"Corrected Transcript: Corrections denoted within brackets [ ]"

UNITED STATES OF AMERICA

U.S. NUCLEAR REGULATORY COMMISSION

WORK ORDER 86

FORTHCOMING MEETING WITH THE PETITIONERS,

BEYOND NUCLEAR ET AL, REQUESTING ACTION

UNDER TITLE 10 OF CODE OF FEDERAL REGULATIONS

(10 CFR) 2.2

DECEMBER 12, 2011

2:30 P.M.

TRANSCRIPT OF PROCEEDINGS

Public Meeting

"Corrected Transcript: Corrections denoted within brackets [ ]"

APPEARANCES

Participants:

[Patrick Hiland, NRR
Petition Review Board Chairman

Tanya Mensah, NRR
2.206 Coordinator]

Jon Thompson
Petition Manager

[Mauri Lemoncelli, OGC

Kamal Manoly, NRR
Petition Review Board Member

Shih-Liang, NRR
Petition Review Board Member

David Rahn, NRR
Petition Review Board Member

Gurjendra S. Bedi, NRR
Petition Review Board Member

David Pstrak, NMSS
Petition Review Board Member

David Tang, NMSS
Petition Review Board Member

Gerald McCoy, RII
Petition Review Board Member

Tekia Govan, NRR

Bhasker (Bob) Tripathi, NMSS

Anthony McMurtray, NRR

Meena Khanna, NRR]

Paul Gunter
Beyond Nuclear

Kevin Kamps
Beyond Nuclear

John Cruickshank*
Virginia Chapter of the Sierra Club

Richard Ball*
Sierra Club

Thomas Saporito*
Sapordoni [Saprodani] Associates

Scott Price*
Alliance for Progressive Values

Erica Grey*
Alliance for Progressive Values

[Paul Blundell*
Not on Our Fault Line

Margaret Earle*
Dominion Resources Inc.

Patrick Kemp*
Dominion Resources Inc.]

[*participated by telephone]

P R O C E E D I N G S

JON THOMPSON: Good afternoon. I'd like to thank everybody for attending this meeting. My name Jon Thompson and I'm the petition manager for the petition submitted on October 20, 2011, and supplemented on November 2, 2011 by Paul Gunter and others regarding the restart of North Anna 1 and 2 after the earthquake of August 23, 2001 [2011]. We are here today to allow the petitioners to address the Petition Review Board regarding their 2.206 petition. The Petition Review Board chairman is Patrick Highland who I'll introduce in a moment. As part of the --

MALE SPEAKER [SCOTT PRICE]: [unintelligible] this line?

JON THOMPSON: I'm sorry.

SCOTT PRICE: This is Scott Price with Alliance for Progressive Values. Hello?

JON THOMPSON: Yes, welcome to the meeting. Perhaps if, until you're at a point where you're speaking, if you could use *6, and that will cut down on background noise.

MALE SPEAKER [SCOTT PRICE]: Perfect.

JON THOMPSON: I was just beginning the introductory remarks. My name's Jon Thompson. I'm the petition manager, and we're here to offer the petitioners an opportunity to address the Petition Review Board or PRB. As part of the PRB's review of this petition, the petitioners were offered an opportunity to address the PRB to provide any relevant additional explanation and support for the petition prior to the PRB's internal meeting to make our initial

recommendation to accept or reject the petition for review.

On behalf of all the petitioners, Mr. Paul Gunter with Beyond Nuclear requested this public meeting to address the PRB and also agreed to coordinate the efforts of the petitioners in making their presentations. This is a Category 3 public meeting, where the public is normally invited to participate in the meeting by providing comments and asking questions throughout the meeting. In this public meeting, there will be some of that opportunity. However, we've arranged this to allow the petitioners to have one hour to make their presentations to the PRB as that's the chief purpose of this meeting, and for other members of the public to have an opportunity near the end of the meeting, as time allows, to ask questions pertaining only to the 10 CFR 2.206 process.

So, the public toll free lines that are calling in will be on mute until the very end where they'll be offered an opportunity. If a member of the public feels that they don't have the opportunity to ask their question about the 2.206 process because of time limitations, they can submit their questions in writing to me, the petition manager, Jon Thompson, at jon.thompson@nrc.gov. That should also be the email address on the meeting announcement that went on [out]. This meeting is scheduled from 2:30 to 4:15 [PM]. 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 this petition. And the transcript will also be made publicly available through the NRC's agency-wide documents access and management system, otherwise known as ADAMS.

For those at the NRC headquarters, we have public meeting feedback forms near the door there that you are welcome to fill out. These forms are forwarded to our internal communications specialists. You may either leave

them here following the meeting or mail them back. They are already post-paid -- yes, post-paid. If you are participating by phone and would like to leave email feedback on this public meeting, you can forward your comments to me by email at the aforementioned email address.

I'd like to open this meeting with introductions of the NRC staff who are here in the room at NRC headquarters. I ask that all the NRC staff clearly state your name -- state for the record your name, your position or occupation and your organization. For those here in the room, please speak up. Actually, what we're going to do is we're going to pass around a hand mic to make sure that that's adequately recorded for those who are listening by toll free number or webcast. So if you could -- but still speak clearly so that the court reporter can accurately record your name. I'll start with myself and the other NRC participants here in the room. My name is Jon Thompson. I'm the petition manager for this petition.

MAURI LEMONCELLI: I'm a senior --

JON THOMPSON: My apologies. Another note, for those unfamiliar with this room, you press this button here, and that will activate your microphone.

MAURI LEMONCELLI: Mauri Lemoncelli. I'm a senior attorney with the Office of the General Counsel.

PATRICK HIGHLAND: My name's Patrick Highland. I'm the chairman for this Petition Review Board.

KAMAL MANOLY: My name is Kamal Manoly, senior technical advisor to the Division of Engineering, NRR.

DAVID PASTRATICK [PSTRAK]: My name's David Pastratick

[Pstrak]. I'm the branch chief for the structural mechanics material branch in the Division of Spent Fuel Storage and Transportation in the Office of Nuclear Material Safety and Safeguards.

DAVID TANG: I'm David Tang, senior structural engineer in the Office of Nuclear Material Safety and Safeguards.

DAVID RAN [RAHN]: My name is David Ran [Rahn] [spelled phonetically]. I'm a senior technical reviewer in the instrumentation and controls branch in the Office of NRR.

NINA [MEENA] KANNA [KHANNA]: Nina [Meena] Kanna [Khanna]. I'm actually in transition right now. [inaudible]

FEMALE SPEAKER: You know what? I have no control over it. It's the other people.

JON THOMPSON: One moment. If I could ask those who are participating by telecom to press *6. That will enable us to hear more clearly. And then, when you have the opportunity, you can press *6, and that will unmute the petitioners that are calling in by phone.

