

**Petition Review Board Discussion with Petitioner
Crystal River Nuclear Generating Plant, Unit 3
Thomas Saporito, 2.206 Petition G20090690**

Agenda

Purpose:

1. For the petitioner, Thomas Saporito, to address the Petition Review Board (PRB) for the petition Against the Progress Energy Company, regarding containment concrete delamination at Crystal River Nuclear Plant, Unit 3
 - A. Welcome and Introductions (Farideh Saba, Petition Manager)
 - B. PRB Chairman's Introduction (Tom Blount, PRB Chair)
 - C. Petitioner's Presentation (Thomas Saporito)
 - D. PRB Chairman's Closing Remarks (Tom Blount)

Talking Points

- A. Welcome and Introductions (Farideh Saba)
 - I'd like to thank everybody for attending this meeting. My name is Farideh Saba and I am the Crystal River Nuclear Generating Plant Unit 3 Project Manager. We are here today to allow the petitioner, Thomas Saporito, to address the Petition Review Board, regarding the 2.206 petition dated December 5, 2008. I am the Petition Manager for the petition. The Petition Review Board Chairman is Tom Blount.
 - As part of the Petition Review Board's (or PRB's) review of this petition, Thomas Saporito, has requested this opportunity to address the PRB.
 - This meeting is scheduled from 10:30 AM-12:00 PM (eastern time). 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 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 [Farideh Saba starts off the introductions].
 - We've completed introductions at the NRC headquarters. At this time, are there any NRC participants from the Regional Office on the phone? (Regional participants introduce themselves)
 - Are there any representatives for the licensee on the phone?
 - Mr. Saporito, would you please introduce yourself for the record.

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- Are there any others, such as members of the public, on the phone?
- I'd like to emphasize that we each need to speak clearly and loudly to make sure that the court reporter can accurately transcribe this meeting. If you do have something that you would like to say, please first state your name for the record.
- At this time, I'll turn it over to the PRB Chairman, Tom Blount.

B. Opening Remarks For Tom Blount

- Good morning. Welcome to this meeting regarding the 2.206 petition submitted by Mr. Saporito.
- I'd like to first share some background on our process:

Section 2.206 of Title 10 of the Code of Federal Regulations describes the petition process – the primary mechanism for the public to request enforcement action by the NRC in a public process. This process permits anyone to petition NRC to take enforcement-type action related to NRC licensees or licensed activities. Depending on the results of its evaluation, NRC could modify, suspend or revoke an NRC-issued license or take any other appropriate enforcement action to resolve a problem. The NRC staff's guidance for the disposition of 2.206 petition requests is in Management Directive 8.11, which is publicly available.

- The purpose of today's meeting is to give the petitioner an opportunity to provide any additional explanation or support for the petition before the Petition Review Board's initial consideration and recommendation.
 - a. This meeting is not a hearing, nor is it an opportunity for the petitioner to question or examine the PRB on the merits or the issues presented in the petition request.
 - b. No decisions regarding the merits of this petition will be made at this meeting.
 - c. Following this meeting, the Petition Review Board will conduct its internal deliberations. The outcome of this internal meeting will be discussed with the petitioner.
 - d. The Petition Review Board typically consists of a Chairman, usually a manager at the senior executive service level at the NRC. It has a Petition Manager and a PRB Coordinator. Other members of the Board are determined by the NRC staff based on the content of the information in the petition request.
 - e. At this time, I would like to introduce the Board.

I am Tom Blount, the Petition Review Board Chairman. Farideh Saba is the Petition Manager for the petition under discussion today. Tanya Mensah is the office's PRB Coordinator. Our technical staff includes:

Farhad Farzam and George Thomas from the Office of Nuclear Reactor Regulation (NRR)'s Mechanical and Civil Engineering Branch

Ali Rezai from NRR, Piping and NDE Branch

Marvin Sykes and Mark Frank Branch Chiefs from Region II.

We also obtain advice from our Office of General Counsel, represented by Molly Barkman.

- f. As described in our process, the NRC staff may ask clarifying questions in order to better understand the petitioner's presentation and to reach a reasoned decision whether to accept or reject the petitioner's requests for review under the 2.206 process.
- I would like to summarize the scope of the petition under consideration and the NRC activities to date.

- a. On December 5, 2009, Mr. Saporito submitted to the NRC a petition, under 2.206, against Progress Energy Corporation at Crystal River Nuclear Generating Plant, Unit 3.
- b. In this petition request, Mr. Saporito identified the following areas of concern:

Mr. Saporito requests that the NRC take enforcement action against the licensee and issue a Confirmatory Order requiring that the licensee:

1. Physically remove the outer ten-inches of concrete surrounding the CRN containment building from the top of the containment building to the bottom of the containment building and encompassing 360-degrees around the entire containment building
2. Test samples of the concrete removed from the CRN containment building for composition and compare the test results to a sample of concrete from a similarly designed facility like the Florida Power and Light Company (FPL), Turkey Point Nuclear Plant (TPN); and
3. Maintain the CRN in cold-shutdown mode until such time as the licensee can demonstrate full compliance with its NRC operating license for CRN within the safety margins delineated in the licensee's Final Safety Analysis Report (FSAR) and within the CRN site specific technical specifications; and (4) provide the public with an opportunity to intervene at a public hearing before the NRC Atomic Safety and Licensing Board (ASLB) to challenge any certification made by the licensee to the NRC that it has reestablished full compliance with 10 CFR 50 and the safety margins delineated in its FSAR and technical specifications.

- c. Allow me to discuss the NRC activities to date.

On December 9, 2009, the petitioner requested to address the PRB prior to its initial meeting and requested time to prepare supplemental information for the board's consideration.

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

- Mr. Saporito, I'll turn it over to you to allow you to provide any information you believe the PRB should consider as part of this petition. You will have one hour, as you requested, to provide additional information to the PRB.

C. Petitioner's Presentation

D. PRB Chair Closing Remarks (Tom Blount)

- At this time, does the staff here at headquarters have any questions for Mr. Saporito? What about the Region?
- (IF THERE ARE ANY MEMBERS OF THE PUBLIC) Before I conclude the meeting, members of the public may provide comments regarding the petition and ask questions about the 2.206 petition process. However, as stated at the opening, the purpose of this meeting is not to provide an opportunity for the petitioner or the public to question or examine the PRB regarding the merits of the petition request.
- Mr. Saporito, thank you for taking time to provide the NRC staff with clarifying information on the petition you've submitted.
- Before we close, does the court reporter need any additional information for the meeting transcript?
- With that, this meeting is concluded, and we will be terminating the phone connection.