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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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10 CFR 3.306 PETITION REVIEW BOARD (PBR)

CONFERENCE CALL

RE

VERMONT YANKEE

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MONDAY

MARCH 28, 2011

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The conference call was held, Theodore Quay, Chairperson of the Petition Review Board, presiding.

PETITIONER: MICHAEL MULLIGAN

PETITION REVIEW BOARD MEMBERS:

THEODORE QUAY, Deputy Director, Division of Policy and Rulemaking, NRR

JAMES KIM, Petition Manager for 2.206 Petition

TANYA MENSAH, Petition Coordinator

NRC HEADQUARTERS STAFF:

MERRILEE BANIC, Generic Communications Branch,
NRR

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NRC REGION I STAFF:

DON JACKSON, Division of Reactor Projects

ALSO PRESENT:

JIM DEVINCENTIS, Entergy Nuclear Vermont

Yankee

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

(10:00 a.m.)

MR. KIM: 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 Petitioner, Mr. Michael Mulligan, to address the Petition Review Board regarding 2.206 Petition dated February 24, 2011.

I'm the Petition Manager for the Petition. The Petition Review Board Chairman is Ted Quay. As a part of the Petition Review Board, review of his Petition, Mr. Michael Mulligan has requested this opportunity to address the Petition Review Board.

This meeting is scheduled from ten to eleven 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 sure to clearly state your name, your position and all special work within the NRC for the record.

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

4 MS. MENSAH: Tanya Mensah. I'm the 2.206
5 Coordinator in the Division of Policy and Rulemaking,
6 NRR.

7 CHAIRMAN QUAY: I'm Ted Quay, the Petition
8 Review Board Chairman. I'm in the Office of Nuclear
9 Reactor Regulation.

10 MS. BANIC: Lee Banic, Project Manager,
11 Office of Nuclear Reactor Regulation.

12 MR. KIM: At this time, are there any NRC
13 participants from the Headquarters on the phone?

14 (No response.)

15 MR. KIM: Are there any NRC participants
16 from the Regional Office on the phone?

17 MR. JACKSON: Yes. Jim, this is Don
18 Jackson, Region I.

19 MR. KIM: Are there any representatives
20 for the license on the phone?

21 MR. DEVINCENTIS: Yes. This is Jim
22 DeVincentis, Entergy Nuclear Operations.

23 MR. KIM: Mr. Mulligan, would you please
24 introduce yourself for the record.

25 MR. MULLIGAN: I'm Mike Mulligan and I'm

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1 a whistle-blower. I whistle-blowed on a lot of issues
2 with nuclear power in Vermont Yankee, and a lot of
3 things, and I've been in contact with some employees.

4 MR. KIM: Thank you.

5 Are there any others, such as members of
6 the public on the phone?

7 (No response.)

8 MR. KIM: It is not required for the
9 members of the public to introduce themselves for this
10 call. However, if there are any members of the public
11 on the phone that wish to do so at this time, please
12 state your name for the record.

13 (No response.)

14 MR. KIM: Hearing none, I would like to
15 emphasize that we each must speak clearly and loudly
16 to make sure that the court reporter can accurately
17 transcribe this meeting. If you do have something
18 that you'd like to say, please first state your name
19 for the record.

20 For those dialing into the meeting, please
21 remember to mute your phones to minimize any
22 background noise or distractions. If you do not have
23 a mute button, it can be done by pressing the key
24 "star 6." To unmute, press the "star 6" again. Thank
25 you.

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

3 CHAIRMAN QUAY: Good morning. Welcome to
4 this meeting regarding the 2.206 Petition submitted by
5 Mr. Mulligan.

6 I would like to first share some
7 background on our process. Section 2.206 of Title 10
8 of the Code of Federal Regulations describes the
9 petition process -- the primary mechanism for the
10 public to request enforcement action by the NRC in a
11 public process.

