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Title: 10 CFR 2.206 Petition
 RE Palisades Nuclear Plant

Docket Number: 50-255

Location: telephone conference

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Pages 1-44

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1 NRC STAFF PRESENT:

2 ROBERT WOLFGANG, Mechanical Engineer,
3 Component Performance and Testing
4 Branch, Division of Engineering

5 BRETT KLUKAN, ESQ., Office of General Counsel

6 KIM MORGAN BUTLER, Acting Branch Chief,
7 Communications Branch

8 KERBY SCALES, Operations [Electrical] Engineer,

9 NRR

10 DAVE ALLEY, Acting Branch Chief, Piping and
11 NDE Branch

12 ANDREA RUSSELL, Agency 2.206 Coordinator

13 ROBERT LERCH, Project Engineer, Region III/
14 Division of Reactor Projects/Branch IV

15
16 ALSO PRESENT:

17 JEFF ERICKSON, Licensing, Entergy

18 MICHAEL MULLIGAN, Petitioner
19
20
21
22
23
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25

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1
2 P-R-O-C-E-E-D-I-N-G-S

3 (2:00 p.m.)

4 MR. CHAWLA: I would like to thank
5 everybody for attending this meeting. My name is Mack
6 Chawla, and I am the NRC Project Manager for the
7 Palisades Nuclear Plant.

8 We are here today to allow the Petitioner,
9 Mike Mulligan, to address the Petition Review Board
10 regarding the 2.206 petition dated January 10, 2012.

11 I am also the Petition Manager for the
12 petition. The Petition Review Board Chairman is Mike
13 Cheok.

14 As part of the Petition Review Board's or
15 PRB's review of this petition, Mike Mulligan has
16 requested this opportunity to address the PRB. This
17 meeting is scheduled from 2:00 to 3:00 p.m. Eastern
18 Time. The meeting is being recorded by the NRC
19 Operations Center and will be transcribed by a Court
20 Reporter. The transcript will become a supplement to
21 the petition. The transcript will also be made
22 publicly available.

23 I would 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 you work for within the NRC for the record.
2 I will start off. Again, my name is Mack Chawla. I
3 am the Petition Manager for this petition. I will go
4 around the room here.

5 MR. CHEOK: I'm Mike Cheok. I am the
6 Deputy Division Director in the Division of
7 Engineering in NRR.

8 MR. WOLFGANG: Bob Wolfgang. I'm a
9 Mechanical Engineer, Component Performance and Testing
10 Branch in the Division of Engineering in NRR.

11 MR. KLUKAN: My name is Brett Klukan. I
12 am the attorney-advisor to the panel from the Office
13 of General Counsel.

14 MS. BUTLER: My name is Kim Morgan Butler.
15 I am the Acting Branch Chief of the Communications
16 Branch in NRR.

17 MR. SCALES: Hi. My name is Kerby Scales.
18 I'm an Operations [Electrical] Engineer in the
19 Division of Engineering, NRR.

20 MR. ALLEY: Dave Alley. I'm a Senior
21 Materials Engineer. I'm Acting Branch Chief for the
22 Piping and NDE Branch.

23 MS. RUSSELL: Andrea Russell, 2.206
24 Coordinator for NRR, and Agency 2.206 Coordinator.

25 MR. CHAWLA: Okay. We have completed

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1 introductions at NRC headquarters. At this time, are
2 there any NRC participants from headquarters on the
3 phone?

4 (No response.)

5 Hearing none, are there any NRC
6 participants from the regional office on the phone?

7 MR. LERCH: Yes. My name is Robert Lerch,
8 L-E-R-C-H. I am the Project Engineer for the
9 Palisades Branch in Region III, which is in Lisle,
10 Illinois.

11 MR. CHAWLA: Okay. Are there any
12 representatives for the licensee on the phone?

13 MR. ERICKSON: Yes. My name is Jeff
14 Erickson from the Licensing Department at Palisades
15 Nuclear Plant.

16 MR. CHAWLA: Mr. Mulligan, would you
17 please introduce yourself for the record?

18 MR. MULLIGAN: I'm Mike Mulligan. I'm a
19 whistleblower, and I live two miles from Vermont
20 Yankee.

21 MR. CHAWLA: It is not required for
22 members of the public to introduce themselves for this
23 call. However, if there are any members of the public
24 on the phone that wish to do so at this time, please
25 state your name for the record.

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1 (No response.)

2 Hearing none, I think there are no members
3 of the public here.

4 I would like to emphasize that we each
5 need to speak clearly and loudly to make sure that the
6 Court Reporter can accurately transcribe this meeting.
7 If you do have something that you would like to say,
8 please first state your name for the record.

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

14 Before turning it over, I just want to
15 verify the Court Reporter is on the line. Is the
16 Court Reporter online?

17 THE COURT REPORTER: I am on the line.

18 MR. CHAWLA: Oh, you are on. Thank you.

19 At this time, I will turn it over to the
20 PRB Chairman, Mike Cheok.

21 MR. CHEOK: Okay. Thanks. Good afternoon
22 again. Welcome to this meeting regarding the 2.206
23 petition submitted by Mr. Mulligan. I would like to
24 first share some background on our process.

25 Section 2.206 of Title 10 of the Code of

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1 Federal Regulations describes the petition process,
2 the primary mechanism for the public to request
3 enforcement action by the NRC in a public process.

4 This process permits anyone to petition
5 NRC to take enforcement-type action related to the NRC
6 licensees or licensed activities. Depending on the
7 results of its evaluation, NRC could modify, suspend,
8 or revoke an NRC-issued license or take any other
9 appropriate enforcement action to resolve a problem.

10 The NRC staff's guidance for the
11 disposition of a 2.206 petition request is in
12 Management Directive 8.11, which is publicly
13 available.

