

Official Transcript of Proceedings
NUCLEAR REGULATORY COMMISSION

Title: 10 CFR 2.206 Petition Review Board
RE Indian Point Nuclear Generating Unit

Docket Number: 50-247, 50-286

Location: (telephone conference)

Date: Tuesday, November 9, 2010

Work Order No.: NRC-559
Edited by John Boska, NRC Petition Manager

Pages 1-19

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1 UNITED STATES OF AMERICA

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3 NUCLEAR REGULATORY COMMISSION

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5 10 CFR 2.206 PETITION REVIEW BOARD (PRB)

6 CONFERENCE CALL RE:

7 INDIAN POINT NUCLEAR GENERATING UNIT NOS. 2 AND 3

8 + + + + +

9 TUESDAY,

10 NOVEMBER 9, 2010

11 + + + + +

12 The above-entitled teleconference was
13 held at 10:30 a.m., TED QUAY, Petition Review Board
14 Chair, presiding.

15 PETITIONER: PAUL BLANCH

16 PETITION REVIEW BOARD MEMBERS:

17 TED QUAY, Chair, Deputy Director, Division of Policy
18 and Rulemaking, NRR

19 JOHN BOSKA, Petition Manager, Division of Operating
20 Reactor Licensing, NRR

21 TANYA MENSAH, PRB Coordinator, Division of Policy
22 and Rulemaking, NRR

23 RAO TAMMARA, Office of New Reactors

24 JIM TRAPP, Division of Reactor Safety, Region I

25 BRICE BICKETT, Division of Reactor Projects, Region I

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

1
2 MR. BOSKA: We will proceed. So I would
3 like to thank everyone for attending this meeting. My
4 name is John Boska. And I am the NRC's Petition
5 Manager for this petition.

6 We're here today to allow the petitioner,
7 Mr. Paul Blanch, to address the Petition Review Board
8 regarding his 2.206 petition dated October 25th, 2010,
9 on the gas pipelines at Indian Point Nuclear
10 Generating Unit numbers 2 and 3, which are located
11 just north of New York City on the Hudson River and
12 are operated by Entergy Nuclear Operations,
13 Incorporated, who may also be referred to as the
14 licensee or Entergy.

15 Mr. Blanch also submitted a supplement to
16 his petition, which was dated November 5th, 2010. I
17 am the Petition Manager for the petition. The
18 Petition Review Board Chairman is Ted Quay.

19 As part of the Petition Review Board's
20 review of this petition, Mr. Blanch requested this
21 opportunity to address the Petition Review Board,
22 which also be referred to as the PRB.

23 This meeting is scheduled to conclude by
24 11:30. The meeting is being recorded by the NRC
25 Operations Center and will be transcribed by a court

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

4 A. WELCOME AND INTRODUCTIONS

5 MR. BOSKA: I would like to open this
6 meeting with introductions. As we go around the room,
7 please be sure to clearly state your name, your
8 position, and the office that you work for within the
9 NRC for the record.

10 I am John Boska. I am a project manager
11 in the Office of Nuclear Reactor Regulation, which is
12 referred to as NRR.

13 MS. MENSAH: I am Tanya Mensah. I am the
14 2.206 Coordinator in the Office of NRR.

15 MR. BOYLE: Patrick Boyle, project
16 manager, NRR.

17 CHAIRPERSON QUAY: Ted Quay, Deputy
18 Director, Division of Policy and Rulemaking, NRR.

19 MS. SEXTON: Kimberly Sexton, attorney
20 with the Office of the General Counsel.

21 MR. GULLA: Gerry Gulla, Office of
22 Enforcement.

23 MR. TAMMARA: Rao Tammara. I'm the
24 technical reviewer for external hazards in NRO.

25 MR. BOSKA: All right. We have completed

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1 introductions in this room. At this time, are there
2 any NRC participants from NRC headquarters on the
3 phone?

4 (No response.)

5 MR. BOSKA: Are there any NRC participants
6 from the NRC regional office on the phone?

7 MR. BICKETT: This is Brice Bickett, NRC
8 Region I, senior project engineer.

9 MR. McCARVER: Sam McCarver, NRC Region I,
10 project engineer.

11 MR. MEYER: Glenn Meyer, senior inspector,
12 Region I, DRS.

13 MS. SCRENCI: Diane Screnci, public
14 affairs officer.

15 MR. TRAPP: Jim Trapp, Branch Chief,
16 Security, Region I.

17 MR. BICKETT: That's it from here, John.

18 MR. BOSKA: All right. Thank you.

19 Are there any representatives for Entergy
20 on the phone?

21 MR. WALPOLE: Yes, John. It's Bob
22 Walpole, Licensing Manager. Tom Orlando, our
23 Engineering Director, is here also.