12 This process permits anyone to petition
13 NRC to take enforcement-type action related to NRC
14 licensees or license activities. Depending on the
15 results of its evaluation, NRC could modify, suspend
16 or revoke an NRC-issued license or take any other
17 appropriate enforcement action to resolve a problem.

18 The NRC staff guidance for disposition of
19 2.206 Petition Requests is in Management Directive
20 8.11, which is publicly-available.

21 The purpose of today's meeting is to give
22 the Petitioner an opportunity to provide any
23 additional explanation or support for the petition
24 after the Petitioner Review Board's initial
25 consideration and recommendation.

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1 This meeting is not a hearing, nor is it
2 an opportunity for the Petitioner to question or
3 examine the Petition Review Board on the merits or the
4 issues presented in the Petition Request. No decision
5 regarding the merits of this petition will be made at
6 this meeting.

7 Following this meeting the Petition Review
8 Board will conduct its internal deliberations. The
9 outcome of this internal meeting will be discussed
10 with the Petitioner.

11 The Petition Review Board typically
12 consists of a chairman, usually a manager at the
13 senior executive service level at the NRC. It has a
14 Petition Manager and a Petition Review Board
15 Coordinator.

16 Other members of the Board are determined
17 by the NRC staff based on the content of the
18 information in the Petition Request.

19 At this time I would like to introduce the
20 Board. I am Ted Quay, the Petition Review Board
21 Chairman. James Kim is the Petition Manager for the
22 Petition under discussion today.

23 Tanya Mensah is the office's Petition
24 Review Board Coordinator. Our technical staff
25 includes Bonnie Schnetzer from the Reactor Security

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1 Rulemaking and Licensing Branch in the Office of
2 Nuclear Security and Incident Response. And Don
3 Jackson from NRC's Region I, Division of Reactor
4 Projects.

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

11 I would like to summarize the scope of the
12 Petition under consideration and the NRC activities
13 today.

14 On February 24th, Mr. Mulligan submitted
15 to the NRC a Petition under 2.206 concerning the
16 Entergy's release of a public relations video which
17 Mr. Mulligan believes releases security-related
18 information of the plan to the nation and beyond.

19 In his petition, Mr. Mulligan requested
20 emergency shutdown of Vermont Yankee because you
21 stated that the Brattleboro Reformer released a video
22 which was provided by Entergy from their website
23 detailing the VY control room and vital security-
24 related information throughout the plant.

25 You believe this video provided visual

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1 cues to possible terrorists, including the location of
2 all ECCS controls and other details which should not
3 have been made known to the public.

4 Allow me to discuss the NRC activities to
5 date. On March 3rd, 2007 you requested to address the
6 Petition Review Board to provide supplemental
7 information for the Board's consideration prior to the
8 PRB's internal meeting to make an initial
9 recommendation.

10 On March 3rd, 2011 the PRB met internally
11 to discuss the request for immediate action. The PRB
12 denied the request for immediate action because there
13 was no immediate safety concern to the plant or to the
14 health and safety of the public.

15 In addition, there was no release of
16 anything sensitive or security-related. The PRB
17 concluded that the video had been edited and
18 controlled by Entergy for security purposes.

19 On March 3rd, 2011, you were informed of
20 the PRB's decision on the immediate action. On March
21 8th you addressed the Petition Review Board via
22 teleconference and provided additional information in
23 support of your Petition.

24 On March 14th, 2011, the Petition Review
25 Board met internally to discuss your Petition

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1 regarding the release of the video containing
2 security-related information of the plant.

3 The PRB's initial recommendation was that
4 that Petition did not meet the criteria for review in
5 accordance with Management Directive 8.11. You stated
6 the video gave visual clues to possible terrorists and
7 represents a vulnerability and the security of Vermont
8 Yankee.

9 NRC inspectors and NSIR technical staff
10 have reviewed the video and have confirmed that no
11 safeguards/security-related information is contained
12 in the video.

