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Title: 10 CFR 2.206 Petition  
RE St. Lucie Units 1 and 2

Docket Number: (n/a)

Location: (telephone conference)

Date: Tuesday, August 16, 2011

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Pages 1-27

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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

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10 CFR 2.206 PETITION REVIEW BOARD (PRB)

CONFERENCE CALL

RE

ST. LUCIE UNITS 1 & 2

+ + + + +

TUESDAY

AUGUST 16, 2011

+ + + + +

The conference call was held at 1:00 p.m.,  
Samson Lee, Chairperson of the Petition Review Board,  
presiding.

PETITIONER: THOMAS SAPORITO

PETITION REVIEW BOARD MEMBERS

SAMSON LEE, Chairperson, NRR

MERRILEE BANIC, Petition Coordinator, NRR

TRACY ORF, Petition Manager for 2.206

Petition, NRR

GERARD PURCIARELLO, NRR

MARCIA SIMON, OGC

NRC REGION STAFF

STEPHEN ROSE, Region II

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

1:06 p.m.

MR. ORF: Good afternoon. This is Tracy Orf. It sounds like we've got everybody on the line now. So, we'll go ahead and get started. Okay.

I would like to thank everybody for attending this meeting and again, my name is Tracy Orf and I am the St. Lucie Project Manager.

We are here today to allow the Petitioner Thomas Saporito to address the Petition Review Board regarding the 10 CFR 2.206 petition dated May 12th, 2011.

I am the Petition Manager for this petition and the Petition Review Board Chairman is Sam Lee.

As part of the Review Board or PRB's review of this petition, Thomas Saporito has requested this opportunity to address the PRB.

This meeting is scheduled from 1:00 to 2:00 p.m. Eastern Time and 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 and a transcript will also be made publicly available.

I'd like to open this meeting with

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1 introductions and as we go around the room, please be  
2 sure to clearly state your name, your position and the  
3 office that you work for with the NRC for the record.

4 I'll start it off. My name is Tracy Orf  
5 and I work in NRR.

6 MS. SIMON: Marcia Simon, Office of the  
7 General Counsel.

8 MS. BANIC: Lee Banic, NRR, Petition  
9 Coordinator.

10 MR. PURCIARELLO: Gerry Purciarello,  
11 Balance of Plant in NRR.

12 CHAIRMAN LEE: Samson Lee, Deputy  
13 Director, Division of Risk Assessment, NRR.

14 MR. ORF: Okay. At this time, are there  
15 any NRC participants from headquarters on the phone?  
16 Are there any NRC participants from the regional  
17 offices on the phone?

18 MR. ROSE: This is Steven Rose. I was the  
19 Component Design Basis Inspection Team Lead for the  
20 St. Lucie Inspection, Region II.

21 MR. ORF: Are there any representatives  
22 from the Licensee on the phone?

23 And, Mr. Saporito, would you please  
24 introduce yourself for the record?

25 MR. SAPORITO: Yes, my name is Thomas

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1 Saporito. I'm a Senior Consultant with SaproDani  
2 Associates in Jupiter, Florida and I'm the Petitioner  
3 in these proceedings.

4 MR. ORF: It is not required for members  
5 of the public to introduce themselves for this call.  
6 However, if there are any members of the public on the  
7 phone who wish to do so at this time, please state  
8 your name for the record.

9 I'd like to emphasize that we each need to  
10 speak clearly and loudly to insure that the court  
11 reporter can accurately transcribe this meeting.

12 If you do have something that you would  
13 like to say, please state your name for the record.

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

19 At this time, I'll turn it over to the PRB  
20 Chairman Sam Lee.

21 CHAIRMAN LEE: Good afternoon. Welcome to  
22 this teleconference regarding the 2.206 petition  
23 submitted by Mr. Saporito.

24 I would like to first share some  
25 background on our process. Section 2.206 of Title 10

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1 of the Code of Federal Regulations describes the  
2 petition process, a primary mechanism for the public  
3 to request enforcement action by the NRC in a public  
4 process. This process permits anyone to petition NRC  
5 to take enforcement-type action related to NRC  
6 licensees or licensed activities.

7           Depending on the result of this  
8 evaluation, NRC could modify such plant or revoke an  
9 NRC issued license or take any other appropriate  
10 enforcement action to resolve the problem.

