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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

PEACH BOTTOM

+ + + + +

FRIDAY

FEBRUARY 17, 2012

+ + + + +

The conference call was held, Michele Evans, Chairperson of the Petition Review Board, presiding.

PETITIONER: MICHAEL MULLIGAN

PETITION REVIEW BOARD MEMBERS

MICHELE EVANS, Director

Division of Operating Reactor Licensing

JOHN HUGHEY, Petition Manager for 2.206 petition

ANDREA RUSSELL, Petition Coordinator for 2.206

petition

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NRC HEADQUARTERS STAFF

JOHN BILLERBECK, Component Performance and Test Branch

MOHAMMAD RAZZAQUE, Reactors Systems Branch

CATHERINE SCOTT, Assistant General Counsel for

Material Litigation and Enforcement

NRC REGIONAL STAFF

ADAM ZIEDONIS, Resident Inspector

SAM HANSELL, Senior Resident Inspector

LICENSEE REPRESENTATIVES

JIM ARMSTRONG, Exelon

DAN DOLAN, Exelon

DAVE HELKER, Exelon

TOM LOOMIS, Exelon

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

(11:00:44 a.m.)

1  
2  
3 MR. HUGHEY: Good morning. This is John  
4 Hughey with NRC. We'll go ahead and start the  
5 teleconference. I'd like to thank everybody for  
6 attending this meeting, and please note that this is a  
7 recorded line. My name is John Hughey, and I am the  
8 Peach Bottom Project Manager.

9 We are here today to allow the Petitioner,  
10 Michael Mulligan, to address the Petition Review Board  
11 regarding the 2.206 petition dated January 24<sup>th</sup>, 2012.

12 I'm the Petition Manager for the petition.

13 The Petition Review Board Chairman is Michelle Evans.

14 As part of the Petition Review Board's, or the PRB's  
15 review of the petition, Mr. Mulligan has requested  
16 this opportunity to address the PRB.

17 This meeting is scheduled from 11:00 a.m.  
18 to 12:00 p.m. Eastern Time. The meeting is being  
19 recorded by the NRC Operations Center, and will be  
20 transcribed by a court reporter. The transcript will  
21 become a supplement to the petition. The transcript  
22 will also be made publicly available.

23 I'd like to open this meeting with  
24 introductions. As we go around the room, please be  
25 sure to clearly state your name, your position, and

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1 the office that you work for within the NRC for the  
2 record.

3 What we'll do is I'll start off here at  
4 Headquarters, then I'll ask for any other NRC  
5 participants on the phone, and then we'll move to  
6 other participants. So, I'll start off. I'm John  
7 Hughey, and as I said I'm the Peach Bottom Project  
8 Manager for NRR, and I'm also the Petitioner Manager.

9 MS. EVANS: I'm Michelle Evans. I'm the  
10 Director, Division of Operating Reactor Licensing in  
11 NRR, and I'm the Peach Bottom Chairman.

12 MS. SCOTT: I'm Catherine Scott, and I'm  
13 the Assistant General Counsel for Materials Litigation  
14 and Enforcement with the Office of General Counsel.

15 MR. RAZZAQUE: I'm Mohammad Razzaque with  
16 the Reactor Systems Branch, NRR.

17 MR. BILLERBECK: This is John Billerbeck.  
18 I'm with the Component Performance and Test Branch in  
19 NRR.

20 MR. HUGHEY: Okay, and that's everyone here  
21 in the room at Headquarters. On the line from the  
22 Region, could you please identify yourselves.

23 MR. ZIEDONIS: Sure, John. This is Adam  
24 Ziedonis, the Resident Inspector calling from the  
25 Peach Bottom NRC Resident Inspector office. And Sam

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1 Hansell, the Senior Resident will be joining us here  
2 shortly, as well.

3 MR. HUGHEY: Okay, thank you very much. Are  
4 there any other NRC participants on the phone?

5 MS. RUSSELL: Hi, John. This is Andrea  
6 Russell, 2.206 Coordinator for NRR.

7 MR. HUGHEY: Okay, very good. Thank you,  
8 Andrea. And then we'll also go ahead and -- Mr.  
9 Mulligan, if you would introduce yourself.

10 MR. MULLIGAN: I'm Mike Mulligan, and I'm a  
11 Whistleblower. I once had a licensed operator, and I  
12 live in Hinsdale, New Hampshire.

13 MR. HUGHEY: Okay, very good. Thank you.  
14 Oh, and finally, are there any representatives from  
15 the Licensee on the telephone?