13 Therefore, the PRB concluded that you
14 failed to provide a credible set of facts to warrant
15 further inquiry into this Petition.

16 On March 22nd, 2011, you were informed of
17 the PRB's initial recommendation and you requested
18 another opportunity to address the PRB to provide any
19 comments to the PRB's initial recommendation and
20 additional information in support of your Petition.

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

25 Thank you. And at this point I'm going to

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1 turn it over to you, Mr. Mulligan.

2 MR. MULLIGAN: Thank you, sir.

3 March 28th, 1979, this is the anniversary
4 of the Three Mile Island. On that date I was in the
5 Mediterranean on a fast-attack submarine. Actually,
6 it was an experimental submarine.

7 And we were on a national security mission
8 and I was to find out about TMI, a couple -- we heard
9 rumors of it, but it was when we stopped over in
10 Israel and I got out of the boat and started reading
11 the newspapers that we really understood what was
12 happening in TMI.

13 Well, we didn't understand. We got bits
14 and pieces of most -- most for the rest of my time on
15 the ship we just got bits and pieces of information on
16 TMI because we were out on the ocean.

17 Anyways, it's interesting -- it's kind of
18 amazing, what last week, when Mr. Kim was prodding me
19 on do I want to address the Petition Review Board. I
20 really didn't want to because, you know, with all the
21 stuff on my plate, I wondered if this was that
22 important and I would be -- it was worth my time.

23 And I was hemming and hawing and I delayed
24 for a couple of days and finally I answered yes and
25 stuff. And, you know, as the times we are in, you

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1 know, after this weekend and stuff like that, now I
2 just kind of realized that this was a lot more
3 important than I thought it was going to be and that
4 is, as I said, the times we're in makes it like that.
5 A couple of days and everything shifts, and the next
6 thing you know, you're right in the forefront of
7 issues.

8 When this started, you know, basically in
9 March 24th, you know, I knew Vermont Yankee was in
10 trouble. They were fighting for their lives, for
11 their survival, and I knew it was a public relations
12 gambit to make Vermont Yankee seem pleasing and stuff,
13 and that's why I kind of brought it up, and so time
14 has gone by, Vermont Yankee's got their license and
15 now we recognize that most of the nuclear industry is
16 in a fight for survival, and they're doing the same
17 thing Vermont Yankee was doing as far as giving pretty
18 pictures to the media, and stuff.

19 And, I mean, you know, really the NRC --
20 I mean, this is -- I always say these things are --
21 they're only symbols, the issue with Vermont Yankee
22 and videos, the issue with Browns Ferry and their
23 video that came out and we know Waterford has a set of
24 videos that -- they're symbols.

25 They -- we see them -- we see these

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1 symbols with out eyes, but they represent something
2 bigger and that's what I have been trying to get
3 around, and stuff.

4 And so, the -- you know, we see a pretty
5 painted hallway of a plant and stuff like that and we
6 have -- it looks nice, but what does it really
7 represent and stuff.

8 We hear from Vermont -- or from the NRC,
9 since the terrorist event in 2001, that security is
10 utmost in the agency's mind, but if that's so, and
11 stuff, you know, we're in this nexus between security
12 and public accountability and these things are bigger
13 than the symbols.

14 They're -- they're sacred issues when you
15 really think -- there's no other words to say it. You
16 know, really, they're sacred words. They have such
17 consequences if we screw this up and stuff.

18 And so, the issue is pretty pictures for
19 a consequence like TMI or -- or a security
20 vulnerability or what have you, and we ought to be
21 really careful when we talk about security at a
22 nuclear power plant, not because necessarily it gives
23 the vulnerability to terrorists, but when we're
24 talking about security, we're really -- it's a
25 national security issue, like I've talked about.

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1 It's a matter of, you know, if our nation
2 gets into trouble and the worst design basis accident
3 of the nation, and where we have trust in the
4 government, the only thing you're going to end up
5 trusting is the government.

