

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

Title: 10 CFR 2.206 Petition Review Board  
Vermont Yankee

Docket Number: 50-271

Location: (telephone conference)

Date: Thursday, January 20, 2011

Work Order No.: NRC-670

Pages 1-27

**ORIGINAL**

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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OFFICE OF NUCLEAR REACTOR REGULATION (NRR)

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PETITION REVIEW BOARD (PRB)

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IN THE MATTER OF:           :  
  
Vermont Yankee               : Docket No. 50-271  
  
10 CFR Petition from       :  
  
Raymond Shadis               :

-----x

Thursday, January 20, 2011

The above-entitled oral replay was  
conducted at 9:00 a.m.

BEFORE:

- |                |  |
|----------------|--|
| TED QUAY       | Chairman, Petition<br>Review Board                         |
| JAMES KIM      | Vermont Yankee Petition<br>Manager                         |
| RAYMOND SHADIS | Petitioner   |
| PAUL BLANCH    | New England Coalition                                      |
| CHRIS HOTT     | Senior Enforcement<br>Specialist, Office of<br>Enforcement |

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BEFORE (CONTINUED):

BRETT KLUKAN Office of General Counsel

TANYA MENSAH Division of Policy and  
Rulemaking, NRR

NANCY SALGADO Branch Chief, Division of  
Operating Reactor  
Licensing

THOMAS SETZER Division of Reactor Projects

AMELIA SHEA New England Coalition

SUSAN SMALLHEER Rutland Herald

CLAY TURNBULL New England Coalition

JAY WALLACE Office of Nuclear Reactor  
Regulation

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

(9:00 a.m.)

1  
2  
3 MR. KIM: Good morning. I'd like to thank  
4 everybody for attending this meeting.

5 My name is James Kim. And I'm the Vermont  
6 Yankee Petition Manager.

7 We are here today to allow the Petitioner,  
8 Mr. Raymond Shadis, to address the Petition Review  
9 Board regarding the proposed petition dated November  
10 17th, 2010.

11 I am the Petition Manager for the  
12 petition. The Petition Review Board Chairman is Ted  
13 Quay. As part of the Petition Review Board's review  
14 of this petition, Mr. Raymond Shadis has requested  
15 this opportunity to address the PRB.

16 This meeting is scheduled from 9:00 to  
17 10:00 a.m. The meeting is being recorded by the NRC  
18 Operations Center and will be transcribed by a court  
19 reporter. The transcript will become a supplement to  
20 the petition. The transcript will also be made  
21 publicly available.

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

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1 record.

2 I'll start off. This is James Kim. I'm  
3 a Project Manager for the Division of Operating  
4 Reactor Licensing in NRR.

5 MS. SALGADO: This is Nancy Salgado. I'm  
6 the Branch Chief in the Division of Operating Reactor  
7 Licensing.

8 MR. HOTT: This is Chris Hott. I'm a  
9 Senior Enforcement Specialist in the Office of  
10 Enforcement.

11 CHAIRMAN QUAY: Jim, just for your  
12 records, Hott is spelled H-O-T-T.

13 This is Ted Quay. I'm in the Division of  
14 Policy and Rulemaking in the Office of Nuclear Reactor  
15 Regulation.

16 MR. WALLACE: This is Jay Wallace. I'm a  
17 Materials Engineer also in NRR.

18 MS. MENSAH: This is Tanya Mensah. I'm  
19 the T206 Coordinator in the Division of Policy and  
20 Rulemaking, Office of Nuclear Reactor Regulation.

21 MR. KIM: Okay. At this time, are there  
22 any NRC participants from the headquarters on the  
23 phone?

24 (No response.)

25 MR. KIM: Hello, Regional Office on the

1 phone?

2 MR. SETZER: Yes, hello. This is Tom  
3 Setzer. I'm a Senior Project Engineer for Region I,  
4 Division of Reactor Projects.