RAJIVNA [GURJENDRA] BARANDY [BEDI]: Rajivna [Gurjendra] Barandy [Bedi], mechanical engineer at NRR and BE [DE] [spelled phonetically].

SHILA [SHIH-LIANG] WU: Shila [Shih-Liang] Wu, branch [reactor] engineer, Nuclear Performance and Code Review Branch, NRR.

TONY MCMURTRAN [MCMURTRAY]: Tony McMurtran [McMurtray]. I'm the chief of the component performance and testing branch, Division of Engineering, NRR.

BOB TRIPTARY [TRIPATHI]: I'm Bob Triptary [Tripathi], senior structural engineer with Spent Fuel Storage and Transportation and NMSS.

TANYA MENSON [MENSAH]: I'm Tanya Menson [Mensah], 2206 coordinator, Office of Nuclear Reactor Regulation Division of Policy and Rulemaking.

JON THOMPSON: That completes the introductions of the NRC staff in this room. At this time, are there any NRC participants from headquarters that are on the phone? Hearing none other – [are there] any NRC participants from the regional offices on the phone?

GERALD MCCOY: Yes, this is Gerald McCoy. I'm the branch chief for the Division of Reactor Project[s], Branch 5, that's the North Anna branch from Region II.

JON THOMPSON: Are there any representatives for the licensee on the phone? At this time, I would like to have the petitioners who are here in the room at NRC headquarters introduce themselves. I ask that all petitioners please clearly state your name for the record, your position at your organization. Again, please speak up or use one of the microphones that we have available.

PAUL GUNTER: Thank you. My name is Paul Gunter. I'm director of Reactor Oversight at Beyond Nuclear in Takoma Park, Maryland.

KEVIN KAMPS: Hello, my name is Kevin Kamps, radioactive waste specialist at Beyond Nuclear.

JON THOMPSON: At this time, I would like to have any petitioners that are on the phone introduce themselves. Again, please speak up so that the court reporter can accurately record your name.

JOHN CRUIKSHANK: My name is John Cruikshank. I'm the chair of the Virginia chapter of the Sierra Club.

RICHARD BALL: My name is Richard Ball. I'm also with the

Virginia chapter of the Sierra Club. I'm the energy issues chair.

THOMAS SAPORITO: My name is Thomas Saporito. I'm the senior consultant with Sapordoni [Saprodani] Associates in [unintelligible] [Jupiter, FL].

SCOTT PRICE: I'm Scott Price. I'm a public policy manager for the Alliance for Progressive Values. We're a Richmond-based volunteer educational organization.

PAUL BLUNDELL: I'm Paul Blundell, a concerned local citizen with the group, Not on Our Fault Line.

ERICA GRAY: I'm Erica Gray. I'm with the -- I'm on the policy committee for Alliance for Progressive Values here in Richmond, Virginia.

JON THOMPSON: It's not required for members of the public to introduce themselves for this meeting. And the public toll free numbers are muted at this time until the end of the meeting where they'll have the opportunity to ask questions about the process, but we would welcome a record of your participation. Please send this record of your participation by email at Jon, jon.thompson@nrc.gov.

And for the public question period at the end of meeting, we will ask you to introduce yourselves and state your name if you're asking a question. For those members of the public who are dialing into the meeting and are not petitioners, again, I remind you that your lines will be on mute. That will be until the end of the public question period, until the end of the meeting where there will be a question public -- a public question period. I'd like to reemphasize that we each need to speak clearly and loudly to make sure the court reporter can accurately transcribe this meeting. Also, if you do have something you would like

to say, please state your name for the record first and then make your statement. And at this time, I'll turn it over to the PRB chairman, Patrick Highland.

PATRICK HIGHLAND: I'm Patrick Highland, and good afternoon. Welcome to this meeting concerning the 2.206 petition submitted by the petitioners regarding the restart of North Anna Units 1 and 2 after the earthquake of August 23, 2011.

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

The purpose of today's meeting is to give the petitioner an opportunity to provide any additional explanation or support for the petition before the Petition Review Board's initial consideration and recommendation. This meeting is not a hearing, nor is it an opportunity for the petitioner to question or examine the PRB on the merits of the issues presented in the petition request. No decisions regarding the merits of this petition will be made at this meeting.

Following this meeting, the Petition Review Board will conduct its internal deliberations. The outcome of this internal meeting will be discussed with the petitioners.

The Petition Review Board typically consists of the chairman, usually a manager at the senior executive service level at the NRC. That chairman is myself, and I am a senior executive. It has a petition manager and a Petition Review Board coordinator. Other members of the board are determined by the NRC staff based on the content of the information in the petition request.

At this time, I'd like to introduce the board. Jon Thompson, as you've heard, is the petition manager for the petition under discussion today. Tanya Menson [Mensah], to his right, is the office's Petition Review Board coordinator. Our technical staff includes Kamal Manoly from the Office of Nuclear Reactor Regulations, Division of Engineering, Jorgendra Bebi [Gurjendra Bedi] [spelled phonetically] from the Office of Nuclear Regulations, Component Performance and Testing Branch, Xin Ling [Shih-Liang] Wu [spelled phonetically] from the Office of Nuclear Reactor Regulations, Nuclear Performance and Code Review Branch, David Ran [Rahn] from the Office of Nuclear Reactor Regulations, Instrument and Controls Branch, David Pastratick [Pstrak] and David Tang from the Office of Nuclear Materials Safety and Safeguards, Division of Spent Fuel Storage and Transportation, Structural Mechanics and Materials Branch, Gerald McCoy from the NRC's Region II, Division of Reactor Projects, Branch 5.

We'll also obtain advice from our Office of General Counsel, represented by Mauri Lemoncelli. As described in our process, the NRC staff may ask clarifying questions in order to better understand the petitioner's presentation and to reach a reasoned decision whether to accept or reject the petitioner's request for review under the 2.206 process. Also, as described in our process, the licensees have been invited to participate in today's meeting to assure that they

understand the concerns about their facility or activities. [While] The licensee may also ask questions to clarify the issues raised by the petitioners.[,] I want to stress that the licensee is not a part of the Petition Review Board's decision making process.

I'll interrupt here. On the line, I don't believe that I've heard the licensee participating in this board. Is that correct? Hearing none, we'll continue with that way.

I'd like to summarize the scope of the petition under consideration and NRC activities to date. On October 20, 2011, supplemented November 2, 2011, Mr. Paul Gunter and Mr. Kevin Kamps of Beyond Nuclear, Mr. Thomas Saporito of Sapordoni [Saprodani] Associates, Mr. Paxus Calta of Not on Our Fault Line, Mr. Alex Jack of Planetary Health Incorporated, Mr. Scott Price of Alliance for Progressive Values, and Mr. John Cruikshank of the Virginia chapter of the Sierra Club, who will be referred to as the petitioners, submitted a petition under Title 10 of the Code of Federal Regulations, Part 2.206, requesting suspension of the operating licenses for the North Anna Power Station, Units 1 and 2, until completion of a set of activities described in the petition.