11           The NRC staff guidance for the disposition  
12 of 2.206 petition request is the Management Directive  
13 8.11 which is publicly available.

14           The purpose of today's meeting to give the  
15 Petitioner an opportunity to provide any additional  
16 explanation or support for the petition following the  
17 Petition Review Board's initial recommendation.

18           This meeting is not a hearing nor is it an  
19 opportunity for the Petitioner to request or examine  
20 the PRB on the merits or the issues presented in the  
21 petition request.

22           No decisions regarding the merits of this  
23 petition will be made at this teleconference.

24 Following this teleconference, the Petition Review  
25 Board will conduct internal deliberations. The

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1 outcome of this initial teleconference will be  
2 discussed with the Petitioner.

3 The Petition Review Board typically  
4 consists of the Chairman, usually a member at the  
5 Senior Executive Service level at NRC. It has a  
6 Petition Manager and a PRB Coordinator.

7 Other members of the Board are determined  
8 by the NRC staff based on the content of the  
9 information in the petition request.

10 At this time, I would like to introduce  
11 the Board. I'm Samson Lee, the Petition Review Board  
12 Chairman. Tracy Orf is the Petition Manager for the  
13 petition under discussion today. Lee Banic is filling  
14 in as the Office PRB Coordinator. Our technical staff  
15 includes Gerry Purciarello from the Office of Nuclear  
16 Reactor Regulations, Balance Plant Branch. Steven  
17 Rose from the NRC Region II's Division of Reactor  
18 Projects.

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

25 I would like to summarize the scope of the

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1 petition under consideration and the NRC activities to  
2 date.

3 On May 12, 2011, Mr. Saporito submitted to  
4 the NRC a petition under 2.206 regarding the St. Lucie  
5 Plant. In this petition request, Mr. Saporito's area  
6 of concern was with the design of the component  
7 cooling water system at St. Lucie Plant Units I and  
8 II.

9 Mr. Saporito requests that the NRC suspend  
10 or revoke the NRC licenses granted to the Licensee for  
11 operation of the St. Lucie Plant Units I and II, issue  
12 a notice of violation with the proposed civil penalty  
13 against the Licensee and order the immediate shutdown  
14 of St. Lucie Plant Units I and II.

15 Please allow me to discuss the NRC  
16 activities to date. On May 25th, the Petition Manager  
17 contacted you to discuss the 10 CFR 2.206 process and  
18 to offer you an opportunity to address the PRB by  
19 phone or in person. Because you requested the  
20 immediate shutdown of the St. Lucie Plant, the PRB met  
21 on June 2nd to discuss those actions to determine if  
22 immediate actions were required. The PRB denied the  
23 request for immediate action because there was no  
24 immediate safety concern to the plant or to the health  
25 and safety of the public. The Petition Manager

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1 informed you of this decision on June 8th.

2 On July 7th, you addressed the PRB to  
3 present additional information regarding your  
4 petition. On August 2nd, the PRB met and determined  
5 that in accordance with Management Directive 8.11,  
6 your petition meets the criteria for rejection because  
7 the petition raises issues that have already been the  
8 subject of NRC staff review and evaluation for which  
9 a resolution has been achieved. The issues have been  
10 resolved and the resolution is applicable to the  
11 facility in question. Specifically, the Petitioner  
12 references notice of violation EA-09-321 dated April  
13 19th, 2010.

14 The inspection related to the component  
15 cooling water system was conducted on December 10th,  
16 2009 and the inspection report was issued on January  
17 19th, 2010 with the regulatory conference held on  
18 February 19th, 2010.

19 A supplemental inspection was conducted as  
20 documented in an inspection report dated November 3,  
21 2010. The supplemental inspection resulted in no open  
22 items.

23 On August 3, 2011, the Petition Manager  
24 contacted you and provided you with the PRB's initial  
25 recommendation. Subsequently, you requested to

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1 address the PRB to provide additional information to  
2 support your petition.

3 As a reminder for the phone participants,  
4 please identify yourself if you make any remarks and  
5 this will help us in the preparation of the  
6 teleconference transcript that we make publicly  
7 available.