5 MR. KIM: We have another gentleman that  
6 just joined us.

7 MR. KLUKAN: Hi, this is Brett Klukan.  
8 I'm the Attorney Representative from the Office of  
9 General Counsel.

10 MR. KIM: At this time, are there any  
11 representatives for the licensee on the phone?

12 MR. DeVINCENTIS: Yes, Jim DeVincentis, D,  
13 as in David, E-V as in Victor-I-N-C-E-N-T-I-S. I'm  
14 with Entergy Nuclear Operations.

15 MR. KIM: Mr. Shadis, would you please  
16 introduce yourself for the record?

17 MS. SHEA: Amelia Shay, I'm with the New  
18 England Coalition.

19 CHAIRMAN QUAY: Mr. Shadis?

20 (No response.)

21 MR. TURNBULL: And this is Clay Turnbull  
22 with the New England Coalition.

23 MR. BLANCH: This is Paul Blanch. I'm an  
24 energy consultant to New England Coalition. They must  
25 have an ice storm up in Maine. We lost Mr. Shadis.

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1 CHAIRMAN QUAY: Yes, we'll hold on for a  
2 couple of minutes while he tries to rejoin us.

3 MR. KIM: Is this Mr. Shadis?

4 (No response.)

5 CHAIRMAN QUAY: Who just joined the phone  
6 call?

7 MS. SMALLHEER: Susan Smallheer from the  
8 Rutland Herald in Vermont.

9 CHAIRMAN QUAY: Thank you. We're waiting  
10 for Mr. Shadis to join the line. He was on and I  
11 think he dropped off.

12 MR. KIM: Do we have Mr. Shadis on the  
13 line?

14 MR. SHADIS: Yes, this is Ray Shadis.

15 MR. KIM: Okay, Mr. Shadis, will you  
16 please introduce yourself for the record?

17 MR. SHADIS: Yes, my name is Raymond  
18 Shadis. I am with New England Coalition in  
19 Brattleboro, Vermont.

20 MR. KIM: Okay. Thank you.

21 I'd like to emphasize that we each to  
22 speak clearly and loudly to make sure that the court  
23 reporter can accurately transcribe this meeting. If  
24 you do have something that you would like to say,  
25 please first state your name for the record.

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1 For those dialing into the meeting, please  
2 remember to mute your phone to minimize any background  
3 noise or distraction. If you do not have a mute  
4 button, this can be done by pressing the keys \*6. To  
5 unmute, press the \*6 keys again. Thank you.

6 At this time, I'll turn it over to the PRB  
7 Chairman, Ted Quay.

8 CHAIRMAN QUAY: Good morning. Welcome to  
9 this meeting regarding the 2.206 petition submitted by  
10 Mr. Shadis.

11 I would like to first share some  
12 background information on our process. Section 2.206  
13 of Title 10 of the Code of Federal Regulations  
14 describes the petition process, the primary mechanism  
15 for the public to request enforcement action by the  
16 NRC in a public process. This process permits anyone  
17 to petition the NRC to take enforcement-type action  
18 related to NRC licensees or licensed activities.

19 Depending on the results of its  
20 evaluation, NRC could modify, suspend, or revoke an  
21 NRC-issued license or take any other appropriate  
22 enforcement action to resolve a problem.

23 The NRC's staff guidance for disposition  
24 of 2.206 petition requests is in Management Directive  
25 8.11, which is publicly available.

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1           The purpose of today's meeting is to give  
2           the Petitioner an opportunity to provide any  
3           additional explanation or support for the petition  
4           before the Petition Review Board's initial  
5           consideration and recommendation.

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

12          Following this meeting, the Petition  
13          Review Board will conduct its internal deliberations.  
14          The outcome of this internal meeting will be discussed  
15          with the Petitioner.

16          The Petition Review Board typically  
17          consists of a chairman, usually a manager at the  
18          Senior Executive Service level at the NRC. And has a  
19          Petition Manager and a Petition Review Board  
20          Coordinator. Other members of the Board are  
21          determined by the NRC staff based on the content of  
22          the information in the petition request.