24 MR. GAGNON: Danny Gagnon, Site Security
25 Manager.

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1 MR. SKONIECZNY: John Skonieczny, lead
2 senior engineer for design engineering, Civil-
3 Structural.

4 MR. WALPOLE: Are there any other Entergy
5 personnel on the phone?

6 MR. DENNIS: Yes. Bill Dennis.

7 MR. WALPOLE: Anyone else?

8 (No response.)

9 MR. WALPOLE: All right. John, that's it
10 for us.

11 MR. BOSKA: All right. Thank you.

12 Mr. Blanch, would you please introduce
13 yourself for the record?

14 MR. BLANCH: Yes. My name is Paul Blanch.
15 I reside in West Hartford, Connecticut. I am the
16 author of the 2.206 petition along with supplement 1.

17 And I would like to make sure that the
18 court reporter confirms that he/she is on the line. I
19 didn't hear confirmation there.

20 MR. BOSKA: Do we have the court reporter
21 on the line?

22 (No response.)

23 MR. BOSKA: Mr. Blanch, what will occur is
24 that since this call is being recorded in our
25 Operations Center, a recording will be sent to the

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1 court reporter, and they will transcribe the call from
2 the recording.

3 MR. BLANCH: Okay. And I assume that I
4 will have, like in the past, a copy of the transcript
5 to review.

6 MR. BOSKA: That will be done, yes.

7 MR. BLANCH: Okay.

8 MR. BOSKA: All right. Are there any
9 others, such as members of the public, on the phone
10 that wish to introduce themselves?

11 MR. SHADIS: Yes. This is Raymond Shadis.
12 I am with New England Coalition.

13 And I have reviewed Mr. Blanch's 2.206
14 petition. I would like to comment on it after Mr.
15 Blanch is finished and after NRC, if they have any
16 questions, have had their questions satisfied.

17 MR. BOSKA: All right. Thank you, Mr.
18 Shadis.

19 Any others from the public?

20 MS. CONLEY: This is Maureen Conley with
21 Platts, McGraw-Hill.

22 MR. BOSKA: Thank you, Ms. Conley.

23 Any others?

24 MR. LOCHBAUM: This is Dave Lochbaum with
25 the Union of Concerned Scientists.

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1 MR. BOSKA: Thank you, Mr. Lochbaum.

2 Do we have any others?

3 MR. EDDY: This is Paul Eddy, New York
4 Public Service Commission.

5 MR. BOSKA: Thank you, Mr. Eddy.

6 Any others?

7 (No response.)

8 MR. BOSKA: All right. I would like to
9 emphasize that we each need to speak clearly and
10 loudly to make sure that the recording will correctly
11 pick up on this call. If you do have something that
12 you would like to say, please first state your name
13 for the record.

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

19 Please do not place this call on hold
20 since many phone systems play music when a call is on
21 hold, which is distracting for the other callers.
22 Thank you.

23 At this time I will turn it over to the
24 Petition Review Board Chairman, Ted Quay.

25

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1 B. PRB CHAIRMAN'S INTRODUCTION

2 CHAIRPERSON QUAY: Good morning. I'm Ted
3 Quay, the Petition Review Board Chairman. Welcome to
4 this meeting regarding the 2.206 petition submitted by
5 Mr. Blanch.

6 The purpose of today's meeting is to give
7 the petitioner an opportunity to provide any
8 additional explanation or support for the petition
9 before the Petition Review Board makes an initial
10 recommendation on whether or not to accept this
11 petition for review.

12 This is our second call with Mr. Blanch.
13 In the first call on November 2nd, 2010, Mr. Blanch
14 requested time to review the redactions made by the
15 NRC staff in the public version of his petition and to
16 prepare a supplement to his petition. The transcript
17 of that call is publicly available from the NRC's
18 Agencywide Documents Management and Access System,
19 ADAMS, under accession number ML103081077.

20 This meeting is not a hearing, nor is it
21 an opportunity for the petitioner to question or
22 examine the Petition Review Board on the merits or the
23 issues presented in the petition request.

24 No decision regarding the merits of this
25 petition will be made at this meeting.

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1 Following this meeting, the Petition
2 Review Board will conduct its internal deliberations.

3 The outcome of this internal meeting will be
4 discussed with the petitioner.

5 The Board members remain the same as
6 listed in the previous call. Would anybody like me to
7 review them?

8 (No response.)

9 CHAIRPERSON QUAY: Okay. Hearing not, we
10 also have legal advice from Kimberly Sexton from the
11 NRC's Office of General Counsel and advice from Gerald
12 Gulla from NRC's Office of Enforcement.

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

19 I would like to summarize the scope of the
20 petition under consideration and the NRC activities to
21 date. On October 25th, 2010, Mr. Blanch submitted to
22 the NRC a petition, ML number 103020293, under 10 CFR
23 2.206 regarding the potential hazard to the Indian
24 Point Nuclear Generating Unit Numbers 2 and 3 from the
25 gas pipelines that cross the site.