8 Thank you.

9 Mr. Saporito, I'll turn it over to you to  
10 allow you to provide any information you believe the  
11 PRB should consider as part of this petition.

12 MR. SAPORITO: All right. Thank you, Mr.  
13 Chairman.

14 For the record, my name is Thomas  
15 Saporito. I am the Petitioner in this proceeding. I  
16 am the Senior Consultant with Saproani Associates  
17 based in Jupiter, Florida.

18 First of all, let me correct the record as  
19 the NRC misstated the accuracy of the petition date.  
20 The date of the petition filed in this instant matter  
21 is April 3rd, 2011.

22 Now, first before I get into the heart of  
23 this discussion, let me put on the record an email  
24 that I received from Tracy Orf of the NRC dated  
25 Wednesday, August the 3rd, 2011. I'm just going to go

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1 through the relevant portion of this which says this  
2 is responding to my petition. This is your petition  
3 dated May 12th, 2011.

4 I don't know where the NRC keeps getting  
5 that date, but that date is not correct. The date of  
6 the petition is April 3rd, 2011.

7 Nonetheless, he goes on in this email and  
8 states "In relevant part that I want to put on this  
9 record that the NRC staff has concluded that your  
10 submittal does not meet the criteria for consideration  
11 under 10 CFR 2.206 because per MD 8.11 the issue  
12 raised has already been subject of NRC staff review  
13 and evaluation for which a resolution has been  
14 achieved. The issues have been resolved and the  
15 resolution is applicable to the facility in question.  
16 You have not provided any significant new information  
17 to justify the NRC varying from its enforcement  
18 policy."

19 Now, that's the reason that the NRC gave  
20 to me, a member of the public, for rejecting my 2.206  
21 petition dated April 3rd, 2011 in connection with the  
22 air intrusion event at the St. Lucie Nuclear Plant.

23 Now, let's make this public record  
24 perfectly clear. Management Directive 8.11 requires  
25 the Petition Review Board of the United States Nuclear

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1 Regulatory Commission to consider the petition in its  
2 full context and what that means is, just like as the  
3 opening remarks by the NRC on this record today  
4 stated, that at this Petition Review Board meeting all  
5 my comments and submittals verbally or in writing are  
6 a supplement to the written petition. Just like my  
7 initial meeting with the Petition Review Board on July  
8 7th, 2011, all those comments and the record, the  
9 transcribed record created on that date, is a  
10 supplement to the original petition. Just the same as  
11 if I had written those words and submitted it as part  
12 of the original petition.

13 Nonetheless, this Petition Review Board  
14 refused to entertain those comments and accept those  
15 comments on the record and refused to consider those  
16 comments, evaluate those comments and analyze those  
17 comments.

18 So, the NRC Petition Review Board failed  
19 to follow its own regulations under Management  
20 Directive 8.11 and to that extent, I request a copy of  
21 this record be forwarded to the NRC Office of the  
22 Inspector General.

23 Now, before I get into the specifics of  
24 what the NRC failed to address, let me just state that  
25 the original petition as documented in the NRC record

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1 transcripts of July 7th, 2011. My copy, for some  
2 reason, the pages were not enumerated. So, I counted  
3 them. There's suppose to be 38 pages here.

4 So, I'm going to reference page 17. Where  
5 I contended to the NRC Petition Review Board on that  
6 date of July 7th, 2011, I stated "With respect to the  
7 instant enforcement petition, the Licensee apparently  
8 admitted to the NRC that when the St. Lucie Nuclear  
9 Plant Unit I was licensed the facility was not  
10 required to incorporate a single-failure design  
11 capacity for nonsafety-related system and FPL  
12 concluded that a violation of 10 CFR Part 50 Appendix  
13 B Criterion 3 did not occur as found by the NRC  
14 inspector."

15 Petitioners contend here that the  
16 Licensee's admission supports a finding that the  
17 Licensee is operating the St. Lucie Nuclear Plant well  
18 outside the NRC's nuclear safety regulations under 10  
19 CFR Part 50 and that the component cooling water  
20 system employed at the St. Lucie Nuclear Plant Unit I  
21 and II is a nuclear safety-related system to the  
22 extent that it serves to remove heat from the reactor  
23 core in various manners and modes of operation.  
24 That's on page 17 and 18 of the record transcript  
25 dated July 7th, 2011.