23          At this time, I'd like to introduce the  
24          Board. I am Ted Quay, the Petition Review Board  
25          Chairman. James Kim is the Petition Manager for the

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1 petition under discussion today. Tanya Mensah is the  
2 Office Petition Review Board Coordinator.

3 Our technical staff includes Jay Wallace  
4 from the Office of Nuclear Reactor Regulation, Piping,  
5 and Non-Destructive Examination Branch, Thomas Setzer  
6 from NRC's Region I, Division of Reactor Projects.

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

13 I would like to summarize the scope of the  
14 petition under consideration and the NRC activities to  
15 date.

16 On November 17, 2010, Mr. Shadis submitted  
17 to the NRC a petition under 2.206 regarding the  
18 feedwater inspection port leak at Vermont Yankee  
19 Nuclear Power Station. In this petition request, Mr.  
20 Shadis requested that the NRC:

21 One, require Entergy Nuclear Vermont  
22 Yankee to do a thorough root cause analysis of Vermont  
23 Yankee's recent reactor feedwater piping system  
24 inspection port leak;

25 Two, require Entergy Nuclear Vermont

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1 Yankee to perform a comprehensive extent of condition  
2 review regarding the condition of all feedwater  
3 piping.

4 Allow me to discuss the NRC activities to  
5 date.

6 On November 23rd, 2010, you requested to  
7 address the Petition Review Board prior to its initial  
8 meeting to provide supplemental information for the  
9 Board's consideration.

10 By teleconference on December 8th, Mr.  
11 Shadis, you provided information to the Petition  
12 Review Board as further explanation and support for  
13 your petition and a copy of the transcript was  
14 forwarded to you.

15 The Petition Review Board met on December  
16 20th to discuss your petition and make an initial  
17 recommendation that the petition did not meet the  
18 criteria for review. The petition did not contain a  
19 request for enforcement-related action because there  
20 was no underlying violation associated with your  
21 request.

22 On December 21st, you were informed of the  
23 Petition Review Board's initial recommendation that  
24 the petition did not meet the criteria for review.  
25 The petition did not contain a request for

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1 enforcement-related action because there was no  
2 underlying violation associated with your request.  
3 You requested a root cause analysis/extent of  
4 condition review of the feedwater piping system at  
5 Vermont Yankee but this is not required by regulation.  
6 The original leak was in a non-safety-related piping  
7 and, therefore, 10 CFR 50, Appendix B, Criterion 16,  
8 Corrective Action, did not apply.

9 On January 4th, you requested another  
10 opportunity to address the Petition Review Board to  
11 provide any relevant information to support your  
12 petition. This phone call is for you to provide that  
13 information.

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

19 And at this point, Mr. Shadis, I'll turn  
20 it over to you.

21 MR. SHADIS: Thank you very much.

22 I would like to break this into two  
23 sections, one dealing with the question of whether or  
24 not there was any violation of regulation. And the  
25 second dealing with the question of the relevance of

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1 this system in terms of safety.

2 Firstly, the NRC has discretion in terms  
3 of actions it will take to protect public health and  
4 safety. So on that basis, rather than on enforcement  
5 of a given regulation, we ask that the PRB reconsider  
6 it's preliminary decision.

7 The provision of accurate information  
8 regarding plant condition is basic to safety review.  
9 And so the correction action program is an inspection  
10 target. I believe there is actually an inspection  
11 module in the ROP that is the corrective action  
12 program.

13 When a material defect is found and is  
14 relegated to the corrective action program, essential  
15 elements of that filing are to determine the cause of  
16 the defect and to determine where else in the plant  
17 that defect may occur. In other words, the root cause  
18 analysis and the extent of the condition review are  
19 essential elements of having any issue properly  
20 addressed in the corrective action program.

21 I would suggest that, you know, if you  
22 need a regulatory enforcement handle outside of the  
23 run of discretion, then the licensee's responsibility  
24 to operate a effective, credible corrective action  
25 program is one place where that would attach. And I

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1 think the other is in providing accurate and complete  
2 information to NRC with respect to the material  
3 condition of the plant.