6 We see that over in Japan today and stuff,
7 and so what is the security events really mean. Out
8 of 2001 we discovered that the agency instituted a lot
9 of new things, secret means of cooling the core or
10 having extra standby power around somewhere or magical
11 ways of cooling the fuel pool and stuff.

12 And you essentially -- we didn't even know
13 there was, you know, a year ago at this time what
14 these systems were, and stuff. And, you know, Vermont
15 Yankee and the industry and the NEI, you know, talk
16 about secret systems.

17 You remember Nixon, President Nixon and
18 his secret plan to end the war in Viet Nam and stuff,
19 you know, he won an election on that.

20 And so here we are back at secret plans
21 and all that sort of stuff, and we're fighting
22 terrorism and we have these secret means to cool a
23 fuel pool, and again, you know, we're talking about
24 these secret images, that we really have to talk
25 clearly and honestly and everything because, it really

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1 doesn't matter now.

2 It matters if we trust you, we get into a
3 terrible situation in the United States, and that's
4 important. And that's what I try -- or what I've been
5 trying to talk about, this issue with Vermont Yankee
6 videos and stuff.

7 And it's just pretty pictures that we get
8 from the NRC and industry, these pictures that really
9 are papier-mache safety systems. They really don't --
10 there's nothing behind them a lot of times under --
11 there's no public accountability. There's no people
12 like me scrutinizing what's going on and stuff.

13 And so, you know, what is the real safety
14 system, or terrorist barriers? Is it some pretty
15 pictures, a couple of hallways that's painted nice
16 and, you know, just pictures and nothing behind it, or
17 is it real things?

18 And I mean, I just see a lot of this
19 communication where it's insane what's going on as far
20 as they don't really care -- you know, with the NRC
21 and a lot of their policies.

22 Vermont Yankee, they're desperately trying
23 to engage the public to their side of the story and
24 stuff like that, but behind it, they're just -- if we
25 get into trouble, we're going to be in big trouble

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1 because we won't be able to trust any of you guys.

2 And I worry about that an awful lot, and
3 so we have these secret systems, right, or these
4 secret means to cool the fuel pool pumps -- or the
5 fuel pool -- stuff at the fuel pool.

6 We have these secret -- most of this stuff
7 we just have these secret systems. We can't -- a year
8 ago, and we can't tell anybody what they are because
9 we don't want to let the terrorists know.

10 And my contention is the NRC and Vermont
11 Yankee, you know, it's PR. You guys, it's PR people
12 like the ones behind the scenes but, you know, 2001,
13 the terrorist event, was -- this is terrible what's
14 going on and the planes flew not too far from -- away
15 from Vermont Yankee in New York, and what -- and we've
16 got to have some sort of public relations come-back.

17 We have to -- we have to do something to
18 show the public what's going on. We have to create an
19 image or a picture, but we don't know -- and that's
20 what you did and -- a pretty picture and stuff, and
21 these secret systems -- and the question is: What's
22 behind it?

23 How do we know what's behind it? How do
24 we know that -- how can -- how can somebody vet it,
25 you know, somebody outside the agency if these are

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1 secret systems?

2 How can we vet -- you know, President
3 Nixon and the secret -- secret way to end the Viet Nam
4 war, there was nothing behind it, stuff that was --
5 it's just a gimmick, a public relations gimmick.

6 And, sadly, I think a lot of this has been
7 a gimmick, or at least an adverse communication, which
8 is just as bad.

9 So, you know, this Vermont Yankee video --
10 you know, the specific issue I had with it and stuff.
11 And then, I don't know, two weeks ago we just start,
12 we start -- they start talking about -- you know,
13 they're in a fight for survival, the nuclear industry
14 and so then they start talking, you know, about -- you
15 know, we have a means to cool the fuel pool with
16 firefighting hoses and stuff.

17 So, you know, all of a sudden, what, a
18 year ago was secret terrorism -- terrorism-related
19 activities that Vermont Yankee was doing in the name
20 of all of us surrounding Vermont Yankee.