16 MR. ARMSTRONG: Jim Armstrong and Dan Dolan  
17 from Exelon.

18 MR. HELKER: Dave Helker, Exelon.

19 MR. LOOMIS: Tom Loomis, Exelon.

20 MR. HUGHEY: Okay, thank you very much.  
21 It's not required for members of the public to  
22 introduce themselves for this call; however, if there  
23 are any members of the public on the phone that wish  
24 to do so at this time, please state your name for the  
25 record.

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1 (No response.)

2 MR. HUGHEY: Okay, hearing none, I'd like  
3 to emphasize that we each need to speak clearly and  
4 loudly to make sure that the court reporter can  
5 accurately transcribe this meeting. If you do have  
6 something that you'd like to say please first state  
7 your name for the record.

8 For those dialing into the meeting, please  
9 remember to mute your phones to minimize any  
10 background noise or distractions. If you do not have a  
11 mute button, this can be done by pressing the keys \*6.  
12 To unmute, press the \*6 keys again. Thank you.

13 At this time, I'd turn it over to the PRB  
14 Chairman, Michelle Evans.

15 MS. EVANS: Good morning. Welcome to this  
16 meeting regarding the 2.206 Petition submitted by Mr.  
17 Mulligan.

18 I'd like to first share some background on  
19 our process. Section 2.206 of Title 10 of the Code of  
20 Federal Regulations describes the petition process,  
21 the primary mechanism for the public to request  
22 enforcement action by the NRC in a public process.  
23 This process permits anyone to petition the NRC to  
24 take enforcement-type action related to NRC licensees  
25 or licensed activities.

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1                    Depending on the results of its  
2 evaluation, NRC could modify, suspend, or revoke an  
3 NRC-issued license or take any other appropriate  
4 enforcement action to resolve a problem. The NRC  
5 Staff's guidance for the disposition of 2.206 petition  
6 requests is in Management Directive 8.11, which is  
7 publicly available.

8                    The purpose of today's meeting is to give  
9 the Petitioner an opportunity to provide any  
10 additional explanation or support -- are you still  
11 there?

12                   MR. HUGHEY: Yes. Can you still hear us on  
13 the line?

14                   MR. ZIEDONIS: I can hear you guys. This is  
15 Adam from Peach Bottom Resident Office.

16                   MR. HUGHEY: Okay, thank you.

17                   MS. EVANS: Okay, good. All right, we'll  
18 continue.

19                   The purpose of today's meeting is to give  
20 the Petitioner an opportunity provide any additional  
21 explanation or support for the petition before the  
22 Petition Review Board's initial consideration and  
23 recommendations. This meeting is not a hearing, nor is  
24 it an opportunity for the Petitioner to question or  
25 examine the PRB on the merits or the issues presented

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1 in the petition request. No decisions regarding the  
2 merits of this petition will be made at this meeting.

3           Following this meeting, the Petition  
4 Review Board will conduct its internal deliberations.  
5 The outcome of this internal meeting will be discussed  
6 with the Petitioner.

7           The Petition Review Board typically  
8 consists of a Chairman, usually a manager at the  
9 Senior Executive Service level at the NRC. It has a  
10 Petition Manager and a PRB Coordinator. Other members  
11 of the Board are determined by the NRC Staff based on  
12 the content of the information in the petition  
13 request.

14           At this time, I would like to introduce  
15 the Board. I am Michelle Evans, the Petition Review  
16 Board Chairman. John Hughey is the Petition Manager  
17 for the petition under discussion today. Andrea  
18 Russell is the Office's PRB Coordinator. Our technical  
19 staff includes Sam Hansell, Senior Resident Inspector,  
20 and Adam Ziedonis, Resident Inspector for the Peach  
21 Bottom Station. John Billerbeck, Office of Nuclear  
22 Reactor Regulations, Component Performance Testing  
23 Branch; and Mohammad Razzaque from the Reactor Systems  
24 Branch. We also obtain advice from our Office of  
25 General Counsel represented today by Catherine Scott.

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1 As described in our process, the NRC Staff  
2 may ask clarifying questions in order to better  
3 understand the Petitioner's presentation, and to reach  
4 a reasoned decision whether to accept or reject the  
5 Petitioner's request for review under the 2.206  
6 process.

7 I would like to summarize the scope of the  
8 petition under consideration and the NRC activities to  
9 date. On January 24<sup>th</sup>, 2012, Mr. Mulligan submitted to  
10 the NRC a petition under 2.206 regarding the Peach  
11 Bottom Unit 2 and Unit 3 reactors.