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1           So, clearly, that's an issue that the  
2           Petition Review Board for whatever reason didn't want  
3           to address. We have a Licensee saying that our plant  
4           is designed a certain way. The NRC's saying no, it's  
5           designed this way. The Licensee's saying no, this is  
6           a -- component cooling water isn't a safety-related  
7           system. The NRC's saying it is.

8           Well, subsequent to that meeting on July  
9           18th, 2011, the United States Nuclear Regulatory  
10          Commission issued NRC Information Notice 2011-14  
11          entitled Component Cooling Water System Gas  
12          Accumulation and Other Performance Issue and at the  
13          bottom of page 1 of that document, it states "The  
14          component cooling water system is a safety-related  
15          system. That provides cooling and seal make-up to the  
16          non-safety related containment 1A compressors. Air  
17          intrusion into the component cooling water system  
18          began after a routine shift to the other standby  
19          containment 1A compressor" and the NRC's talking about  
20          the St. Lucie Plant here.

21                 It says "Air leaked at a slow rate into  
22          the component cooling water system and took several  
23          hours to initiate alarm. Operators initially believed  
24          that the component cooling water surge tank high level  
25          alarm condition resulted from reactor coolant system

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1 leaking into the component cooling water system rather  
2 than air intrusion. Subsequent alarms and indication  
3 of fluctuating pump motor current and component  
4 cooling water header flow lead operators to conclude  
5 that air intrusion was occurring."

6 Okay. So, what this is saying here is the  
7 Licensee's wrong and I was correct. This is a safety-  
8 related system. The component cooling water system is  
9 a safety-related system.

10 The contention by the Licensee that it's  
11 not should be a red flag to the NRC and that's part of  
12 this petition the Petition Review Board didn't  
13 address.

14 As I've just read into this record, the  
15 NRC's information notice, it shows here the severity  
16 of this incident and that the operators initially  
17 believed one aspect of plant operations which was  
18 incorrect and then later determined that it was an air  
19 intrusion event. So, this is a very significant  
20 safety-related issue which could have caused an  
21 adverse problem operating that nuclear reactor because  
22 the operators are contending one thing because of  
23 whatever training they had and it was really an air  
24 intrusion event and so, it was a significant delay in  
25 actions and the determination happened sometime after

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1 the event occurred.

2 On page 2 of the NRC's July 18th, 2011  
3 notice at paragraph 2, it states "The Licensee's root  
4 cause evaluation determined that these repetitive  
5 events resulted from a latent design issue that did  
6 not consider the potential for gas intrusion into the  
7 component cooling water system and from the Licensee's  
8 failure to recognize or understand the potential  
9 impact of the component cooling water and other  
10 safety-related systems that component cooling water  
11 supports during the initial condition report screening  
12 process. The original component cooling water design  
13 was vulnerable to gas intrusion that could result in  
14 a common mode system failure.

15 "Gas intrusion was not typically  
16 considered in the component cooling water system  
17 design when the St. Lucie's plants were designed as is  
18 evident from Licensee basis documents. Consequently,  
19 St. Lucie operating procedure did not address  
20 detection and mitigation of gas intrusion occurrences.  
21 The component cooling water system's vulnerability to  
22 gas intrusion from the containment 1A compressor was  
23 not recognized because the leakage path required a  
24 failure of the 1A compressor unloading valve and air  
25 leakage through multiple components. Licensee

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1 corrective actions included a design change to isolate  
2 the air intrusion path into the component cooling  
3 water system from the containment 1A compressors,  
4 procedure revisions to identify and mitigate air  
5 intrusion into the component cooling water system and  
6 revisions to licensed operator and non-licensed  
7 operator lesson plans and engineering procedures to  
8 reflect lessons learned."

9           So, here you have -- and this is part of  
10 the original petition because I'm going to go back to  
11 the transcript record which was made on July 7th, 2011  
12 at page 18 paragraph 2 which I stated at that time to  
13 this Petition Review Board that "Petitioner further  
14 contends that since the Licensee admitted to the NRC  
15 that the St. Lucie Nuclear Plant Unit I was licensed  
16 by the NRC for operations not requiring incorporation  
17 of a single failure design capability for the  
18 component cooling water system, the Licensee's NRC  
19 operational licenses for Unit I and Unit II are  
20 invalid and that the NRC should order the Licensee to  
21 immediately bring the St. Lucie Nuclear Plant Unit I  
22 and Unit II to a cold shutdown mode of operation to  
23 protect public health and safety in these  
24 circumstances."