4 The question of -- and I take it that it  
5 was the main point really in the preliminary decision  
6 that the feedwater system is not a safety system. And  
7 I would point out, however, that the feedwater system  
8 is within the scope for license renewal for aging  
9 management review and for aging management itself.

10 And this could be -- reference to this  
11 could be found in the staff's final safety evaluation  
12 report for the Vermont Yankee license renewal  
13 amendment, Section 2.3.1, the reactor coolant system.  
14 In the summary of technical information in that SER,  
15 there's a description of the nuclear boiler system.

16 And it points out that the feedwater  
17 system, the integrity of the feedwater system may  
18 interplay, may be essential, in fact, to the operation  
19 of the reactor core isolation cooling system and the  
20 high pressure coolant injection system. The feedwater  
21 lines are there for the injection of the HIPC and the  
22 RCIC.

23 This goes to NRC's acknowledgment that  
24 non-safety-related systems that may impact safety-  
25 related systems or interact with safety-related

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1 systems are subject to aging management review and to  
2 aging management. So, you know -- and I know that  
3 when the LRA -- when the license renewal is actually  
4 finally issued, that NRC has it in its program to do  
5 a follow-up inspection that presumably would confirm  
6 aging management on all of these systems.

7 It is -- you know we don't understand how  
8 one can assert that they have an adequate aging  
9 management program when defects are found in these  
10 systems and there is no effect, discernible effect  
11 from the original root cause analysis and extent of  
12 the condition review.

13 In other words, if an aging management  
14 program was in place, if this is being considered in  
15 terms of aging management as an interrelated system,  
16 then it is beyond us that the first root cause  
17 analysis and extent of the condition review conducted  
18 in 2009 should not have precluded the leak event in  
19 2010. And additionally, it's -- we cannot understand  
20 the lack of professional curiosity that would drive a  
21 company and a regulatory agency to find out where else  
22 in the system similar conditions might exist that  
23 would proceed a leak.

24 That's one part of the failing of the  
25 extent of the condition review. But as we read the

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1 licensee's protocols for root cause analysis and  
2 extent of the condition review, you know, we see them  
3 as probing and comprehensive. But we don't see that  
4 carry through when they actually perform their root  
5 cause analysis.

6 For example, the -- when you have a  
7 defect, according to their protocols, you then look  
8 for similar physical conditions in similar material  
9 throughout the plant, not just in the same system. So  
10 where assumptions have been made about the sealing  
11 capability of, you know, threaded fittings where  
12 assumptions have been made about the quality of seal  
13 welds put over threaded fittings, where carbon steel  
14 has been subjected to a similar environment as that of  
15 the feedwater system, wherever it is throughout the  
16 plant, Entergy's protocols for extent of the condition  
17 review would require that the company examine these  
18 areas. And there is no evidence that that has  
19 happened either.

20 So in the least, in the context of aging  
21 management, as we're now pushing to the end of this  
22 license, I believe that NRC does have a handle on this  
23 in terms of regulation, that NRC has good cause to  
24 want to be certain that the conditions that effected  
25 the leak at plug number one in 2009 and plug number

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1 two in 2010 do not exist elsewhere and will not result  
2 in another leak elsewhere.

3 The question of barriers comes up. This  
4 is -- this feedwater system is part of the pressure  
5 boundary. I'm fully aware that -- or at least I've  
6 been informed that there are check valves in place so  
7 that the leaks which have occurred in the outer  
8 reaches of the feedwater system would not effect  
9 performance of safety-related systems during a design  
10 basis event.

11 But that is relying on the single boundary  
12 of a check valve. And I'm not sure that that's where  
13 NRC wants to go in terms of providing assurance of  
14 public health and safety in the design basis event.

15 I think that concludes my statements. I  
16 hope that, you know, you've recorded them and can sort  
17 them out and make them a little more clear as you go  
18 along. And that you will consider them in making your  
19 final recommendation to your executive.