In addition, in the supplement dated November 2, 2011, the petitioners asked for greater access to certain documents concerning North Anna 1 and 2. Subsequently, Ms. Eleanor Amandun [Amidon] [spelled phonetically], Mr. Arika Crutchner [Erika Kretzmer] [spelled phonetically], Mr. Lovell [spelled phonetically] King, II, Mr. David Luvee [Levy] [spelled phonetically], and Ms. Hilary Boyd [spelled phonetically] requested to be added to the list of petitioners for the above-mentioned petition.

A summary of the actions that the petitioners sought to have

completed prior to the restart of North Anna 1 and 2 include the following: the submittal of a formal license amendment by the licensee for North Anna 1 and 2, reanalyzing and reevaluating the design basis for the plant; additional deterministic inspections and safety analysis for critical reactor components; reanalysis of the Lake Anna Dam; reanalysis and reevaluation of the North Anna 1 and 2 independent spent fuel storage installation. A copy of the full petition and supplement is publicly available on the NRC's electronic library, referred to as ADAMS.

JON THOMPSON: Pat, if it's okay, if I could just remind folks that are listening in on the telephone, if they could use *6 to mute their phone until such time as they need to make a statement. The hold button doesn't work as well. We do hear some music in the background, so if you could use *6, that would be much appreciated. Thank you.

PATRICK HIGHLAND: And the following is a description of the NRC activities to day. On October 27, 2011, the petition manager contacted Mr. Gunter by email to discuss the 10 CFR 2.206 process and offered him an opportunity to address the PRB by phone or in person. In a telephone conversation on November 3, 2011, Mr. Gunter requested on behalf of the petitioners to address the PRB in person prior to the PRB's internal meeting to make the initial recommendation to accept or reject the petition for review.

On November 7, 2011, the PRB met internally to discuss the request for immediate action in the petition. On November 10, 2011, Mr. Gunter was informed that the PRB denied your request for immediate action. The PRB denied your request for immediate action because there was no immediate safety concern to the plant or to the health and safety of the public. In addition,

the requirements that demonstrate that no functional damage has occurred to those features necessary for continued operation of the reactors without undue risk for the health and safety exists in 10 CFR 100 Appendix A.

With respect to the independent spent fuel storage installation at the North Anna Power Station, interactions between the licensee and the NRC staff could not identify any immediate safety concerns. Therefore, the Petition Review Board denied the request for immediate action. Again, as a reminder to the phone participants, please identify yourself if you make any remarks as this will help us in the preparation of the meeting transcript that will be made publicly available.

Mr. Gunter, I'll turn the meeting over to you in a moment to allow you to provide any additional information you believe the PRB should consider as part of this petition. After you presentation concludes, I'll allot the other petitioners additional time to address the PRB. If any petitioner feels that they did not have an adequate opportunity to address the PRB during this meeting because of time constraints, then we welcome any supplemental information that they can provide in writing for the PRB's consideration. The supplemental information for the PRB's consideration should be mailed to the executive director for operations by December 19, 2011.

Mr. Gunter, at this time, you have approximately eight to 10 minutes to begin your presentation.

PAUL GUNTER: Thank you, Kevin. Thank you for the opportunity to address the NRC Petition Review Board. My name is Paul Gunter. I'm director of the Reactor Oversight Project at Beyond Nuclear in Takoma Park, Maryland. First of all, I'd like just as a little bit of housekeeping, we've -- the

petitioners that have decided amongst themselves to speak today, have provided an order for which we will make our presentations. I will begin, Paul Gunter, followed by Kevin Kamps of Beyond Nuclear, followed by Mr. John Cruikshank and Mr. Richard Ball of the Virginia chapter of the Sierra Club, followed then by Mr. Thomas Saporito of Sapordoni [Saprodani] Associates, followed by Mr. Scott Price and Erica Gray of the Alliance for Progressive Values, and followed by Mr. Paul Lundell [Blundell] [spelled phonetically] with Not on Our Fault Line. And if time allots, I'll have just a couple minutes of closing remarks.

We believe that the United States Nuclear Regulatory Commission has placed the cart before the horse with its "start first, promise to fix later" approach by allowing the post-earthquake restart of the North Anna nuclear power stations on November 15th and the 21st, 2011. Given Virginia Electric Power Company's and NRC's checkered citing and licensing history at North Anna nuclear-generating station, the federal agency should require the atomic power plant to -- before allowing it to go to operation to go through a complete license renewal -- or license oversight process, provided full public hearing rights. The fact that North Anna 2 went through a full fuel -- core off-load to inspect the condition of not only the reactor fuel core assemblies' control rods but also included an inspection of Unit 2 reactor vessel internals should have prompted the same level and rigor for inspection of Unit 1. Instead, Dominion and the NRC based their post-quake assumptions for the safety conditions of the reactor Unit 1 largely on the result of Unit 2's inspection. This hasty decision demonstrates NRC's bias for company profit margins over reasonable safety precautions.

The petitioners contend that the NRC's current recert [restart]

approval does not provide an adequate level of scrutiny, transparency, oversight and enforcement capability commensurate to what the formal license amendment process would provide and accomplish, and that as the petitioners contend is appropriate in the case of a nuclear power plant where the design margin has been exceeded by twice the level of -- for earthquake ground acceleration motion criteria for system structures and components.

The NRC sent a confirmatory action letter to Dominion on November 11, 2011, that included, quote, “a long-term actions commitment list,” unquote. Dominion consented to make commitments to develop a plan with Westinghouse, the nuclear steam supply system vendor for North Anna, which as stated consists of additional valuations and inspections to assure the long-term liability of the reactor internals. The petitioners note that the restart of both reactor units was allowed even before the development of that commitment plan was completed and made public. The plan is scheduled to be complete by February 29, 2012.

While the November 11, NRC confirmatory action letter states, quote, “failure to take the actions addressed in this letter may result in enforcement action,” unquote, it is precisely both the NRC and industry’s past treatment of commitments that is our primary concern and chief reason for this emergency enforcement action request that the agency first provide the opportunity for full public hearing rights for a formal license amendment proceeding in order for Dominion to receive approval for any changes and modifications to the North Anna licensing basis that regard the August 23rd earthquake which significant exceeded the reactor design margins for such systems, instructions, and components as safety-related reactor internals,

containment anchor bolts, et cetera.