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1 The petitioner requests that the NRC order
2 the licensee to demonstrate that the licensee has the
3 capability to protect the public in the event of a
4 rupture, explosion, or fire on the gas pipelines. The
5 petitioner also requests that the NRC review all
6 available information, including demanding necessary
7 information from the licensee, to ensure compliance
8 with all regulatory requirements.

9 Allow me to discuss the NRC activities to
10 date. On October 25th, 2010, the NRC received this
11 petition. This petition was assigned to the NRC's
12 Office of Nuclear Reactor Regulation for evaluation.
13 On October 26th, the Petition Manager contacted the
14 petitioner to offer the opportunity to address the
15 PRB, to which the petitioner agreed. On November 2nd,
16 the PRB held a call with the petitioner, as I
17 mentioned previously. On November 5th, the petitioner
18 submitted a supplement to his 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 Thank you.

24 And, at this point, I am going to turn it
25 over to you, Mr. Blanch.

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1 MR. BLANCH: Thank you, Mr. Quay.

2 C. PETITIONER'S PRESENTATION

3 MR. BLANCH: Again, my name is Paul
4 Blanch. I am the petitioner. I understand that Mr.
5 Shadis, when I am done with my brief comments, will be
6 making some comments. And Mr. Lochbaum may be making
7 some comments.

8 Again, to reiterate, I filed a petition on
9 the 25th of October and supplemented it November 5th
10 of this year. And I assume that nothing will be
11 redacted from my supplement, as was done from my
12 original petition. That is a premise I am operating
13 because all of the information in my supplement came
14 directly from ADAMS and is available today.

15 I think the petition and its supplement
16 pretty much stands on its own. I reviewed it a few
17 times. And, as far as I'm concerned, it's pretty
18 clear unless the NRC has some questions about it.

19 What I would like to just add briefly are
20 some occurrences that have occurred in the nuclear
21 industry over the past few years. And Mr. Shadis and
22 maybe Mr. Lochbaum can amplify on some of these.

23 First of all, in the mid '90s, when
24 Connecticut Yankee went into decommissioning, shut
25 down permanently, there was discussion -- and I cannot

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1 find any documentation, but I was actually working at
2 Northeast Utilities. And they were considering
3 tearing down Connecticut Yankee (Haddam Neck Nuclear
4 Plant) and putting a gas plant there. And the
5 internal decision -- and it may have involved the NRC
6 -- was "We don't want to put a gas plant there because
7 it is too close to the dry cask storage facilities."

8 We have seen at Fort Saint Vrain where the
9 NRC issued an information notice where there was a gas
10 line about a half a mile away and the NRC did not
11 believe that there was a proper analysis done.

12 We saw for the NEF facility out in Eunice,
13 New Mexico an analysis done on the dangers of having a
14 low-pressure small-diameter gas line and the analysis
15 showed that the results were unacceptable from that
16 standpoint.

17 Mr. Shadis will probably be commenting on
18 some of the occurrences that he observed at Maine
19 Yankee. And I will let him speak for himself when I
20 am done here.

21 We recently saw the transformer explosion
22 at Indian Point Unit 2 last Sunday and noticed by some
23 of the media reports there was a blast shield between
24 the transformer and some structures. I'm not going to
25 get into any, try not to get into any security-related

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1 information.

2 Certainly the gas line has the capability
3 of having even more energy released from it should it
4 rupture. And you can see in my supplement where I
5 question the fact that this gas, natural gas, will not
6 explode unless it is in a confined space.

7 I think I have provided plenty of
8 documentation that gas lines do not have to be in a
9 confined space, as the NRC believes, to explode.
10 Again, there is the possibility of a blast or thermal
11 shield that could alleviate or reduce the probability
12 that a rupture or explosion of this gas line would
13 impact some of the vital structures that are within a
14 few hundred feet of Indian Point Unit 3 primarily, but
15 we see the numbers are pretty close to Indian Point
16 Unit 2.

17 And unless there's any questions about the
18 clarity of my 2.206 petition and its supplement and I
19 would also like to say that the energy contained and
20 released within this gas line, one could do an
21 engineering calculation, but the gas released in one
22 hour, the energy released from that brief rupture,
23 explosion, fire, whatever we want to call it, would
24 exceed the energy release from the atomic bomb, the
25 first atomic bomb, dropped on Japan in 1945. So we're

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1 not talking about an insignificant amount of energy or
2 potential energy being released.

3 And if there are no questions from NRC
4 personnel, I would like to next turn it over to Mr.
5 Shadis. And then if Dave Lochbaum has anything to
6 say, I would welcome his comments on the whole
7 situation.

8 Thank you.

9 CHAIRPERSON QUAY: Are there any comments
10 here in headquarters, questions?

11 (No response.)