21 All of a sudden now, you know, these
22 public relations gimmicks start popping up and stuff,
23 you know. Now we have secure fuel pool pumps -- fire
24 hoses and it's, you know, that -- that we've gotten in
25 case we have a fuel pool meltdown, and we have -- and

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1 we know over in Japan there are an assortment of
2 health problems going on.

3 And so then, over this weekend, even more
4 shocking, you know, Browns Ferry is -- has -- I don't
5 know if anybody has seen that, but they have their
6 video out and it's on YouTube and stuff, and if you
7 watch carefully they are up in fuel pools -- they are
8 up in the fuel pool floor and they're swinging by and
9 they're standing right next to the fire pumps -- or
10 the fire hoses, excuse me.

11 They're standing right next to the fire
12 hoses. Hoses are -- goes up in the air. You assume
13 that it goes into the fuel pool some place. And then
14 you look down -- look down on the ground level and you
15 see valves. You see two valves, two pumps. And you
16 know them valves are what charges those fire pumps.

17 The assumption is that the supply is from
18 the fire waters and stuff, and then you -- we start --
19 then you start doing an analysis of what's going on,
20 you know an engineering analysis of what's going on,
21 you know, because a fire pump hose, an empty fire pump
22 hose is not -- all the licensed -- you know, all the
23 licensed operators are sitting there. They've had all
24 this testing. They have these massive disasters since
25 day one and stuff like that, and they know what the

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1 nature of the game is.

2 I imagine they're sitting there kind of
3 more or less laughing at this fire hose business
4 because everybody knows -- now, the whole nation knows
5 what a terrible accident can be like, and so that's
6 when you get down to saying, "Well, what's the
7 engineering behind those fire hoses?"

8 You know, we have to maintain credibility
9 -- public credibility and the only way you maintain
10 credibility is you scrutinize the engineering behind
11 it, it's secondary or third-dary or how many backup
12 systems to the backup systems.

13 Wait. You scrutinize that with new eyes.
14 You don't scrutinize it saying, "Oh, there's eight
15 other systems, and this one's just for show." You
16 scrutinize them with brand new eyes saying, "Okay,
17 we're going to use that one day, and there's a
18 certainty we're going to use that.

19 And what do we have, what engineering
20 processes do we have to assure that we can do it, and
21 then you start looking around at -- we've seen the
22 explosions of those buildings a couple weeks ago and
23 stuff and you say to yourself, "Wow, you know, that
24 explosion is going to take out some fire pumps, hoses
25 in a nanosecond."

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1 You start looking around and thinking
2 about, well, what are the conditions, what are the
3 conditions? One condition is that the operators will
4 run upstairs and the fuel pool will be partially empty
5 and you just flick open the valves and everybody will
6 be safe.

7 There's other -- then there's the worst
8 case that somehow that fuel pool might have exposed
9 fuel and you know them valves are inaccessible right
10 now. Are those valves up in the fuel pool floor with
11 the excessive radiation area?

12 You know, they're talking about radiation
13 levels at Fukushima 150 yards away from the plant
14 that's inaccessible or for -- just for short periods
15 of time and stuff like that.

16 So, you know, what are the boundaries?
17 Who -- you know, who has scrutinized this new backup
18 system to the backup system, and how do you look at
19 that, and what -- you know, when you get in that
20 situation and you're terrorized, the employees are
21 terrorized, it's like those employees over there --
22 or, not "terrorized." I wouldn't say "terrorized,"
23 but you know, challenged by something enormous and
24 stuff like that.

25 Everybody knows that, you know, that --

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1 that it's very hard to deal with an accident, and
2 you've got to have simple steps, simple -- simple
3 procedures and you've got to be trained on this, you
4 know, over and over again. That's the only -- that's
5 the only way that there's safety assured to the
6 public, and stuff.