12 In this petition request, Mr. Mulligan  
13 identified the following areas of concern. Mr.  
14 Mulligan requests that the NRC, one, require that  
15 Peach Bottom have an outside detailed investigation  
16 and root cause performed the Unit 3 safety release  
17 valve pneumatic actuators threaded seal failure that  
18 was discovered on September 25<sup>th</sup>, 2011.

19 Number two, perform a special  
20 investigation or equivalent and explain the  
21 similarities and differences between the Vermont  
22 Yankee and Peach Bottom safety release valve actuators  
23 and seal problems.

24 Number three, consider if a Generic Notice  
25 is needed. Number four, require that Peach Bottom

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1 Nuclear Plant be immediately shut down. Number five,  
2 require that all Peach Bottom safety release valves  
3 seals and actuators be replaced with a design with a  
4 sufficient margin of safety before start up.

5 Number six, form a local public oversight  
6 panel around every plant. Number seven, form an  
7 emergency NRC Senior Official Oversight Panel with the  
8 aims of reforming the reactor oversight process.  
9 Number eight, form a national NRC oversight panel of  
10 outsiders to oversee and report on the Agency's  
11 activities. There should be a mixture of  
12 professional, academic people and capable lay people.

13 The Petitioner also requests that  
14 President Obama removed Chairman Jaczko and the other  
15 four NRC Commissioners.

16 As the basis for this request, Mr.  
17 Mulligan referenced the Licensee Event Report  
18 associated with the failure of the Peach Bottom Unit 3  
19 safety release valve in September of 2011.

20 The Event Report describes that the safety  
21 release valve failed a surveillance test with  
22 excessive leakage attributed to a thermally degraded  
23 threaded seal on the actuators; Peach Bottom's plan to  
24 upgrade the seals due to vendor information issued in  
25 March 2011 regarding Vermont Yankee. The vendor

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1 information recommended seal upgrades to a more  
2 thermal-resistant material.

3 Allow me to discuss the NRC activities to  
4 date. On January 31<sup>st</sup>, 2012, the Petition Manager  
5 contacted the Petitioner to explain the 10 CFR 2.206  
6 process, and to offer the Petitioner an opportunity to  
7 address the PRB by phone or in person. The Petitioner  
8 requested to address the PRB by phone prior to its  
9 internal meeting to make the initial recommendation to  
10 accept or reject the petition for review.

11 On February 3<sup>rd</sup>, 2012, the PRB met  
12 internally to discuss the request for immediate  
13 action. The PRB denied the request for immediate  
14 action on the basis that additional NRC Staff  
15 evaluation had determined that the failure of the  
16 Peach Bottom Unit 2 safety release valve threaded seal  
17 was not a common mode failure or an age-related  
18 failure, but was isolated to the particular seal  
19 installed on the subject actuator in November of 2010.

20 The Petitioner was informed on February  
21 10<sup>th</sup>, 2012 of the PRB's decision to deny the request  
22 for immediate action.

23 As a reminder for the phone participants,  
24 please identify yourself if you make any remarks, as  
25 this will help us in the preparation of the meeting

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1 transcript that will be made publicly available. Thank  
2 you.

3 Mr. Mulligan, I'll turn it over to you to  
4 allow you to provide any information you believe the  
5 PRB should consider as part of this petition.

6 MR. MULLIGAN: I have a neighbor with a  
7 chainsaw. Is that noise disruptive? Is it all right if  
8 I go on, and maybe move into another room or  
9 something. It'll take me two seconds. But is that  
10 noise disruptive to you, anybody?

11 MR. HUGHEY: No, not on this line. We can't  
12 hear a thing.

13 MR. MULLIGAN: Okay, great.

14 I'm going to put a little spot in for CNN.  
15 They're having a special on Vermont Yankee this  
16 Sunday, February 19<sup>th</sup> at 8:00 p.m. I don't think that's  
17 a coincidence that I'm here today, and this thing is  
18 going on Sunday.

19 What I would say with Vermont Yankee is  
20 that, you know, it's the head in the sands kind of  
21 philosophy that gets everybody into trouble. It's the  
22 idea of problems show up and stuff like that,  
23 everybody just kind of turns their head away from the  
24 problem, and ignores it. And they know what they're  
25 supposed to do, or they might have incomplete

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1 procedures or processes, and they know they're  
2 incomplete, and they default to well, I've got to  
3 follow the procedures. And I don't have to tell the  
4 whole story and stuff. And I think that's a big deal  
5 with the industry; the instincts to, when problems  
6 come up everybody kind of just -- everybody puts their  
7 head in the sand, that type of thing.

