?

13 MR. KUNTZ: Yes, I'm still here. This is
14 Rob Kuntz from Division of License Renewal. I don't
15 have any questions.

16 CHAIRMAN BLOUNT: Thank you very much,
17 Rob.

18 Region I, do you have any questions for
19 Mr. Saporito or Mr. Shadis?

20 MR. BOWER: No, I do not. Thank you.
21 Fred Bower.

22 CHAIRMAN BLOUNT: Okay. And let's see.
23 The licensee, is the licensee still on the line?

24 MR. DEVINCENTIS: Yes. Entergy has no
25 questions.

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1 CHAIRMAN BLOUNT: Very good.

2 Before I conclude the meeting, members of
3 the public may provide comments regarding the petition
4 and ask questions about the 2.206 petition process.
5 However, as stated at the opening, the purpose of this
6 meeting is not to provide an opportunity for the
7 Petitioner or the public to question or examine the
8 PRB regarding the merits of the petition request.

9 Members of the public, I understand we
10 have someone from the Brattleboro Reformer. Do you
11 have any question?

12 (No verbal response.)

13 CHAIRMAN BLOUNT: I'm sorry. I didn't
14 hear that. Could you repeat yourself?

15 MR. AUDETTE: Sure. Brattleboro Reformer
16 has no question.

17 CHAIRMAN BLOUNT: Ah, thank you very much.

18 MR. AUDETTE: Thank you.

19 CHAIRMAN BLOUNT: Mr. Saporito, Mr.
20 Shadis, thank you for taking the time to provide the
21 staff with clarifying information on the petitions
22 you've submitted.

23 MR. BLANCH: This is Paul Blanch. I'd
24 like to make a statement.

25 CHAIRMAN BLOUNT: Yes. Please.

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1 MR. BLANCH: Hi. This is Paul Blanch. I'm
2 a consultant to New England Coalition.

3 And there's two comments I would like to
4 make with respect to some of the previous discussion.
5 One of the NRC staff members, I believe it was in
6 Headquarters, asked a question. Do you see any
7 violation of regulations with respect to ALARA which
8 I believe is 10 CFR 50 Appendix I? That's only part
9 of the question.

10 The question is do you see any potential
11 violation of regulations here. And I think the staff
12 needs to look at potential violations of 10 CFR 50
13 Appendix A, General Design Criteria 64 and I believe
14 it's also 60 which require the monitoring of effluence
15 from the plant. I believe those are applicable with
16 respect to this situation. So just asking a question
17 "Does it violate exposure limits of Appendix I or Part
18 20," that's only half the question.

19 The other comment I want to make and I was
20 part of the tour last week at Vermont Yankee is that
21 we toured the area of the leak. We saw the trench
22 that was dug there and allegedly they identified the
23 leak there. But we also looked at other ground
24 monitoring wells that are in the vicinity here as Mr.
25 Shadis mentioned of the condensate storage tank. And

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1 two issues came about there.

2 Looking at the data from the results of
3 the wells and the information provided by Entergy with
4 respect to the plume from my engineering background I
5 have little assurance that this water is not emanating
6 from the condensate storage tank.

7 I looked at the license renewal
8 application and I was unable to find that the
9 condensate storage tank is covered either under the
10 maintenance rule of 10 CFR 65 or under the license
11 renewal application. It was not discussed as far as
12 part of the license renewal application.

13 And I believe there is a probability that
14 there is leakage from the condensate storage tank.
15 This wouldn't be the first time outdoor tanks
16 containing radioactive material have leaked. We've
17 seen significant leakage at other plants including
18 Connecticut Yankee with the refueling water storage
19 tank over its lifetime leaked a significant amount of
20 strontium-90 and tritium and some other fission
21 product into the environment.

22 And the data I've looked at has not
23 provided me with assurance that they have eliminated
24 the condensate storage tank and other potential
25 sources as the reason for the tritium and the

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1 groundwater. I believe that they probably found one
2 source, but I have no assurance that they have located
3 all sources of the tritium.

4 And that concludes my statement. Thank
5 you.

6 CHAIRMAN BLOUNT: Mr. Blanch, thank you
7 very much for that additional insight.

8 Before we close, does the Court Reporter
9 need any additional information for the meeting
10 transcript?

11 COURT REPORTER: Not at this time.

12 CHAIRMAN BLOUNT: Thank you very much.
13 With that, this meeting is concluded. We will be
14 terminating the phone connection. Have a nice day,
15 everyone. Off the record.

16 (Whereupon, at 10:50 a.m., the above-
17 entitled matter was concluded.)

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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: Petition of Raymond Shadis

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.


Brandon Paterson
Official Reporter
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