As case in point, I call the Petition Review Board's attention to a letter dated April 22, 2004 from Mr. James Dyre [Dyer] [spelled phonetically] of NRC where Mr. Dyre [Dyer] states, quote, "Reasonable assurance of adequate protection of public health and safety is, as a general matter, defined by the Commission's health and safety regulations themselves. In most cases, the agency cannot take formal enforcement action solely on the basis of whether licensees fulfill commitments as failure to meet a commitment in itself does not constitute a violation of a legally binding requirement." By NRC's own admission, failure to meet a commitment in itself does not constitute a violation of a legally binding requirement. This does not offer any assurance for those paying more attention to public safety than to an electricity production agenda. The NRC confirmatory action letter of November 11, 2011 more clearly prepared the way for a hasty restart by setting off the date of February 29, 2012 for Dominion to complete a schedule of commitments that may or may not ever reach the level of timely compliance for effective enforceability.

We further call the Petition Review Board's attention to the NRC's own Office of Inspector General in its September 19, 2011, quote, "audit of NRC's management of licensee commitments." The November 19, 2011 OIG audit finds that, quote, "NRC inconsistently implements the audits of licensee commitment management programs. The definition and use of commitments is not consistently understood throughout the agency. NRC does not systematically track commitments because the agency does not have an adequate tool for tracking them in part because the agency has not identified a need for such a tool," unquote. The petitioners argue they have no reason to

have confidence that in allowing the restart of North Anna Nuclear Power Plant is based on any future date for Dominion to provide its schedule for completing vague and broad commitments sometime further in the future will reliably arrive at effective corrective actions that are well understood, that are consistently implemented or systematically tracked so as to ensure effective agency oversight and enforcement action. This is precisely what we mean when we say that the NRC has put the cart before the horse so as to prioritize the company's financial interest and a production agenda with restart over the agency's own public health and safety mandate. Continued operation should instead prioritize independent review, public transparency, and the opportunity of due process through full public hearing rights.

Therefore, the petitioners reiterate that from the priority of the public safety stance, all changes and modifications to the North Anna licensing basis as regard the exceeding the ground acceleration design basis for Units 1 and 2 need to be made through the formal licensing amendment process to: one, provide the public with the opportunity for full hearing rights; two, raise the level of independent review and scrutiny; three, provide for a more transparent process for proposed licensing basis changes, and; four, more fundamentally to raise the level of regulatory compliance for any changes and modifications to an enforceable standard. The history of Virginia Electric Power Company's North Anna nuclear generating station further raises concerns for how the post-earthquake restart and continued operation may in fact build onto and confound the original failure to take into account siting, construction and licensing review of seismic issues as contended by the late Ms. June Allen.

Thank you. I'll -- yes, I'll -- just a couple more minutes. I think that

our comments will all be well within the hour.

The petitioners supplement their petition with the supplemental of the department of -- the Department of Justice memo dated May 11, 1977, which identifies why the Justice Department decided not to criminally prosecute Vepco for falsification of the material fact to the federal government on siting and constructing the reactors in a seismically reactive area. Specifically, the memo identifies that following the U.S. Nuclear Regulatory Commission's formation in January 1975, by its own actions dated in June 1975, the DOJ concluded that they could not proceed with a criminal prosecution of Vepco and that, quote, "We would have a much stronger case against Vepco but for the actions of the NRC in sanctioning the continued construction by Vepco and concealing on its own part from the Atomic Safety and Licensing Board the discovery of a fault. Vepco would call as witnesses virtually the entire Office of Regulation of the NRC to testify that they were well aware of the fault and had determined not to take any immediate action to halt construction or reopen the hearings. The possibility of successful criminal prosecution of Vepco is dictated largely by the actions of the Commission itself, which in the best light, can be characterized as ill-considered and inept and perhaps more realistically and demonstrating a pervasive bias against public scrutiny, which a project of this importance deserves and is entitled under federal law," unquote.

The petitioners contend that the North Anna restart continued operation changes to the licensing should not again be subject to, quote, "a pervasive basis against the public scrutiny which a project of importance deserves and is entitled under federal law. The petitioners further request that the NRC take action to publicly release all records pertaining to the original siting,

construction, and licensing of the North Anna nuclear power plant and seismic risk that are currently under NRC lock and key at the University of Virginia. The North Anna documents at the University of Virginia are referenced in a letter from the Project on Government Oversight to Commission chair, Gregory Jaczko dated November 1, 2011. The petitioners finally request that the NRC Petition Review Board provide a second PRB meeting to be convened following any draft or recommendations. This concludes my remarks.

PATRICK HIGHLAND: Thank you, Mr. Gunter. That was a lot of information. Mr. Kamps, you have approximately eight to 10 minutes. Go ahead with your presentation.

KEVIN KAMPS: Thank you very much. For the record, my name is Kevin Kamps, radioactive waste specialist at Beyond Nuclear. In addition to the comments we already submitted thus far on this 2.206 emergency enforcement petition regarding the damage done to the dry cask storage at North Anna from the August 23rd earthquake, I would like to share more concerns about both dry cask storage as well as pool storage at North Anna.

So in addition to the surface damage to the concrete at the horizontally-oriented dry casks as well as the apparent gaps created between concrete slabs on the horizontal dry casks, and in addition, the shifting by several inches of the vertical dry casks at North Anna due to the earthquake, all of this revealed by photographs shared over a week after the event by the company, we have additional concerns about the dry casks.

One of those concerns is the cradle in the horizontally-oriented dry casks which holds the heavy inner canister, which actually contains the irradiated nuclear fuel. Several years ago, based on a tip from a whistleblower in Florida

that this very design of casks had structural integrity questions regarding its inner cradle, we would raise this very same concern at North Anna, especially given the surface damage visible in the photographs. We're concerned about the structural integrity of those cradles to maintain that weight over time.

It's not only the immediate risks from such forces as earthquakes. It's also the long-term risks at North Anna that we're concerned about. As we speak -- well, actually, a year ago, the Nuclear Regulatory Commission, in its nuclear waste confidence decision update, said that both pool storage and dry cask storage is safe for 120 years at nuclear power plants, 60 years of operations, 60 years post-operations. And in addition to that, the staff has been directed to look at the possibility of an extended onsite storage of 300 to 400 years.

So given the damage that's been done, that's visible on the surface, apparent in these photographs, our questions about the inner cradles and, for that matter, the inner structures that are not visible from an external photograph, for the vertical-oriented casks, we're very concerned about this long-term onsite storage and such things as the eventual age-related degradation and corrosion of these containers. So we're concerned about accidents caused by natural disasters like earthquakes, but we're also concerned about the eventual wear and tear from exposure to the elements that these casks will exhibit and the threat of environmental releases of radioactivity based on this.

In addition to dry cask risks, we have many concerns about pool risks. And this is made all the worse by recent evidence, mounting evidence that a pool fire, in fact, may have occurred at Fukushima Daiichi Unit 4, showing that these are not abstract risks, but very, very real.