8           You know, I want to recognize that I'm a  
9 very lucky person. I live in the United States of  
10 America, and I know that if I lived in China, or in  
11 Israel, you know, they'd find me in the gutter with a  
12 bullet in my head. I know that I live in an  
13 extraordinary country with a constitution, and this  
14 allows me to talk to my government. And this is what  
15 I'm doing today, is talking to my government. And it's  
16 quite an amazing thing. A lot of people in the world  
17 don't have this privilege as we do as United States  
18 citizens.

19           The big picture, well, it says on the  
20 response that the seals have worked for 20 years at  
21 Peach Bottom, and there's no deterioration in the  
22 seals that have been discovered except this one. And I  
23 would just say that the seal testing and stuff,  
24 pressure testing, that doesn't get you -- that's not a  
25 thorough way to evaluate what's going on here.

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1 I could tell you right now that you tell  
2 me -- I would say well, what is your basis for that  
3 --- making that statement. You don't provide a basis.  
4 What kind of testing, what kind of lab work was done  
5 on that seal that failed at Peach Bottom?

6 We know that there's -- Vermont Yankee was  
7 supposed to be Buna-n, and actually it is Buna with  
8 sulfur impurities and stuff like that, so how do we  
9 know that the same thing is not going on at Peach  
10 Bottom?

11 You know, I'm a science guy, an  
12 engineering guy, you know, show me the facts. Science  
13 and engineering is about getting the information down  
14 on paper and letting everybody see and have an audit  
15 whether it's valid information or not. I don't see  
16 that kind of science going on here or in a lot of  
17 things in the industry.

18 So, I think there's a process system  
19 breakdown in maintaining the quality of materials and  
20 safety systems. We know that there's hundreds of  
21 thousands of parts in each plant. There's millions of  
22 parts and components throughout the nation and stuff  
23 like that, and if there's a process breakdown, you  
24 know, maybe on in a thousand components will show a  
25 defect, or you can't see a defect and stuff like that.

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1 And you cycle it through all these hundreds of  
2 thousands of parts and components and millions of  
3 parts and components nationwide and stuff like.

4 You know, you've got -- if it's one in ten  
5 thousand, one in a hundred thousand, you still got a  
6 big problem. And my fear is what will these guys see  
7 up in the control room if we have a bad accident with  
8 the number of errors that could show up.

9 What we know between Vermont Yankee and  
10 Peach Bottom is they could stick a new actuator in  
11 there with new seals. It could pass the leak rate test  
12 and before a year is out those seals could deteriorate  
13 to some unknown condition, become thermally affected,  
14 become brittle and dry. And we really don't -- you  
15 know, science and engineering.

16 You know, I want the facts, what are the  
17 facts? Do you have Buna-n in there, or is it just  
18 Buna, or is some other crap from China or something  
19 like that? What is in them seals and stuff like that?  
20 I mean, I think the NRC and Peach Bottom ought to --  
21 should have provided us with that information long  
22 ago.

23 You know, it's like an artificial hip  
24 operation. You go to a doctor, he says I'll throw a  
25 metal hip in you, and it'll be good for 40 years. You

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1 go have an operation, you risk your life, you come out  
2 of it you're pretty good after two months. And in the  
3 fourth month, you're worse than you ever were. Then  
4 you go back to the doctor and he says oh, yeah, you  
5 know, we knew that the damn thing was going to rust.  
6 We had information it was going to rust. We didn't  
7 really know the full quality of the material that was  
8 placed in that hip and stuff. You know, we're sorry.

9 That's what's happening here, and it's  
10 just not ethnical or moral in a nuclear plant not to  
11 know what kind of material properties that are in  
12 these plants. You've got regulations that say you're  
13 supposed to have these kind of properties, and nobody  
14 knows what's going on with seals, at least with  
15 Vermont Yankee, and also Peach Bottom.

16 And we know big picture, the NRC should  
17 have picked this right up in the beginning with  
18 Vermont Yankee, and they should have demanded that  
19 those seals, they get sent off to the labs. The NRC  
20 should have taken one of them seals and did their own  
21 lab work on them seals. And it should have been  
22 announced rather quickly to all the plants in the  
23 United States what's going on with them seals, and why  
24 did those -- why do we have this quality process  
25 breakdown that allowed them that material in these

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1 plants? Questions whether -- you know, it questions  
2 whether the rest of the safety release valves. How do  
3 we know the other material in there is of adequate  
4 standards, all the metal and all that sort of stuff,  
5 you know. And like I said, this is new stuff.