25           So, what I contended to the NRC back in

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1 July 7th, 2011 is exactly the same issues which the  
2 Licensee admits to through this NRC July 18th, 2011  
3 notice that since this plant was licensed and we're  
4 talking about -- I'm referring to a NRC document here  
5 on the NRC's website for the St. Lucie Nuclear Plant  
6 Unit I. Now, the operating license was issued on the  
7 March 1st, 1976. So, since March 1st, 1976, the  
8 Licensee, the Florida Power and Light Company has been  
9 operating Unit I and subsequently later Unit II in  
10 violation of the NRC safety parameters standards and  
11 regulations set out under 10 CFR Part 50.

12 Because the plant wasn't properly  
13 designed, you had a design flaw in the component  
14 cooling water system which allowed air intrusion which  
15 caused operators to take the wrong course of action in  
16 operating the plant. That is an issue that this  
17 Petition Review Board is required to address and to  
18 accept as a valid issue under Management Directive  
19 8.11 as a matter of law. You can't just ignore it  
20 because you don't want to deal with it. It's part of  
21 this petition because I put it on the record on July  
22 7th, 2011.

23 In addition, the second issue which this  
24 Petition Review Board has failed to acknowledge,  
25 address and consider again going back to the official

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1 NRC transcript record July 7th, 2011 at page 18  
2 paragraph 3 "Petitioner further contends that the  
3 metal in the nuclear reactor vessel at the St. Lucie  
4 Nuclear Plant Unit I and Unit II has become  
5 dangerously brittle from bombardment of high level  
6 neutron radiation during normal operation over years  
7 and years of operation and that neither the Licensee  
8 nor the NRC has any accurate and meaningful data  
9 measurement of just how brittle the nuclear reactor  
10 vessels have become at the St. Lucie Nuclear Plant.

11 "Petitioners are concerned that should one  
12 or both of the nuclear vessels at the St. Lucie  
13 Nuclear Plant crack or shatter, that a full-core  
14 meltdown would immediately occur similar to the  
15 ongoing meltdown with the three nuclear reactors in  
16 Japan. Such an event at the St. Lucie Nuclear Plant  
17 would rapidly release an abundant amount of hydrogen  
18 which would inundate any action mitigation systems  
19 designed to dissipate such gaseous build up and that  
20 a dangerous explosion at the St. Lucie Nuclear Plant  
21 containment building would occur and spew high level  
22 nuclear particles directly into the environment and  
23 adversely affect public health and safety just like  
24 what happened in Japan."

25 The NRC Petition Review Board was required

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1 to consider this issue just as if it was written into  
2 the original petition on April 3rd, 2011, but the NRC  
3 Petition Review Board failed to do so as they were  
4 required under Management Directive 8.11.

5 All right. Let's see. So, I also on page  
6 20 paragraph 2 stated that "Petitioner supplements the  
7 original petition filed in the instant action to  
8 request that the NRC order FP&L and the St. Lucie  
9 Nuclear Plant to immediately or within a reasonable  
10 short period of time bring the Unit I and Unit II  
11 nuclear reactors to a cold shutdown mode of operation.  
12 Until such time as the Licensee can have the Unit I  
13 and Unit II nuclear reactor vessel metal tested to  
14 determine exactly how brittle the metal has become and  
15 to determine how many years, if any, the nuclear  
16 reactors can be safely operated."

17 The Petition Review Board has to address  
18 that issue. They didn't address that issue. They  
19 rejected the entire petition out of hand without  
20 properly evaluating the petition as they were required  
21 to do under Management Directive 8.11.

22 And on the bottom of page 20, very  
23 significantly halfway through that paragraph, I stated  
24 on the record on July 7th, 2011 that all the comments  
25 made today on this public record are to be considered

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1 and to be construed and to be implemented as a  
2 supplement to the original petition dated April 3rd,  
3 2011 just the same as if they were placed in writing  
4 and submitted to the NRC along with the initial  
5 petition.