7 And you say, "Well, okay, we don't have
8 access to them valves and, you know, how can we --
9 without -- without bankrupting Entergy, how would you
10 -- how would you make those valves more accessible,
11 then you'd probably put them outside. You'd probably
12 have a -- they should be remote probably manually-
13 operated valves, probably out -- on the outside of the
14 reactor building down at ground level type of thing
15 and stuff.

16 You know, so if you -- you know, you were
17 serious about these things, I mean, you guys all have
18 knowledge of the site and stuff like that and have
19 special professional expertise, you could scrutinize
20 things.

21 But we don't get to see what's behind this
22 stuff. We don't -- and that's what you do to us when
23 you inappropriately use security to hide an
24 operational problems, and that we think that this is
25 all about the nuclear industry and the NRC that, "Oh,

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1 we've got a new thing going with 9/11 and we want to
2 -- we really don't want to spend a lot. We don't want
3 to spend any money on doing a lot of this stuff, and
4 we'll just make up these papier-mache safety systems,"
5 and there will be no thinking behind it.

6 And that's -- I mean, so, you know, I
7 talked about these bigger things going on behind these
8 -- you know, these are only symbols of -- of the
9 bigger picture and the symbol is, over decades we've
10 been watching the nuclear industry and the NRC and
11 Entergy and the utilities, you can question them, they
12 play games with truth.

13 Every excuse you have, whether it's
14 terrorism or, you know, God knows what's going to
15 happen next as far as in the industry. Everything is
16 not really what it's supposed to be about. You know,
17 real hard safety systems and thinking behind it.

18 Everything is just an excuse to withhold
19 information from the public, from us to scrutinize
20 you. And everything is -- is just an excuse to say
21 "We've got a plan to stop the war," and there's
22 nothing behind it, as President Nixon did and stuff.

23 There's nothing hard. I mean, that's --
24 that's my opinion of what's going on here. And you
25 swing this around and all. I mean, the only way we

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1 can make assurance that they're safe is that we -- you
2 guys are open and you can be scrutinized, and we can
3 start hammering you on, you know, on the little things
4 and you haven't thought about stuff like that.

5 I think over the years this 2.206 process
6 is -- you know, in the industry, you know, because
7 there's so much energy in those cores when they're
8 using them and afterwards, you know, there's got to be
9 a level of honor with everybody.

10 You know, a level of in relationship, you
11 know. We are -- I -- you are in a relationship with
12 me and I am in a relationship with you, and there has
13 to be a sense of honor that, you know, these are big
14 issues around, swirling around us and we've got little
15 minds and we've got to start -- we talk to each other
16 honestly and stuff like that, and that's honor.

17 That's honor, you know, that I could come
18 here with an issue and -- and the way it's supposed to
19 work, and I'm supposed to be able to talk with Mr.
20 Vermont Yankee and say, "This is what I see," and he's
21 supposed to come back to me with honor.

22 You know, we're going to have open, honest
23 discussions about these things, and the public is
24 going to be able to watch it, and so that's what I'm
25 talking about is, with honor, with dignity.

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1 You -- I treat you with dignity, you treat
2 me with dignity. This 2.206 process is -- is a
3 papier-mache, just where I get to talk like this and
4 we don't have any communications and stuff.

5 And, even if I win, the NRC's going to
6 define what I say, stuff like that. So, you know,
7 honor, honest communications. We don't -- I don't --
8 I caught myself a lot of times not having a lot of
9 honor and stuff, and I know human beings are just like
10 me and stuff.

11 And so, if nobody wants to give any honor,
12 if you guys don't want to, you know, work at that
13 level, it's workable. It can be -- it can be done
14 without any instrument that would force you to have
15 honor, and those instruments are, you know, that you
16 are required, you know, to go across these 2.206 --
17 you're required to talk -- tell me the truth.

18 And if Mr. Vermont Yankee or NRC, if you
19 don't tell me the full truth, because we're really
20 talking to the public when we're talking like this.
21 If you don't tell me the real truth, then you go to
22 jail, type of thing.