6 I would say that every seal or every  
7 actuator or valve that's manufactured after 2002  
8 doesn't have the -- can't be assured that they have  
9 the proper standards.

10 Again, you know, I think Peach Bottom  
11 should have been more aware, and the NRC should have  
12 been more aware of what was going on at Vermont  
13 Yankee. You know, at Vermont Yankee the vendor  
14 triggered the whole thing by saying we cannot support  
15 Type 1 actuators any more, so that started the whole  
16 ball rolling. And then they went into this Type 2  
17 actuator, and there was kind of word games being  
18 played between the vendor and Vermont Yankee of what  
19 actually a Type 2 is. And here we are.

20 So, you know, you start asking what's the  
21 extent of the condition, what's the generic  
22 implications? How many plants in the United States  
23 have defective seals in there? You know, the worst  
24 thing you can think about is what if the seal turned  
25 to dust? Do we have any actual studies of predicting

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1 what would happen if those seals disappear in an  
2 accident? And like I said, the other thing is, you  
3 know, if a process is broken down -- or why their  
4 process is broken down, and we don't know what the  
5 quality of any of the stuff is in these valves.

6 You know, we make -- I try and make models  
7 in my mind. The one model would be that we're at a  
8 nuke plant and it only has one diesel generator  
9 available and stuff. That's the way the set up is,  
10 we've only got one diesel generator. You know, we got  
11 two loops recently in the nation. We had them -- they  
12 were shut down at the same time, so you have one plant  
13 that's got one diesel generator, and that's all you've  
14 got to depend upon. And then you've got another plant  
15 like a regular plant where you have diverse power  
16 supplies, and you've got backups to backups.

17 I think at times the plant with one diesel  
18 generator is more safe than the plant with diverse  
19 power supplies. I think there's a mental disease that  
20 gets involved in this thing, mental thinking,  
21 defective thinking, and it all turns into, you know,  
22 well, we've got backups to the backups. Nothing  
23 matters. You know, we've got backups to the backups,  
24 doesn't matter what the quality of an SRV is because  
25 there's so many other things. You know, we've got so

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1 many backup system it doesn't matter. We've got -- it  
2 doesn't matter what the seal material is because we've  
3 got backups to the backups.

4 And I think that's a philosophy that's  
5 going to destroy the industry if we keep thinking --

6 I'd rather have one diesel generator -- and everybody  
7 is smart enough -- these are all smart people to say  
8 oh, man, one diesel generator. Can you imagine what  
9 happens if you had a failure in that diesel generator?  
10 And then you've by hyper fixated on making sure that  
11 diesel generator doesn't have a defect, not even a  
12 little defect in there. It would be spot perfect  
13 instead of this area we've got now where everybody is  
14 -- nothing ever matters, risk, regulation, we've got  
15 backups to the backup. And we really don't care if  
16 there's defects in there because we've got so many  
17 backup systems.

18 The history with -- in regulations  
19 maintaining safety system parts, you know. And with  
20 this thing here, it started out with asbestos seals,  
21 and then it went to silicon, which was worse. Then we  
22 went to Buna-n which was even less -- it could survive  
23 a less -- not as high a temperature. And then we went  
24 to Buna something or other and stuff. And who knows  
25 what's really in there. And this Viton stuff that

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1 Vermont Yankee replaced their seals with with the 400  
2 degrees, you know, kind of reminds you -- that's back  
3 to that business with the asbestos. At least asbestos  
4 -- I know, you know, asbestos is poisonous and stuff  
5 like that, but still asbestos is the high-temperature  
6 material and stuff like that. How did we end up  
7 sliding down to silicon and then the Buna-n, and then  
8 we don't care what kind of Buna is in there, or  
9 anything will work and stuff. How did we end up -  
10 through the history of the last few decades, how did  
11 we end up with this reduction of safety? You know, it  
12 boggles the mind.

13           Severe reactor accidents, you know, if we  
14 had a severe reactor accident without fatality at  
15 Peach Bottom, can you imagine, you know, 80 miles from  
16 Washington, D.C. You know, it would damage the  
17 credibility of the United States worldwide. It would  
18 damage the credibility of the utility industry. You  
19 know, if you had one at one plant, the other one would  
20 be considered dead for a decade, so you destroy a  
21 utility. Exelon would be destroyed. There would be  
22 price spikes in the United States, there would be all  
23 sorts of political stuff going on and stuff like that.  
24 So, people say oh, well, there's not a fatality -- we  
25 don't have to worry because there will be no fatality,

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1 you know.