6 It couldn't have been made more clear to  
7 the NRC Petition Review Board what the issues were  
8 that I was asking for the NRC's review and the NRC  
9 Petition Review Board just decided not to review it  
10 even though the record was made in writing for them to  
11 read and read and read and review and they didn't do  
12 so.

13 You know, that's a violation of the public  
14 and my due process right for fair and balanced  
15 adjudication of the NRC's process under 2.206. I mean  
16 why would the public engage the NRC and ask for the  
17 NRC to take enforcement actions against the Licensee  
18 if the NRC's not even going to follow their own  
19 regulations to do that. I mean it just don't make any  
20 sense and I think the NRC is way out of line.

21 The Petition Review Board -- when I say  
22 the NRC, I'm talking about the NRC Petition Review  
23 Board and that's why I'm asking the transcript record  
24 to be forwarded to the NRC Office of the Inspector  
25 General to make an intelligent and informed decision

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1 as to whether the NRC's Petition Review Board's action  
2 or is in violation of the NRC's own protocol and  
3 regulations under Management Directive 8.11 because  
4 they failed to address these issues that I put on the  
5 record.

6 So, again, here today, I'm asking this  
7 Petition Review Board to go back and look at those  
8 record transcripts and to consider the record  
9 transcripts to be made on this record here today and  
10 to apply the NRC Management Directive 8.11, make a  
11 determination that this petition is a valid petition  
12 and the enforcement action requested is reasonable in  
13 these circumstances where you have a nuclear power  
14 plant, two of them, St. Lucie Unit I and II, which  
15 have been licensed for two or more decades now and  
16 have been operating for that lengthy period of time  
17 where at least one of the units has a design basis  
18 flaw in it that went undetected by the Licensee and it  
19 went undetected by the United States Nuclear  
20 Regulatory Commission since the day the plants were  
21 licensed decades ago.

22 That's a major issue because it's a  
23 safety-related system that was designed and it was a  
24 flawed design which caused operators to improperly  
25 address the events that occurred in connection with

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1 that air intrusion event.

2 So, what other -- you know, what other  
3 systems safety related out there at the St. Lucie  
4 Nuclear Plant on either Unit I or II are not designed  
5 properly? How many other systems are just accidents  
6 waiting to happen?

7 The NRC didn't look at that. The NRC  
8 didn't require the Licensee to go back and review the  
9 entire final safety analysis review of the plant to  
10 determine if any other systems have problems. They  
11 weren't properly designed. Were there any other  
12 procedures that need to be upgraded so that the  
13 operators can properly address events that happened in  
14 the operation of those two nuclear reactors?

15 So, that's another request we're going to  
16 make on the NRC Petition Review Board. We want you to  
17 make enforcement to a confirmatory order. Require the  
18 Licensee to review this entire final safety analysis  
19 report for both units and to review all safety-related  
20 systems within those documents and their technical  
21 specifications relevant to both plants to make an  
22 assessment whether there are other safety related  
23 systems which have a design flaw in them, which  
24 weren't properly designed, which could fail or cause  
25 some aspect of the operation of either of those

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1 nuclear reactors to fail.

2 I mean that's a reasonable request because  
3 decades and decades these plants have been operating  
4 improperly with a design that was a failed design,  
5 improper design and that nuclear safety-related system  
6 involved and you got to look at these things.

7 Events that happened in Japan, everybody  
8 thought those plants were fine. The regulator out  
9 there said oh, they're safe. Told the public don't  
10 worry about it and now, you have three nuclear  
11 reactors melting down. They're out of control.  
12 They'll never be brought under control. I don't care  
13 what the government of Japan says and people are going  
14 to have to be evacuated more and more and more until  
15 finally there will be nobody living in the whole  
16 country. That will become the world's nuclear  
17 depository eventually because you're not going to gain  
18 control of those three reactors and you got 104 of  
19 them here in the United States.