Just last month, in November, a new study added strong evidence that in fact a high-level radioactive waste fire had occurred in the storage pool at Fukushima Daiichi Unit number four during the initial week of the catastrophe. The study entitled “Xenon-133 and caesium [Cesium]-137 releases into the atmosphere from the Fukushima Daiichi power plant: determination of the source term, atmospheric dispersion, and deposition” was published in “Discussions of Atmospheric Chemistry and Physics,” Volume 11, November 2011. The authors, Stohl and others, reported in their abstract, and I quote, “Our results indicate that caesium [Cesium]-137 emissions peaked on 14 to 15 March but were generally high from 12 until 19 March when they suddenly dropped by orders of magnitude, exactly when spraying water on the spent fuel pool of Unit 4 started. This indicates that emissions were not only coming from the damaged reactor cores but also from the spent fuel pool of Unit 4 and confirms that the spraying was an effective countermeasure,” end quote.

Even though Fukushima Daiichi Unit 4 is a General Electric boiling water reactor of the Mark I design and the reactors at North Anna and the pools on the containment are a different design, pressurized water reactors, still the risks of pool damage and pool accidents exist at North Anna. These risks include the risk of a boil-down, which could be caused by the loss of electricity to the facility as well as the loss of onsite emergency power. But the risks also extend to a sudden drain-down. Where a boil-down may take days, a drain-down could be very sudden and instantaneous. In either event, as soon as the high-level radioactive waste loses its water cooling cover and is exposed to air, a radioactive pool fire could ensue within a matter of hours, leading to catastrophic releases of radioactivity to the environment due to the fact that the pool is not

located within radiological containment. Certainly the risk of an earthquake should be included in the risks of boiling down the pool or draining down the pool.

So what are solutions to these risks? For nearly a decade now, a coalition of 200 environmental groups has advocated what we call hardened onsite storage. This calls for a thinning out of the pools and emptying of the pool into dry cask storage, but a much better quality dry cask storage than is currently required by the NRC at nuclear power plants like North Anna.

An important element of hardened onsite storage is the addition of safety equipments to both pools and dry casks. These would include monitors and gauges of various sorts, on the dry casks themselves, temperature gauges, pressure gauges, radiation monitors and seismic monitoring. So, for example, it's our understanding that North Anna had to bring in pressure gauges to make sure that the inerting gases inside were still present after this earthquake. That should be an ongoing real-time safety precaution. Likewise with the pools, the NRC should require temperature monitors, water level gauges, radiation monitors, and seismic monitoring.

We've called for nearly a decade for the pools to be thinned and unloaded into hardened dry cask storage. The earthquake of August 23rd is yet another stark reminder that there are severe safety risks with pools and dry casks in this country. Thank you.

PAUL GUNTER [PATRICK HILAND]: Thank you, Mr. Kamps. Mr. Cruikshank, Mr. Ball.

JOHN CRUIKSHANK: Yes, my name is John Cruikshank. I'm the chair of the Virginia chapter of the Sierra Club. And the Virginia chapter disagrees with the decision of the NRC to allow Dominion to restart the nuclear

reactors at North Anna. The Sierra Club believes that precautionary principles should be followed when there is any threat to public safety. Dominion should be required to prove that operating this nuclear plant poses absolutely no danger to the public rather than asking the public to prove that there are dangers. The burden of proof should fall on Dominion. That is not what has happened in this case.

I would like to address three specific points and then provide Dr. Richard Ball, our energy chair, an opportunity to make additional comments. First, the North Anna Power Plant has been operating for over 30 years. As nuclear plants get older, there is an increased risk of embrittlement of the reactor core, gauges, pipes, and other equipment. Have there been thorough inspections of both reactors to find evidence of this type of damage?

Second, the ability of this power plant to deal with the effects of a prolonged station blackout without damage occurring to the reactor cooling system or spent fuel pools should be extended. Since the initial earthquake on August 23, there have been 53 aftershocks. Extreme weather conditions also occur in central Virginia. North Anna should have the capability to provide auxiliary onsite power for a minimum of 72 hours. I think this is a reasonable precaution in case of extreme weather conditions or another earthquake. We would like to know what changes have been made to the evacuation plans for North Anna since the disaster at Fukushima and the August 23rd earthquake. I live in Charlottesville, Virginia, which is 30 miles from North Anna. I am told by our local Office of Emergency Services that the last training exercises regarding North Anna occurred in 2009. I was also told that they would welcome more assistance from the NRC.

So please consider these comments. Dr. Ball?

RICHARD BALL: Yes, this is Richard Ball, energy issues chair of the Virginia chapter. I wanted to just express briefly some additional concerns we have. First of all, the long-term actions commitment list that was released in the letter from the Commission of November 11th include several self evaluations by Dominion, particularly item one, that leave broad areas of evaluation up to Dominion and licensee. That process could lead to serious omissions rather than providing or having the Commission provide more specificity about particular issues or items of equipment that should be included.

Secondly, no specific provision is included in the action list to address further inspection of Unit 1 which, as explained by Mr. Gunter, was not subjected to key inspections made on Unit 2. Apparently, many of the inspections and evaluations listed are not due until spring of 2013, which raises serious questions about the risk to which the public will be subjected by plant operations during the interval of nearly one-and-a-half years before these inspections and plans would have been completed, much less a much longer time before any identified remedial actions may be completed.

Fourthly, in regard to the technical evaluation that was released on November 11th, there are a number of points. I'll just mention one. In analysis of the damage to the spent fuel structure, appearing on Page 41 and 42 of the technical evaluation does not provide confidence in the integrity of those structures. It appears that the structure design provides a 25 percent margin over the design basis earthquake, but the actual motion that was observed during the Mineral earthquake at the base of the containment mat was 21 percent in excess acceleration over the design basis earthquake, just as one

example.

In view of the problems with the spent pools after the Fukushima plant disaster, it is not clear to us that adequate consideration has been given to the potential need to modify the spent pool system to provide increased safety. Actions regarding that risk also are not explicitly addressed in the long-term action commitment list. Thank you.

PATRICK HIGHLAND: Thank you, Mr. Cruikshank and Mr. Ball. At this time, Mr. Saporito, you have about eight to 10 minutes, please.

THOMAS SAPORITO: Am I being heard?

PATRICK HIGHLAND: Yes.

JON THOMPSON: Just as a reminder, for folks that just went on, hit on *6 on the phone.

THOMAS SAPORITO: Just as a preliminary comment, I just want to tell the Commission that I've requested to speak with their IT personnel because I was unable to view this teleconference on your webcam. Every time I attempted to load it up, it asked me to install Microsoft Silverlight product which has been installed on my computer. So there's a problem with your end of it, and I would hope that you would get that corrected so that we can watch the live event.

PATRICK HIGHLAND: Thank you for the comment.

THOMAS SAPORITO: Okay, thank you. And for this public record, my name is Thomas Saporito and I am the senior consultant for Sapordoni [Saprodani] located in Jupiter, Florida. [unintelligible] [In the] petition for this proceeding, I will request the NRC to take specific enforcement action against the North Anna nuclear plant and its licensees to protect public health and safety.