2 I think a reactor accident without  
3 fatality is just marginally lesser of an accident than  
4 one with a fatality. In other words, I think there's  
5 -- it's a mind boggling catastrophe for the United  
6 States if we ever had a core melt down. You know that  
7 that core melt down would create all sorts of  
8 investigations. We'd find all sorts of stuff wrong  
9 with the NRC, and it would be a circus. And within  
10 these utilities, we would retroactively say well,  
11 today this behavior is acceptable. After the accident  
12 we would think it's a coverup and stuff. It would be a  
13 catastrophe for everybody if we had an accident  
14 without fatality. It bothers me the NRC spews this  
15 stuff out and doesn't put that in a bigger context of  
16 well, if we had a melt down it would be a catastrophe  
17 all around.

18 We know -- they're talking about in this  
19 SOARCA, State-Of-The-Art Reactor Consequence program,  
20 they're talking about, you know, these pressurizers, I  
21 mean these reliefs work -- cycle 400 times during an  
22 accident. They're probably going to fail after 270  
23 cycles, you know. The accumulators are sized between  
24 one and five cycles and stuff. It's amazing that  
25 there's such a difference in this.

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1           Then we know that -- another thing that  
2 bothers me with this SOARCA is the actuators  
3 themselves aren't analyzed. You don't have any --  
4 well, why is that? How come you assume that there's  
5 no actuators in this evaluation and stuff? It's the  
6 most vulnerable -- it has -- it's the most vulnerable  
7 part of the relief -- wink, wink, ignored by the NRC.  
8 And this thing talks -- doesn't even talk about what  
9 would really happen in the control room.

10           You'd have operators bird dogging these  
11 relief valves, the switches, and you would never allow  
12 those relief valves to operate on their own, you  
13 know. You'd be controlling the reactor pressure by  
14 opening and shutting the relief valves. There'd be a  
15 person there standing operating the switch. And SOARCA  
16 doesn't talk about -- they talk about this automatic  
17 action. And I think that's -- there's disconnect  
18 between what the procedures say to the operators, you  
19 have to be there and operating them, and SOARCA kind  
20 of just says oh, well -- probably the actuator won't  
21 survive. We're going to have to assume that it works  
22 on automatic function.

23           You know, you have an engineering  
24 evaluation saying one thing and then you're telling  
25 the operator -- then you're leaving the operators out

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1 there naked and they're assuming those valves are  
2 going to work. That bothers me. That bothers me that  
3 there's such a disconnection between the engineering  
4 and the actual procedures at these plants.

5 I think, you know, you can see these guys  
6 up there and all of a sudden the valve switch doesn't  
7 work because maybe the seal has turned to dust and  
8 stuff, you know. And the procedures tell him that he  
9 has to manually control those valves. And what is he  
10 going to think? What is he going to think there now in  
11 that accident when the procedures tell him to control  
12 pressure, and all of a sudden the switch don't work,  
13 you know. How do we leave a guy like that naked? How  
14 do we leave those guys naked without actually  
15 absolutely knowing what's going to happen to those  
16 valves in the worst accident?

17 At Vermont Yankee when this thing started  
18 -- oh, wait a minute, I'm all mixed up. So, we know  
19 the -- just recently the inspectors told me that, you  
20 know, Vermont Yankee reliefs or seals are -- they're  
21 not sure. They had two lab analyses and, evidently,  
22 one said that it was Buna-n, one said that it wasn't  
23 Buna-n, and they got sulfur impurities. There was a  
24 conflict and stuff between the labs.

25 I guess now, according to the NRC

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1 inspectors, it didn't have that Buna-n stuff in it,  
2 and it had impurities in it, so that was the reason  
3 --- I mean that degraded the thermal performances of  
4 the seals.

5           You know, two of the four valves failed a  
6 leak test, three out of four valves leaked. These  
7 valves were purchased in 2002. They were installed in  
8 2008. It was the -- one operating period later in  
9 2010, they discovered in the May outage that they were  
10 leaking. In 2010, the 12/22/2010, it was reported in  
11 the LER. There was a tremendous delay in reporting  
12 this stuff, and the first LER was incomplete and  
13 stuff.

14           You know, what is -- that sort of stuff  
15 should have been out there in the industry. This is  
16 our problem. This is, you know. It should have been  
17 immediately assessed as far as what condition those  
18 seals were, and reported to everybody and stuff. And  
19 we think that because this has such generic  
20 implications, everybody knew that it was generic  
21 implications. We don't know what the quality of some  
22 of these seals after 2002. Nobody had the skills to  
23 say I've got to get this down on paper.