23 And, you know, that's the way you -- if
24 that's the way you put, you know, you get the legal
25 system involved if nobody wants to talk to me

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1 honestly, and stuff.

2 And throughout, you know, I don't know how
3 the 2.206 process came about. You know, it's in the
4 Never Land of the Seventies, probably, and we don't
5 know the campaign contributions that weaken the system
6 now, and I don't understand why the NRC has not been,
7 in themselves, recognized that the system is broken
8 and there's no honor here. There's just rules and
9 stuff, and rules don't know -- necessarily make --
10 make it known that you're doing good.

11 Rules are just like a machine. It doesn't
12 have any brains and stuff, except the people that, you
13 know, figure what the outcome of the rules are.

14 So, this is part of the problem. The
15 2.206 is part of the problem of what's going on here.
16 It's not set up where we can have honor with talking
17 with each other and full disclosure. And I'll tell
18 you right now that if we had this system going on and
19 I couldn't expect truth out of you I'd probably be
20 doing lots of these types of things because I'd be
21 kind of symbolizing -- kind of, you know, oh, this
22 one's -- this issue's important. I can fiddle around
23 with this for a while and see where we can go with it.

24 But I could have done a lot to change the
25 industry and I have the skills. I could have helped

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1 you guys a lot with creating a different environment
2 than what's going on now if I could have had access to
3 real events and be able to represent them in my
4 writings or in my talks and stuff like that.

5 I could have helped everybody transition
6 to a better environment than we are now, but this
7 2.206 process, and the way you interact with the
8 public in a general way has stopped that from
9 happening.

10 It has stopped you from evolving, really,
11 and, you know, really what's going on in the big
12 picture you've stopped the whole industry from -- from
13 evolving. You protected the CEO's. They have the
14 money. They can talk to Congress and what we're
15 really doing is protecting CEO's incomes and we're not
16 protecting the nuclear industry or we're not
17 protecting our communities.

18 And most of all, we're not protecting our
19 employees. All this thing revolves around the
20 capability of an employee to talk honestly and openly
21 about their problems.

22 And smart people like the NRC get behind
23 the scenes and give them a boost with what their
24 thoughts are, how the industry should be. And so
25 we've been protecting CEO's bonuses. The industry has

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1 stagnated.

2 The CEO's have been able to affect our
3 political system and the thing is set up to protect
4 CEO's and the industry's stagnated for 30 years. I
5 mean, that's what I think is going on on the big
6 picture.

7 I mean, there's so many good issues that
8 are out there. So many -- I just -- you know, it's
9 like a meat grinder. You know, you put in prime rib
10 on one end and sawdust comes out the end -- out the
11 other, and I think that -- I think a lot of this stuff
12 is sawdust. A lot of public relations sawdust and not
13 really saying what do we need as far as a -- in a
14 nation.

15 What do we need -- what is the best way
16 that -- that the NRC and the industry is in a
17 structure, but better yet, how is the whole energy
18 sector is relatively like the nuclear industry.

19 I really don't see that the nuclear
20 industry is treated any different than any of the
21 sources of energy out there, except we're lucky that
22 the cores have some -- we're lucky that our -- we have
23 fear of radiation and that type of thing that -- that
24 keeps us engaged with, interacting with the industry.

25 You know, the coal and the natural gas,

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1 they don't have this good stuff we have as far as to
2 create fear, create the institutions to make sure that
3 these businesses behave.

4 Like I said, a lot of this stuff is
5 compromised by politics and money and it's a shame.
6 We've got to do something different. Our highest --
7 our highest ideal is not to make commercial electric
8 power.

9 That's not our highest ideal. Our highest
10 ideal with the nuclear industry is -- and it's hard.
11 It's difficult work. Easy making them main generators
12 and then putting out electricity, that as easy as sin.