12 CHAIRPERSON QUAY: Do we have anybody from
13 the region with any questions?

14 (No response.)

15 CHAIRPERSON QUAY: Hearing none, I think
16 we can go ahead, Mr. Blanch, and turn it over to Mr.
17 Shadis.

18 MR. SHADIS: Thank you.

19 This is Ray Shadis with New England
20 Coalition.

21 I would just like to underscore the
22 seriousness of this issue as a safety issue. And I
23 think I would address that anecdotally.

24 The Maine Yankee decommissioning contract
25 in 1997 was initially issued to Stone and Webster

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1 Engineering. Stone and Webster inserted a clause in
2 that contract which allowed them the option of
3 building a gas-fired plant on the Maine Yankee site
4 following decommissioning.

5 And at the time that Maine Yankee was
6 beginning to build its independent spent fuel storage
7 installation, the company let it be known that the gas
8 plant plans would have to be delayed until after the
9 spent fuel was removed, the reason being concern for
10 the potential impact of an accident or act of sabotage
11 with the natural gas pipeline, that would be required
12 to be built within about 300 yards of the ISFSI
13 [Independent Spent Fuel Storage Installation] should
14 they go ahead with the plans for a gas plant.

15 So it was very clear then that a gas plant
16 in proximity of stored fuel represented an untenable
17 hazard. In reviewing the photographs of the Indian
18 Point site, taking proximate measurements to
19 components and facilities that might be affected, I
20 can only, you know, look at this as an analogous
21 situation but without corresponding attention to the
22 safety hazard, a kind of double standard approach.

23 So I would urge NRC, at least at this
24 point, to recognize that there is significant,
25 sufficient safety concern here to at least take this

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1 issue up for consideration.

2 Thank you.

3 MR. BLANCH: This is Paul Blanch. I would
4 like to just comment on what Mr. Shadis said.

5 Concern was raised at Maine Yankee. A
6 typical line feeding a gas power plant of about 800
7 megawatts or 500 megawatts is about 12 inches in
8 diameter and probably at high pressure similar to 500
9 to 700 pounds.

10 The gas lines at Indian Point are not
11 distribution lines, but they are transmission lines.
12 And one of them is 30 inches. And there are one or
13 two additional 24 or 26-inch lines operated at 700
14 pounds.

15 With respect to Connecticut Yankee,
16 because they couldn't put a gas plant on the site at
17 Connecticut Yankee, they decided to build a gas plant
18 across the river, away from the ISFSI. And on
19 February 1st of this year when the gas plant at
20 Middletown, Connecticut was just about complete, the
21 gas line exploded, a 12-inch gas line, killing 8
22 people, causing \$800 million of damage.

23 So there is a risk. And it boggles my
24 mind that there appears to be no problem at Indian
25 Point, where the gas lines run within a few hundred

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1 feet of vital structures. But, yet, if one wants to
2 put a smaller gas line, lower pressure in the
3 proximity of an independent fuel, dry cask storage,
4 that are protected by 12 inches or more of concrete,
5 then the NRC seems to have a strong reluctance to
6 allow that.

7 And Dave Lochbaum, if he has any comments,
8 I would welcome to hear them at this time.

9 MR. LOCHBAUM: This is Dave Lochbaum. I
10 appreciate the opportunity, but I have no comments.

11 CHAIRPERSON QUAY: At this point I will
12 ask one more time if there is anybody here in
13 headquarters who has any questions for Mr. Blanch, Mr.
14 Shadis, or Mr. Lochbaum.

15 (No response.)

16 CHAIRPERSON QUAY: Hearing none, does the
17 region have any questions?

18 MR. BICKETT: No, no comments or questions
19 from the region.

20 CHAIRPERSON QUAY: Okay. Does the
21 licensee have any questions?

22 MR. WALPOLE: No questions, no comments.
23 This is Bob Walpole. Thank you.

24 D. PRB CHAIRMAN'S CLOSING REMARKS

25 CHAIRPERSON QUAY: Before I conclude the

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1 meeting, members of the public may ask questions about
2 the NRC's process for 2.206 petitions. However, as
3 stated at the opening, the purpose of this meeting is
4 not to provide an opportunity for the public to
5 question or examine the Petition Review Board
6 regarding the merits of the petition request. Are
7 there any questions on the 2.206 process from the
8 public?

9 (No response.)

10 CHAIRPERSON QUAY: Hearing none, Mr.
11 Blanch, thank you for taking time to provide the NRC
12 staff with clarifying information on the petition
13 you've submitted.

14 With that, this meeting is concluded. And
15 we will be terminating the phone call. Thank you all
16 for your participation. Goodbye.

17 MR. BLANCH: Thank you.

18 (Whereupon, the foregoing matter was
19 concluded.)

20
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