24           Every seal that comes out of these plants  
25 from now on after 2010 has to be -- has to go to a

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1 lab, and we have to know exactly whether they're Buna-  
2 n, or Buna, or sulfur crap, or whatever it is, you  
3 know. That's science and engineering. The same with  
4 Peach Bottom, they -- Peach Bottom should have when  
5 they had this valve, knowing -- referencing Vermont  
6 Yankee, they should have threw it to a lab and --  
7 within a month maybe or so, they should have known  
8 exactly what they got with Buna-n. We should have had  
9 a feeling -- how many are Buna-n material that's to  
10 the right standards? How many seals are crap seals,  
11 you know.

12 We should be asking how do those crap  
13 seals get in the system? How come there wasn't -- how  
14 come Target Rock didn't have the capability to test  
15 these seals and reject the bad stuff, and keep the  
16 good stuff? What's going on with all of sudden a  
17 vendor doesn't have -- doesn't really notify anybody  
18 in time, and he says he can't support a Type 1, and he  
19 goes to a Type 2?

20 How come, you know, it starts off as  
21 asbestos, then all of a sudden we go down to this 150,  
22 170 degree crap, and now we're going back up to 400  
23 degrees stuff with this Viton. I mean, this is  
24 insanity. How do we allow this degradation of safety,  
25 and then we come back and use stuff that kind of is

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1 equivalent to the asbestos?

2           These are questions that everybody should  
3 be asking, and nobody is asking those questions. I  
4 find it amazing in this day and age. Like I said,  
5 science and engineering, and documentation. You get it  
6 on paper, you let everybody see what's going on, and  
7 you even allow your enemies, so called enemies to see  
8 it, and they make the response. And it gets everybody  
9 -- that energizes people to really find out what's  
10 going on under all this sort of stuff. And we have a  
11 complete story of -- from 2002 to today.

12           Like I said, you know, everybody is hiding  
13 their heads in the holes and playing plausible  
14 stupidity. You know, it's plausible I'm stupid, but I  
15 know really -- I'm a smart guy, and I know how to hide  
16 things. I know how to turn my head away from problems.  
17 I know how to follow the rules, and I know they're  
18 incomplete, and it gives an incomplete story.

19           And those are the kinds of things that  
20 we're going to see this Sunday in CNN and stuff.  
21 That's the stuff we worry about in the nuclear  
22 industry. This is the stuff we worry about with the  
23 new stuff in Georgia coming out and stuff like that.

24           Will you be able to control the quality of  
25 the materials going into these plants? Will a bum

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1 safety release valve, or another kind of valve get  
2 thrown into this new nuclear plant and create a  
3 scandal later on and stuff like that? That's the stuff  
4 we worry about.

5 Like I said, the NRC should have been on  
6 the ball. They should have been -- they should have  
7 realized quickly in 2010 that there's a process -- a  
8 safety system quality process breakdown at Vermont  
9 Yankee, at Target Rock, at Curtis Wright, and they  
10 should have come down with a hammer, and you should  
11 have been banging on -- forcing people to disclose  
12 quickly what's going on. And get the information out  
13 there, and get the shit repaired, and quickly, and  
14 stuff like that.

15 There should be no games with the quality  
16 of materials in these plants. You know, this should be  
17 -- this is mind boggling that in the safety release  
18 valve, people let materials in there that they didn't  
19 know the material properties of the seals. Going on a  
20 lot. Talked about the diaphragms at Browns Ferry back  
21 in 2008 where this fibrous material wasn't in the -- I  
22 think it was in the diaphragm, too, and stuff that --  
23 how do you maintain quality and safety parts and  
24 stuff like that?

25 Is there a problem with that nationwide?

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1 You know, what's going on with the vendors? How come  
2 the vendors -- you know, last March Peach Bottom was  
3 told by a vendor that you should replace the actuators  
4 and stuff like that. How come we're going through --  
5 we went through an outage and they weren't replaced  
6 with perfect products that meet the regulations? How  
7 does it end up that you operate with bum seals at  
8 Peach Bottom?

9 Those are the questions that I have as far  
10 as it's not really -- a lot of this stuff I'm not  
11 working on in a plant basis. I'm not working on an  
12 individual basis to find -- you know, I'm talking  
13 about organizational -- I'm doing organizational work,  
14 organizational dysfunction.

15 We should be better organizationally than  
16 we are, and that should be a concern nationwide that  
17 we aren't better organizationally. There are so many  
18 flaws in the organization, and these processes that  
19 bring us quality. We should be worried and pulling our  
20 hair, and fixing what's broken instead of playing  
21 games and hiding our heads in the sand.