13 What is really difficult is to assume
14 you're going to have a terrible accident and all your
15 equipment is prepared, all your people and your
16 procedures are prepared for these difficult times,
17 these very difficult and rare times when the plant
18 goes haywire and people got to, you know, be relaxed
19 during those times.

20 So, the highest, you know, ideal is not
21 making commercial electricity. It is to have all the
22 tools available, all our safety systems sitting there
23 waiting for us. And, of course, some of these --
24 this, you know, risk relatedness and all that is --
25 was brought to us by campaign contributions.

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1 And, you know, we've got so many backup
2 systems, none of them make any difference, you know.
3 We've got ten backup systems, so all of them can have
4 -- each and every one of them is acceptable that we
5 have a flaw in it, and we know it because -- because
6 we've got so many backup's.

7 I mean, I'd just rather have one system
8 and be perfect than have ten systems where you --
9 everything is justified, that we're so safe we can
10 have three or four defects in each system and stuff.

11 They told me -- my friends told me, "Mike,
12 you've got to start talking. You've got to use big-
13 boy words today. Important that I try and communicate
14 better than I have been.

15 I hope I've done better than I have in the
16 past. Thank you very much. Thank you very much for
17 listening to me and thank you for being there.

18 CHAIRMAN QUAY: Okay. At this time does
19 the staff here at Headquarters have any questions for
20 Mr. Mulligan?

21 (No response.)

22 CHAIRMAN QUAY: Seeing none, what about
23 the Region?

24 MR. JACKSON: We have no questions.

25 CHAIRMAN QUAY: Does the licensee have any

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1 questions?

2 MR. DEVINCENTIS: No questions.

3 CHAIRMAN QUAY: Okay. Before I conclude
4 the meeting, members of the public may provide
5 comments regarding the Petition and ask questions
6 about the 2.206 Petition Process.

7 However, as stated at the opening, the
8 purpose of this meeting is not to provide an
9 opportunity for the Petitioner or the public to
10 question or examine the Petition Review Board
11 regarding the merits of the Petition Request.

12 MR. MULLIGAN: Mr. Quay.

13 CHAIRMAN QUAY: Yes.

14 MR. MULLIGAN: Can I ask one more
15 question? You don't have to answer me, but was my --
16 I talked in the past a lot about LERs. Was that --
17 was my talking about LERs, Licensee Event Reports, was
18 that the reason for the NRC OIG, or did I help them do
19 that?

20 You don't have to answer me. Well, you
21 can't answer me.

22 CHAIRMAN QUAY: I don't think I can answer
23 you.

24 MR. MULLIGAN: Okay. Thank you.

25 CHAIRMAN QUAY: Okay. Mr. Mulligan, thank

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1 you for -- have any members of the public joined the
2 phone call?

3 (No response.)

4 CHAIRMAN QUAY: Okay. Mr. Mulligan, thank
5 you for taking time to provide the NRC staff with
6 clarifying information on the Petition you have
7 submitted.

8 Before I close the meeting and before I
9 ask the court reporter if any additional information
10 is needed, Mr. Mulligan, I wanted to inform you that
11 Friday is my last day at NRC. I'm retiring.

12 In the future you'll probably be seeing
13 new names as Petition Review Board Chairman. So, just
14 so you're aware of that.

15 MR. MULLIGAN: Thank you. I wish you --
16 I wish you good luck.

17 CHAIRMAN QUAY: Thank you.

18 MR. MULLIGAN: In the future.

19 CHAIRMAN QUAY: Okay. Before we close,
20 does the court reporter need any additional
21 information for the meeting transcript?

22 COURT REPORTER: This is the court
23 reporter. I don't need any additional information.
24 Thank you.

25 CHAIRMAN QUAY: Okay. Thank you very

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1 much.

2 With that, the meeting is concluded and we
3 will be terminating the phone connection.

4 (Whereupon, at 10:46 a.m., the meeting was
5 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: 10 CFR 2.206 Petition of:

Michael Mulligan

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.



Kayla Gamin
Official Reporter
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