However, before making the request for enforcement action, I want to prefect [perfect] this public record as follows: first, the citizens of the United States now realize that the United States Congress is a dysfunctional body not capable of making important decisions for the benefit of the American people as a whole, but instead argue themselves endlessly in an ongoing effort to uphold power. However, the upcoming elections will soon decide the fate of Congress and the president, and the ultimate power remains with the people.

Next, let the public record show that the United States Nuclear Regulatory Commission, or NRC, has also become a dysfunctional body for a government agency. And the agency's commissioners have demonstrably exhibited conduct not deserving of trust or confidence by the American people. [Indeed] Recently, commissioners other than the chairman have written to the president complaining about the conduct of the NRC chairman. It appears that the chairman's recent warnings that the nuclear industry may have become complacent towards safety troubled the other commissioners and the nuclear industry. Such conflict within the commission cannot continue unabated and unresolved considering the dire consequences of a major nuclear accident in the United States. Perhaps Congress should dissolve the Commission and replace it with an administrative chain of command by appointing a director.

In any event, the credibility of the NRC has been deteriorating since the age of its creation in 1974, which continues to jeopardize the health and safety of the American people as a whole. To this extent, I request a copy of today's transcript record be provided to Congressman Edward Markey and to the President's Office of Professional Responsibility and to the NRC chairman and to the NRC Office of the Inspector General and to the United States Department of

Justice to enable those entities to make an informed decision about whether to investigate the NRC's actions in these circumstances and in connection with a premature restart authorization granted by the NRC to the North Anna nuclear plant licensee. All comments made today are to be considered by the NRC's Petition Review Board as a supplement to the original petition just the same as if they were given to the NRC in writing on the date that the original petition was filed.

Petitioners request for enforcement action with respect to the North Anna nuclear plant, I request that the NRC: one, issue a confirmatory order requiring the licensee to immediately shut down Unit 1 and Unit 2 to protect public health and safety; two, require the licensee to inspect the internals of the Unit 1 nuclear reactor; and three, issue a confirmatory order requiring the licensee to apply for a license amendment request for Unit 1 and Unit 2 to incorporate required changes in the physical plant, equipment and procedures and allowing for public participation before the NRC Atomic, Safety, and Licensee Boards basis and justification for the petitioners' request for enforcement action.

References made to the NRC regulatory guide dated March 1977, paragraph 4 (a) 3 of Appendix F, entitled, "Earthquake Engineering Criteria for Nuclear Power Plants." In the CFR Part 50 domestic licensing of production and utilization facilities, which required [unintelligible] that prior to resuming operations, the licensee must demonstrate to the NRC that no functional damage had occurred to those features were necessary for continued operation without undue risk to the health and safety of the public.

References made to the document entitled, "Guidelines for a

Nuclear Plant's Response to an Earthquake," dated December 1989 prepared by MTR [MPR] [spelled phonetically] Associates Inc., 1050 Connecticut Avenue, Northwest, Washington, DC, 20036, which states [unintelligible] [in relevant parts that], "the objective of the [unintelligible] [post-] shut down inspections in the past is to determine the condition of the shut down plant and to indentify those firmer [further] actions needed to return the plant to a state of readiness for operation. The visual inspections there [unintelligible] [verify the] structural elements of active equipment [unintelligible] [and structures] piping, cable [trays], and other [unintelligible] [passive] components which are not normally covered by a plant['s] [unintelligible] [TSs] are undamaged.

First, the licensee failed to inspect Unit 1 internals prior to restarting the nuclear reactor. Notably, the licensee falsely relied on Unit 2 inspection activities to justify restarting Unit 1 without any inspection of the nuclear reactor internals; however, it is only through official inspection of control-rod drive mechanisms, in core instrumentation, fuel assemblies, et cetera., that the licensee should [can] provide the NRC with the required assurances that meet NRC's restart authorizations under the authority previously [unintelligible] [cited] on this public record today.

Incredibly, considering the hundreds of thousands of gallons of water circulated through the Unit 1 nuclear reactor core, it only takes a pinhead of worn [foreign] material to rip through the nuclear fuel and cause a severe nuclear accident comparable to the ongoing nuclear activity in Japan, but it is imperative that the NRC require the licensee to inspect the Unit 1 internals immediately to protect public health and safety.

To the extent that Unit 1 has now been restarted and operational

for several weeks, it is of no consequence to any unknown damage or core [foreign] material, which may severely damage nuclear fuel going forward in time.

Next, the licensee's acceleration determination are fale [false] and merely a guess, because the licensees did not have required refuel seismic instrumentation installed at the subject nuclear plant at the time of the August 2011 earthquake event, but the licensee cannot make valid acceleration determinations from the seismic instrumentation existing at the time of the event. The seismic event exhibited an acceleration twice the amount in which the nuclear plant was licensed by the NRC. But the licensee's operational licenses for Unit 1 and unit two are now invalid in these circumstances. Therefore, the NRC must require the licensee to apply for a license amendment request for each nuclear reactor facility.

The North Anna Nuclear Power Plant is [currently] operating in an unanalyzed condition without adequate safety margins jeopardizing public health and safety. The licensee's safety margins alleged to the NRC are invalid in these circumstances because they had no capability to make the required acceleration determination. The NRC nor the licensee can predict when the next earthquake event will occur or what magnitude it will be.

And finally, I note here on this public record that the licensee did not even bother to attend [this important] the support meeting, which could affect the licensee's operating licenses at the North Anna Nuclear Power Plant. This failure to attend the meeting by the licensee aptly demonstrates the licensee's zeal for economic concerns and having the plant run versus their commitment to public health and safety and it shows the collaboration between the licensee and the United States Nuclear Regulatory Commission. Thank you very much.

PATRICK HIGHLAND: Thank you, Mr. Saporito. Mr. Price and Ms. Gray. At this time you have approximately eight to 10 minutes to make your presentation.

SCOTT PRICE: Thank you. For the record my name is Scott Price. I'm the public policy director for the Alliance for Progressive Values. We are a Richmond, Virginia-based educational all volunteer organization. As you've already heard there are deep and enduring concerns about the safety of the aging North Anna nuclear facility. Recent events demonstrate that we can no longer dismiss the possibility of a large scale catastrophic event occurring here in Virginia. APV believes that it is best to think and plan for the unthinkable now rather than wait until it is too late as the authorities have so often done in the past. In the event of a disaster occurring at all the reactors in North Anna, the number of directly affected could rise into the millions and encompass the state capital in Richmond and the cities of Charlottesville and Fredericksburg, as well as the nearby communities of Louisa County.