22 They say Exelon is a better company than  
23 Entergy. That's what the rumors I hear. But Exelon is  
24 acting much like Entergy was in 2010. You know,  
25 everybody playing games and not getting down to the

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1 bottom -- you know, not doing the testing, not  
2 admitting the testing, what's there, why that seal  
3 failed. I mean, almost can say are we sitting here  
4 doing a replay of the Vermont Yankee seals at Peach  
5 Bottom? Is it, you know -- is the same kind of process  
6 of only seeing half of the stuff we're really supposed  
7 to see, defaulting to well, there's -- we've done  
8 fleet testing which we know fleet testing doesn't pick  
9 up any of the problems in this. And we kind of default  
10 to say oh, we haven't had a problem with seals in the  
11 last 20 years.

12 Well, this stuff started in 19 -- 2002,  
13 and probably 2010, and there's an association between  
14 Vermont Yankee and Peach Bottom. The first time they  
15 stick these seals in there the seals fail within the  
16 first year. New actuators, the first year they fail.  
17 There's two different plants that do that. Alarm bells  
18 should be going off big time why that happened.

19 Those are small problems that we should  
20 amplify. We should amplify the signal up to a bigger  
21 investigation and more concern. And we should all be  
22 wondering why that -- why this has happened, why these  
23 associations has happened and stuff like that, instead  
24 of, you know, being satisfied leak rate testing  
25 doesn't show up any problems.

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1           The LER says the event day was last -- the  
2 event day for Peach Bottom was last September and  
3 stuff, so, you know -- you know, like I said, I wonder  
4 have those -- that seal -- science and engineering,  
5 you know. We go by facts, science and engineering. We  
6 do laboratory -- quality laboratory testing on  
7 products that fail, and we know what's -- why they  
8 failed and stuff. Has those seals showed any  
9 deficiencies with the materials?

10           You know, like I said, every seal coming  
11 out of -- every SRV seal coming out of a safety --  
12 Target Rock safety release valve should be sent to  
13 the laboratory, and we should understand how many  
14 Buna-n high-quality seals there are versus how many  
15 Buna-crap seals there are and stuff like that. And we  
16 should understand why the crap seals got into the  
17 supply stream.

18           You know, like I said, document  
19 everything, document all the facts, and then we can  
20 see them and fix it instead of taking these terrible  
21 chances with unsafe components and spare parts.

22           Again, I'd like to -- it's a privilege  
23 being able to do this, talk to a Petition Board. It's  
24 a privilege to be a citizen of the United States. I  
25 live in the best country in the world. Thank you for

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1 this opportunity.

2 MS. EVANS: Yes. This is Michelle Evans,  
3 again. Thank you, Mr. Mulligan, for your presentation.

4 At this time does the Staff here at  
5 Headquarters have any questions for Mr. Mulligan?

6 (No response.)

7 MS. EVANS: Okay. How about in the region  
8 at the Resident Office, any questions for Mr.  
9 Mulligan?

10 MR. ZIEDONIS: No, we don't have any  
11 questions.

12 MS. EVANS: Okay. Also, does the Licensee  
13 have any questions for the NRC Staff?

14 MR. ARMSTRONG: No questions.

15 MS. EVANS: Mr. Mulligan, thank you for  
16 taking time to provide the NRC Staff with clarifying  
17 information on the petition that you've submitted.

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

21 COURT REPORTER: Hello, this is the court  
22 reporter. I will have a few questions, if it's  
23 possible for me to call Mr. Hughey in about 10  
24 minutes. Is he at 3204?

25 MR. HUGHEY: That's correct.

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1 COURT REPORTER: Is 10 minutes a good time  
2 to call? Is a half hour better, 45 minutes better?

3 MR. HUGHEY: Yes, I think 15 would be just  
4 right.

5 COURT REPORTER: Okay. I will have a short  
6 list of questions. They're mostly going to be the  
7 names of the NRC personnel, just to make sure I have  
8 them spelled correctly. And I'll do a quick review of  
9 my notes.

10 MR. HUGHEY: Okay, understood. I'll be  
11 expecting your call in 15 minutes.

12 COURT REPORTER: Sounds good. That'll be  
13 about 12:00.

14 MR. HUGHEY: Okay.

15 MS. EVANS: Okay, thank you.

16 COURT REPORTER: Thank you very much.

17 MS. EVANS: With that, this meeting is  
18 concluded and we will be terminating the phone  
19 connection. Thank you, everyone.

20 (Whereupon, the proceedings went off the  
21 record at 11:44:59 a.m.)  
22  
23  
24  
25

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