20 And I guess that completes my comments.

21 MR. BLANCH: Ray, this is Paul Blanch.  
22 May I make some statements?

23 MR. SHADIS: I'm sorry. I should have  
24 introduced Mr. Paul Blanch is with me today. And has  
25 some comments with respect to the root cause analysis

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1 review.

2 MR. BLANCH: Okay. I have -- this is Paul  
3 Blanch, energy consultant for New England Coalition.  
4 And I have a few comments, comments, first of all, on  
5 Mr. Quay's introduction where he clearly made the  
6 statement that the 2.206 petition has to require  
7 enforcement action.

8 I think if one reads 2.206 and 10 CFR  
9 2.202, a 2.206 petition can request enforcement action  
10 or any other action such as a demand for information  
11 or any other things. I think it was a misleading  
12 statement when Mr. Quay said a 2.206 petition must  
13 request enforcement action. And that seems to be the  
14 basis for the proposed rejection of this 2.206  
15 petition.

16 It does not, in my interpretation, require  
17 a request for enforcement action. That's point number  
18 one.

19 I have personally looked at previous  
20 Entergy root cause analysis reports. And I have  
21 actually a copy of their root cause analysis  
22 procedure. I think it is EN118. And I have looked at  
23 a root cause analysis report on Vermont Yankee, on the  
24 augmented off-gas tritium leak. And from my  
25 experiences and my training as a root cause expert, I

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1 think that the NRC clearly should have recognized the  
2 deficiencies in that root cause analysis report that  
3 they said the root cause of that particular event  
4 where the tritium leaked into the groundwater, that  
5 the root cause was the fact that the drains were  
6 plugged.

7           Anyone with any knowledge about root cause  
8 analysis would know that that event, that's certainly  
9 one of the root causes, and there's more than one, was  
10 a design deficiency of the pipe. And the pipe failed.  
11 But yet the NRC accepts that.

12           I have a copy of the root cause analysis  
13 report done for the February 15th event by Entergy at  
14 Indian Point Unit 2. This was a vital system  
15 condensate storage tank, had an 18-gallon permitted  
16 leak in a pipe that had been leaking for years. And  
17 the root cause analysis said the hole was caused  
18 because of soil around the pipe was wet.

19           Circular logic here. And, in my opinion,  
20 the NRC will not challenge the root cause analysis  
21 report.

22           With respect to the importance of  
23 feedwater, and I fully recognize that Vermont Yankee  
24 is a boiling water reactor, but if we look at one of  
25 the root causes of the TMI event, it was caused by

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1 perturbations in the feedwater system -- feedwater and  
2 condensate system.

3 And for the NRC to stick its head in the  
4 sand and say that's not safety related is  
5 inappropriate. I think that the NRC, and again, this  
6 is not a demand for enforcement action, the NRC needs  
7 to do a review of how Entergy conducts root cause  
8 analysis.

9 It always seems to center that the root  
10 cause analysis was someone else's fault, construction  
11 problem, not our fault, so we don't have to fix it.  
12 That's the case in Vermont Yankee plugging of the pipe  
13 drain. Same for the Indian Point. And I haven't seen  
14 the root causes analysis on this particular event, but  
15 I would assume it would be similar -- that is, blame  
16 it on someone else.

17 But again, I'd like to conclude that it  
18 looks like the proposed rejection of Mr. Shadis' 2.206  
19 petition is, and I could be wrong on this, is that it  
20 failed to request enforcement action. And I know  
21 there is someone from the Office of General Counsel on  
22 the line. I think they would support the fact that a  
23 2.206 petition does not have to request enforcement  
24 action, as inferred by Mr. Quay. And that was his  
25 limit of the 2.206 petition.

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1           And I would like to conclude that this is  
2 a significant issue, as Mr. Shadis said. We have no  
3 idea if a proper extent of condition has not been  
4 conducted where the next leak is going to occur.

5           It could occur in the feedwater system.  
6 It could occur in any piping under -- of those systems  
7 that are covered under 10 CFR 54, safety-related  
8 systems.