20 The public cannot have a regulator like  
21 the NRC who refuses to make a thorough inspection  
22 under these circumstances where you have a nuclear  
23 power plant with a design flaw in it which has existed  
24 for decades and the NRC knew about this design flaw  
25 back in 2008 and they just now as of July 18th, 2011

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1 put out an information bulletin for other nuclear  
2 power plants that have similar designs to see if they  
3 have problems. I mean that just goes to show you the  
4 complacency of the NRC and it's role as a regulator  
5 and that's exactly -- although there was an earthquake  
6 and a tsunami, a contributing factor to those  
7 meltdowns in Japan was the failed regulator to oversee  
8 nuclear operations in Japan.

9 The United States does not need a failed  
10 regulator here in this country. We have enough  
11 political rhetoric in Washington which is harming this  
12 economy. All we need now is a nuclear plant to  
13 meltdown and you're going to have decades of problems  
14 with the economy because the radiation it can take  
15 this economy down a lot further than a little debate  
16 in Washington can.

17 So, I implore this Petition Review Board  
18 to review the July 7th, 2011 record transcript, review  
19 today's record transcripts, go back and review that  
20 July 18th, 2011 information notice sent out by the NRC  
21 and issue a confirmatory order to have St. Lucie  
22 Nuclear Plant review its documents. Its final safety  
23 analysis review reports for both units, the technical  
24 specifications for both plants and the procedure for  
25 its training of its operators because there may be

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1 other safety-related systems that are in jeopardy  
2 right now.

3 And at that, I'll answer any questions  
4 anybody might have.

5 CHAIRMAN LEE: Okay. Thank you very much.  
6 At this time, let's just stop here. Headquarters,  
7 have any questions for Mr. Saporito?

8 MR. ORF: I do. This is Tracy Orf.

9 Mr. Saporito, did you have any other  
10 sources of information on this component cooling water  
11 event other than those that were already presented on  
12 the docket?

13 MR. SAPORITO: Just those documents I've  
14 mentioned today.

15 MR. ORF: All right. Thanks. One other  
16 question. Do you have any metallurgical analysis on  
17 the reactor vessel on embrittlement due to neutron  
18 fluence or the phenomenon of pressurized thermal  
19 shock?

20 MR. SAPORITO: Well, that's the issue I'm  
21 presenting to the NRC. My contention is that the NRC  
22 doesn't have accurate and sufficient data nor does the  
23 Licensee have that information to date and that's  
24 important to have to make a determination just how  
25 brittle those reactor vessels are. Because it's my

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1       assertion here that neither the Licensee or the NRC  
2       has sufficient, accurate information through this  
3       destructive testing of representation metal in those  
4       vessels to make that determination to date.

5               MR. ORF:   Okay.  But, you, yourself, do  
6       not have any evidence to that effect.  Is that  
7       correct?

8               MR. SAPORITO:  Well, I don't have  
9       permission to go on site and make measurements.

10              MR. ORF:   Okay.  Thank you.

11              CHAIRMAN LEE:  Does the NRC staff at the  
12       region have any questions?

13              MR. ROSE:   No questions.

14              MR. ORF:   Excuse me.  The NRC Headquarters  
15       is going to go on mute for just a moment.

16              CHAIRMAN LEE:  At this time, does the  
17       Licensee have any questions?

18              Before I conclude the teleconference,  
19       members of the public might provide comments regarding  
20       the petition and ask questions about the 2.206  
21       petition process.

22              However, as stated at the opening, the  
23       purpose of this teleconference is not to provide an  
24       opportunity for the Petitioner or the public to  
25       question or examine the PRB regarding the merits of

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1 the petition request.

2 So, does the public have any comments?

3 Mr. Saporito, thank you for taking time to  
4 provide the NRC staff with clarifying information on  
5 the petition you have submitted.

6 Before we close, does the court reporter  
7 need any additional information for the teleconference  
8 transcript?

9 COURT REPORTER: Yes, I caught all the  
10 names of the Petition Review Board except for one. It  
11 sounded like Gerry first name. I didn't catch the  
12 last name. If you could spell that for me.

13 MR. PURCIARELLO: Purciarello. I'll spell  
14 it. P as in papa U-R-C-I-A-R-E-L-L-O.

15 COURT REPORTER: All right. Thanks a lot.

16 CHAIRMAN LEE: With that, this meeting is  
17 concluded and we will be terminating the telephone  
18 connection.

19 (Whereupon, at 1:44 p.m., the meeting was  
20 adjourned.)

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