At present, the Nuclear Regulatory Commission requires an emergency evacuation plan for localities within 10 miles of the civilian nuclear plant. In the wave of the ongoing disaster in Fukushima prefecture, which has displaced millions and contaminated enormous spots of land, including rural agricultural zones, as well as densely populated urban areas, it is clear the standard of existing evacuation zones like those now mandated by the NRC do not go far enough in protecting the public from a serious nuclear accident.

When it came to the disaster in Japan, the United States Department of State quickly advised its citizens in the affected area to evacuate to at least 50 miles distance from the crippled reactor. Clearly a 50-mile

evacuation zone was warranted there and equally clearly the same should be the case here in Virginia.

At present, a serious nuclear emergency such as one caused by severe earthquake with all the incumbent collateral damage to infrastructure, logistics and communications would generate a patchwork response from multiple local, state and federal agencies, each with their varying triggers in responsibility. As we have seen in large scale disasters, like the aftermath of the hurricane Katrina, this response can vary greatly both in quality and timeliness and as we have seen in Japan, the effectively [effect of a] local disaster can quickly radiate to areas not immediately affected. Prevailing winds tend to blow west to east in the Commonwealth. In Richmond 40 miles as the crow flies and the wind that blows from North Anna would be directly in the path of dangerous radiation released as part of a nuclear disaster.

APV contacted Anthony McLean, emergency management coordinator for the city of Richmond and asked about the city and the metropolitan areas evacuation plan in the event of a disaster in North Anna. Mr. McLean volunteered that there was no evacuation plan for Richmond with its 1.2 million population in the metro area since it lay outside the 10-mile circle surrounding North Anna. He told us that in the case of a disaster in North Anna, citizens would be advised to shelter in place and to await further instructions. This conjures images of the Bush era plastic wrap and duct tape strategies for dealing with nuclear-related terrorists acts, which were wildly [roundly] and justifiably mocked at the time. It also reflects the initial response in Japan after the earthquake and tsunami, which were subsequently scrapped.

Clearly, the United States government is aware that a 10-mile

radius may be insufficient to protect the public in the case of such an event. As we can see from the State Department's response to the crisis in Japan, we believe it is imperative to make the same sorts of decisions and plans now here in the United States and here in Virginia before a crisis emerges.

APV asks that the Nuclear Regulatory Commission issue rules requiring the appropriate local, state and federal agencies to develop comprehensive emergency evacuation plans for areas up to 50 miles from all 104 existing commercial nuclear power sites, including the aging North Anna facility and that these plans be made available to the public. That concludes my remarks. Erica, would you like to add something?

ERICA GRAY: My name is Erica Gray. I'm a member of Alliance for Progressive Values and I'm also on the policy committee. I've attended most of the NRC meetings with Dominion and find it hard to believe that the NRC allowed the restart of North Anna in light of all the information that has come forward. [unintelligible] [Besides] we haven't stopped shaking since our 5.8 earthquake back in August, over 50 aftershocks already and even a 2.1 this morning again located right down the road from North Anna Nuclear Power Station. I request that the recommendations from the American Thyroid Association, the people within a 50-mile radius of a nuclear power plant, have potassium iodide on hand and this should be included in the emergency evacuation plan.

And, as it goes for transparency, right now the NRC website updates nuclear power plant events only five days a week with weekends off. The NRC should post updates seven days a week so citizens can have access every day to the information about the nuclear power plant they live near. Have

we not learned anything from Fukushima? North Anna Nuclear Power Plant is putting millions at risk and our future here in Virginia. The NRC's mission statement is protecting people and the environment. Please do the right thing. North Anna Nuclear Power Plant should be closed. Thank you.

PATRICK HIGHLAND: Thank you, Ms. Gray. Mr. Blundell, at this time you have about eight to 10 minutes please.

PAUL BLUNDELL: Okay, can you hear me?

PATRICK HIGHLAND: Yes.

PAUL BLUNDELL: Okay. This is Paul Blundell with Not on Our Fault Line. I live in Mineral, Virginia, which is the epicenter of the recent earthquake and is only a few miles from the North Anna Nuclear Power Plant. I just have a couple of questions.

According to section 127 of the Bioterrorism Preparedness Response Act of 2002, the federal government is required to supply state and local governments with enough potassium iodide to adequately protect all residents within 20 miles of a nuclear power plant and the state and local governments should also have plans to distribute and administer the potassium iodide in the event of the release of radioactive material. It is our understanding that this law is not being followed. Given that potassium iodide is both very effective and one of the few defenses we have against the health effects of the released radioactive material in the event of a nuclear accident, and that in violation of federal law it is not being distributed to population around the North Anna Nuclear Power Plant. How can the Nuclear Regulatory Commission allow the plant to continue operating while this important public safety law is being violated? We ask the NRC to work to get this law enforced. We also ask the

NRC to require the licensee to work to implement this law as part of the necessary safety procedures related to operating a nuclear power plant.

I also have some questions regarding the two dams that are relevant to the North Anna Nuclear Power Plant, the dam retaining cooling pond and the dam retaining water of Lake Anna, which is the ultimate heat synch [sink] for the power plant. Specifically, in light of the recent earthquake that exceeded the design basis of the power plant, we want to know how long it would take before meltdown would occur if one or both of these dams failed, because dam failure is a potential consequence of large earthquakes. We want the NRC to require Dominion to answer this question, because the public has the right to know and it could directly affect public safety. So we want to know how long before meltdown do we have if the main Lake Anna dam failed, but the smaller cooling pond dam remained. How long would we have before meltdown if the smaller dam failed, the cooling pond, but not the Lake Anna dam? And then how long would we have if both dams failed during a seismic event?

We understand that Lake Anna dam is not regulated by the NRC because this is not regarded as safety related despite the fact that it is the ultimate heat synch [sink] and source of cooling for the plant and should it fail it would become a serious safety concern. So we want to know what kind of earthquake resistant standards and earthquake modeling were used to design the construction of both dams. We want to know if these standards and models took into account the possibility of an earthquake that caused as much ground deceleration [acceleration] as the August 23 earthquake. We want to know if the design standards for the dams were exceeded on August 23. We want to know if retrofits are required for either of these dams based on the new information about

earthquake potential in the area it was revealed on August 23 and we want to know if the design criteria for both dams are being reexamined following the unexpectedly strong August 23 earthquake. That is the entirety of my comments.

PATRICK HIGHLAND: Thank you, Mr. Blundell. I will ask our petition review board process manager to recontact you regarding how to submit and get responses to your specific questions that appear to fall outside the specifics of the petition review board, but I believe there is a simple process that we could answer those questions.

PAUL BLUNDELL: Thanks.

PATRICK HIGHLAND: Thank you for your time. We certainly appreciate it. Let's see. Mr. Gunter, at this time you have more than two minutes. You were correct. Your presentations took [less than] the allotted time. Feel free for the next 10 minutes.