9           And I think that the NRC really needs to  
10 take a close look at Entergy's procedure EN118 and --  
11 which is not a bad procedure -- and compare the actual  
12 root cause analysis to Entergy's requirement and also  
13 those requirements that are in 10 CFR 50, Appendix B.

14           And I think a very -- the two examples I  
15 provided totally show that Entergy is unwilling or  
16 incapable of doing a proper root cause analysis.

17           Thank you.

18           MR. SHADIS: This is Ray Shadis again.

19           If I may, I was reviewing my notes during  
20 Mr. Blanch's presentation. And there is something I  
21 forgot to mention which may be helpful to the Petition  
22 Review Board.

23           In terms of the interaction of non-safety  
24 systems with safety-related systems, the license  
25 renewal application and the SER mention specifically

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1 the potential effects of leakage and spray on safety-  
2 related systems.

3 And I'm presuming here that they are  
4 talking about the effect of leakage and spray on  
5 instrumentation, on control systems, on wiring that  
6 may not be qualified for accident conditions or  
7 qualified for wetting.

8 And but that is certainly one mechanism  
9 that intuitively presents itself with respect to leaks  
10 in the feedwater system. And I'm fully aware that the  
11 two leaks that took place were just dripping in  
12 nature.

13 These were not spray leaks. But there's  
14 no doubt that had they progressed further, there would  
15 have resulted in failure of the plug and spray at  
16 about 1,000 psi. So, you know, I think this is a very  
17 obvious interconnection between the feedwater system  
18 and any safety-related systems that might have been  
19 effected.

20 And with that, I would conclude my  
21 comments and open to any questions that the -- for  
22 clarification that the Petition Review Board might  
23 have.

24 CHAIRMAN QUAY: Okay. At this time, does  
25 the staff here at headquarters have any questions for

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1 Mr. Shadis?

2 MR. KLUKAN: This is Brett Klukan from --  
3 again, from the Office of General Counsel.

4 Mr. Shadis, it is proposed by Mr. Blanch  
5 that what you are asking for is not necessarily a  
6 request for enforcement action. And so, if you would,  
7 how would you characterize your request?

8 MR. SHADIS: This is a request for the NRC  
9 to provide assurance of public health and safety  
10 within their discretion for action.

11 MR. KLUKAN: So you're arguing that this  
12 event -- this leak event caused or should have caused  
13 the NRC not to have reasonable assurance in Vermont  
14 Yankee's operations of the feedwater systems as it  
15 relates to other safety-related systems or as it  
16 becomes a safety-related system. Is that your  
17 argument? Am I --

18 MR. SHADIS: Well, that is part of it.  
19 But certainly -- certainly at the base of this is the  
20 failure of the corrective action program at Vermont  
21 Yankee, including the root cause analysis and extent  
22 of condition review that was done in 2009 with the  
23 first feedwater leak to identify the possibility of  
24 additional feedwater leaks and to preclude the one  
25 that took place in 2010 and potentially the one that

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1 is going to take place in 2011, either in the  
2 feedwater system or elsewhere where similar conditions  
3 exist.

4 So, you know, what's lacking here is the  
5 assurance that would be gained by a proper response  
6 from the company and from NRC to conditions of  
7 material degradation.

8 MR. KLUKAN: All right. Again, this is  
9 Brett Klukan. Thank you for your response, Mr.  
10 Shadis.

11 Recognizing that you are speaking with an  
12 attorney and not an engineer right now, what exactly  
13 was lacking in that event condition report and root  
14 cause analysis? What should have the licensee done?  
15 And as such, had they done that, would have precluded  
16 the occurrence of this later leak?

17 MR. SHADIS: Sure, in narrow focus, okay,  
18 the licensee should have conducted a detailed and  
19 comprehensive inspection of all similar physical  
20 situations on the feedwater system, one, and then in  
21 a more diffuse manner, on similar systems, that is  
22 carbon steel piping carrying liquid that could  
23 potentially fail throughout the plant.