PAUL GUNTER: Again, my name is Paul Gunter, director of reactor oversight at Beyond Nuclear in Takoma Park, Maryland. And you know, we appreciate the generosity of time the petition review board has provided us with this regard. Just a point of clarification, though. Perhaps this might come up more under the explanation of the 2.206 process, but it's my understanding that as our petition originally relates to the -- in part to the dams at the facility and more particularly, as the small dam structure represents a safety-related structure under the NRC oversight and enforcement, it's our understanding that these questions and concerns and the requests for the agency to provide in the director's decision, an explanation. You know, I just want to make sure that we're setting forth these questions as part of our effort to establish a public record, in particular with regard to the two dams there at North Anna and their seismic

rating. So, I think this is germane to the effort and to the inquiry for enforcement action that we're seeking in this petition. So, you know, but we will follow up as you suggest with our petition manager for further clarification on how this becomes part of the public record.

PATRICK HIGHLAND: And in particular, the reference to the federal law which I'm not familiar with regarding the distribution of potassium iodide, that's something I'm not prepared to answer and no one at this table is prepared to answer. I don't know I understood the specific question. We'll reference it, even though our recorder may have it. That's why I'd like him to follow up.

PAUL GUNTER: Thank you. And we will provide that in follow up. And I'm going to turn the remainder of my time in for any concluding remarks by Kevin Kamps.

KEVIN KAMPS: Thank you. Kevin Kamps, radioactive waste specialist at Beyond Nuclear. I just very briefly wanted to underline the risks involved with the storage of high-level radioactive waste at North Anna in both the pool and the dry casks by citing figures about the amount of radioactivity involved. According to a report by Robert Alvarez of Institute for Policy Studies that was published in May 2011 in response to Fukushima Daiichi catastrophe, about U.S. storage of high-level radioactive waste in nuclear power plants, he documented that the amount of radioactivity at North Anna is in the range of 225 million curies so that would be in both the pools and the dry casks, but if North Anna is like most U.S. atomic reactors, U.S. nuclear power plants, about 75 percent of that would be in the pools, 25 percent of that in the dry casks. And according to the U.S. Department of Energy in its final environmental impact

statement for Yucca Mountain, they gave the projected figure for spring of 2010 in terms of how much radioactive waste is at North Anna as approximately 1200 metric tons of radiated nuclear fuel, again in the pools and in the dry casks combined. And that figure grows because of two reactors at North Anna by as much as 60 metric tons per year. So, it's an immense amount of radioactivity concentrated especially in the pool at North Anna, but as we saw from the earthquake, the dry casks themselves are not safe from such natural disasters. Thank you.

PATRICK HIGHLAND: Does that conclude the petitioner's presentations, Mr. Gunter?

PAUL GUNTER: Yes, sir. That concludes our remarks.

JON THOMPSON: At this time does the staff at headquarters have any clarifying questions for Mr. Gunter or any of the petitioners? What about the region? Any questions? Mr. Strack [Pstrak].

DAVID STRACK [PSTRAK]: This is David Strack [Pstrak] from the NRC. Mr. Kamps, I do have a question. In your presentation you commented about the future need for hardened storage and if I read my notes here correctly, you indicated that North Anna brought in gauges and that this should be standard. The gauges should be standard there. What gauges did they bring in and where did you get that information?

KEVIN KAMPS: Yes. To my understanding this is based on press accounts from the immediate aftermath of the earthquake, about a week later, when North Anna admitted that there had been damage to the dry cask storage and that took them eight days to admit that despite pointed questions from such media sources as CNN, which was onsite at the nuclear plant day of the

earthquake. Day after the earthquake North Anna denied damage to the dry casks until eight days later and then the press accounts contained information about North Anna bringing in pressure gauges to determine that the inerting gases that bathe the nuclear fuel inside the dry casks were still present, that they had not leaked out, that the inner seals had not failed, and so that would be, I don't know the specifics at North Anna, if it's helium that's the inerting gas inside, but that is a heat transfer mechanism and it's also an anti-oxidation measure within the dry casks. So if that gas does leak, you have the danger of over-heating in the dry casks and you also have the danger of oxidizing the fuel, which will complicate all future storage, handling and ultimate disposal.

DAVID STRACK [PSTRAK]: And do you have any results from the gauges that were brought in what was determined on those casks?

KEVIN KAMPS: North Anna Nuclear Power Plant claims that the gases are still present and the specific source would either be the Washington Post or CNN. That is the media coverage that I followed.

DAVID STRACK [PSTRAK]: Thank you.

JON THOMPSON: My next point would be for any licensee questions, but my understanding is licensee's are not on the phone, so we will go to the period of time when members of the public can ask questions. This would be about the 2.206 process only, so operations officer, if you could unmute the public toll-free lines so that other members of the public could have a chance to ask their questions and then as people ask questions, if you could state your name and your organization prior to asking your question about the 2.206 process, that would be appreciated. Thank you.

MALE SPEAKER [HOO Operations Officer]: This is the

headquarters operations officer. We're in the process of unmuting those links. Please stand by.

JON THOMPSON: Okay, so we'll just wait one or two minutes. It'll take a little bit of time for those lines to be unmuted.

MALE SPEAKER [HOO Operations Officer]: Okay, we're unmuted to the public 800 number, sir. So, you're good to go, Jon.

PACE [PAGE] KEMP: Okay, let me clarify. This is Pace [Page] Kemp with Dominion. We've been on the phone the entire time, but haven't been able to speak during the presentation.

JON THOMPSON: Oh, that's right. That's right. My apology. They were given 800 numbers which did not have the opportunity to speak. So, my apology for that misimpression, because they called in to the public 800 numbers they did not have the opportunity to speak until this time.

[PATRICK HILAND: Ask if they have any clarifying questions.]

PACE [PAGE] KEMP: We had no clarifying questions.

JON THOMPSON: Yeah, do you have any clarifying questions as a licensee? And again, my apology for that technical snafu there.

PACE [PAGE] KEMP: No problem. We just wanted to verify everybody knew that we were on the line and we had no clarifying questions.

JON THOMPSON: Well, thank you very much. I appreciate your understanding. Any other -- any questions from members of the public? Is that an individual trying to make a question? If not, if you could do star six. All right, hearing no questions from members of the public. Okay, then I'll turn it over to our PRV [PRB] chair for closing remarks and I believe that list has all the –

[PATRICK HILAND:] oh, Mr. Gunter and Mr. Kamps and to all the

petitioners that took the time out of your busy days just to listen in and participate, thank you very much. We have a room full of board members and they were all attentive and listened for the past hour. Thank you to you for the time that you gave us.

Before we close, does the court reporter need any additional information for the meeting transcript? No needed information from them. With that, the meeting is concluded. We will be terminating the phone connection. Thank you, Mr. Gunter. Thanks, Mr. Kamps. Appreciate it.

[Whereupon, the proceedings were concluded]