24 So -- but the first, you know, the first  
25 item there, the first criteria really is to determine

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1 the root cause of the original leak. We don't know  
2 that they did that. We don't have access to that  
3 original root cause analysis.

4 And -- but we do know that the resulting  
5 extent of condition review was not adequate because  
6 had it been adequate, they would have precluded or  
7 anticipated the second leak. And that was clearly not  
8 the case.

9 So yes, that would have been -- that would  
10 have been the first thing. And am I being responsive  
11 to your question?

12 MR. KLUKAN: Yes, thank you, Mr. Shadis.

13 MR. BLANCH: This is Paul Blanch again.  
14 And, again, I'm an engineer and not a lawyer.

15 But I believe under 2.206, the NRC has the  
16 authority to issue some type of request to the  
17 licensee, maybe it is a demand for information under  
18 50.54(F) or request a clarification or the extent of  
19 condition, or provide reasonable assurance that the  
20 extent of condition covered all potential defects.

21 Certainly the NRC has that authority.  
22 And, you know, while I don't have the 2.206 in front  
23 of me, I think that's what Mr. Shadis is identifying  
24 as the deficiencies in this process that was  
25 undertaken by Vermont Yankee personnel.

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1 Is that correct, Ray?

2 MR. SHADIS: Correct.

3 CHAIRMAN QUAY: Okay. Thank you.

4 Are there any questions from the Region?

5 MR. SETZER: No, thank you.

6 CHAIRMAN QUAY: Before I conclude the  
7 meeting, members of the public may provide comments  
8 regarding the petition and ask questions about the  
9 2.206 petition process.

10 However, as stated at the beginning, the  
11 purpose of this meeting is not to provide an  
12 opportunity for the Petitioner or the public to  
13 question or examine the Petition Review Board  
14 regarding the merits of the petition request.

15 Are there any members of the public that  
16 wish to comment?

17 MR. TURNBULL: Hello, this is Clay  
18 Turnbull.

19 CHAIRMAN QUAY: Go ahead, Clay.

20 MR. TURNBULL: It's actually a question.  
21 How would one obtain the transcript from this meeting?  
22 And if that's not appropriate to ask online here --

23 MR. KIM: Your question, this is James  
24 Kim. Actually it is published in ADAMS and it is  
25 publicly available.

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1 MR. TURNBULL: Thank you.

2 MR. BLANCH: This is Paul Blanch.

3 In the past on these meetings, I've had a  
4 transcript from the NRC within two days of the  
5 meeting. So it's possible to get a transcript. The  
6 Project Manager for the petition has sent out a  
7 transcript for review within two or three days. And  
8 it's not necessary, as dictated by the past, to wait  
9 until it gets posted in ADAMS.

10 CHAIRMAN QUAY: Okay. Are there any other  
11 members of the public that wish to comment?

12 (No response.)

13 CHAIRMAN QUAY: Hearing none, Mr. Shadis,  
14 thank you taking time to provide the NRC staff with  
15 clarifying information on the petition you've  
16 submitted.

17 Before we close, does the court reporter  
18 need any additional information for the meeting  
19 transcript?

20 COURT REPORTER: I don't believe so at  
21 this time. Actually, Mr. Kim, if it wouldn't be  
22 problem, if I may be give you a call in 15 or 20  
23 minutes like if I couldn't find something on the  
24 internet.

25 MR. KIM: Sure.

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COURT REPORTER: Okay. Thank you.

CHAIRMAN QUAY: Okay, with that, the meeting is concluding and we will be terminating the phone connection. Thank you.

(Whereupon, the above-entitled oral reply was concluded at 9:43 a.m.)

CERTIFICATE

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

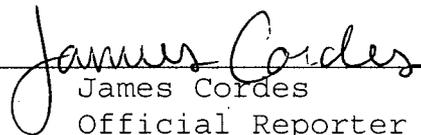
Name of Proceeding: 10 CFR 2.206 Petition of:

Raymond Shadis

Docket Number: (n/a)

Location: (teleconference)

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.



James Cordes  
Official Reporter  
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