14 Now, the purpose of today's meeting is to
15 give the Petitioner an opportunity to provide any
16 additional explanation or support for the petition
17 before the Petition Review Board's final consideration
18 and recommendation.

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

23 No decisions regarding the merits of this
24 petition will be made at this meeting. Following this
25 meeting, the Petition Review Board will conduct its

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1 internal deliberations. The outcome of this internal
2 meeting will be discussed with the Petitioner.

3 The Petition Review Board typically
4 consists of a chairman, usually a manager at the
5 Senior Executive Service level at the NRC. It has a
6 petition manager and a PRB coordinator. Other members
7 of the board are determined by the NRC staff based on
8 the content of the information in the petition
9 request.

10 At this time, I would like to introduce
11 the Board. Again, I am Mike Cheok, the Petition
12 Review Board Chairman. Mack Chawla is the Petition
13 Manager for the petition under discussion today.
14 Andrea Russell is the office PRB coordinator.

15 Our technical staff includes: Kerby
16 Scales from the Office of Nuclear Reactor Regulation's
17 Electric Engineering Branch; Bob Wolfgang from the
18 Office of Nuclear Reactor Regulation's Component
19 Performance and Testing Branch; Dave Alley from the
20 Office of Nuclear Reactor Regulation's Piping and NDE
21 Branch; Jack Giessner, Branch Chief, Branch IV,
22 Region III, Division of Reactor Projects; Robert
23 Lerch, Project Engineer, Branch IV, from Region III,
24 Division of Reactor Projects; Melvin Holmberg, Senior
25 Reactor Inspector, Engineering Branch I, Region III,

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1 Division of Reactor Safety.

2 We also obtain advice from our Office of
3 General Counsel, represented by Brett Klukan.

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

10 I would next like to summarize the scope
11 of the petition under consideration and the NRC's
12 activities to date.

13 On January 10, 2012, Mr. Mulligan
14 submitted to the NRC a petition under 2.206 regarding
15 the Palisades Nuclear Power Plant. In this petition
16 request, Mr. Mulligan is requesting immediate shutdown
17 of Palisades Nuclear Power Plant and all Entergy
18 nuclear power plants.

19 In addition, he has requested the
20 following actions, some of which are repeated from his
21 previous petitions: 1) replacement of all Palisades
22 management and Entergy corporate nuclear senior staff
23 prior to the plant startup; 2) assignment of
24 additional NRC inspectors at PNP and other Entergy
25 plants; 3) formation of a local public oversight panel

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1 around every nuclear power plant site; 4) forming an
2 emergency NRC senior official oversight panel with the
3 aims of reforming the reactor oversight process, or
4 the ROP; 5) forming a public national oversight panel
5 to report on NRC activities; 6) performing an analysis
6 of the cost of numerous inspection findings at Entergy
7 plants; 7) an evaluation of NRC Region III personnel
8 resources; 8) a request that PNP to remain shut down
9 until replacement of three service water pumps;
10 9) Entergy plants stay shut down until completion of
11 all training, all procedures, and all technical and
12 maintenance backlogs are updated and corrected, and
13 all reports and safety processes are completed and
14 implemented, including Fukushima emergency power
15 system procedures and records; 10) request for a
16 report on the failure of the NRC to prevent the
17 Palisades DC bus event; 11) the NRC to create a system
18 for reporting of coupling failures, degradations, and
19 near misses; 12) replacement of the present NRC
20 Commission, including the Chairman, by the U.S.
21 President; and 13) an independent outside
22 investigation over the insufficient process outcomes
23 of the 2008 and 2009 Palisades security falsification.

24 Next, allow me to discuss the NRC
25 activities to date. On January 19, 2012, the PRB met

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1 internally to discuss Mr. Mulligan's request for
2 immediate action. The PRB denied the request for
3 immediate action on the basis that there was no
4 additional immediate safety concern at the plant or to
5 the health and safety of the public.

6 The request for the immediate action to
7 shut down Palisades and other Entergy plants did not
8 have the adequate basis.

9 The Petitioner cited numerous equipment
10 failures, made statements of falsifications of
11 records, and finds the ROP process to be inadequate.
12 However, the Petitioner did not provide additional
13 comments for NRC to consider. The staff is aware of
14 the information provided in the petition, and the
15 issues and events are being reviewed through other NRC
16 processes.

17 The Petitioner was informed on January 24,
18 2012, of the PRB's decision to deny your request for
19 immediate action. On January 24, 2012, the Petition
20 Manager contacted the Petitioner to discuss the 10 CFR
21 2.206 process and to offer the Petitioner an
22 opportunity to address the PRB by phone or in person.

23 The Petitioner requested to address the
24 PRB by phone prior to its internal meeting to make the
25 initial recommendation to accept or reject the

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1 petition for review.

2 On January 31, 2012, the Petitioner
3 addressed the PRB via teleconference. During this
4 conference, the Petitioner did not provide new
5 information regarding the petition. The official
6 transcript of the proceedings of this conference is
7 publicly available in ADAMS under Session [Accession]
8 Number ML120370395.

9 On February 22, 2012, the PRB met
10 internally to discuss the petition and the
11 supplemental information provided in the
12 teleconference. The PRB's initial recommendation is
13 that the petition does not meet the criteria for
14 review, because the Petitioner did not provide
15 sufficient facts to warrant further inquiry.

16 The Petitioner references inspection
17 reports to demonstrate that there is a recurring
18 problem. However, the Petitioner did not provide any
19 additional facts beyond what the staff has already
20 inspected and documented in those inspection reports.

21 In addition, some of the items in the
22 petition request we [were] reviewed by the NRC in the
23 2.206 process for a previous petition filed by the
24 Petitioner on February 22, 2011, and closed on
25 April 20, 2011, under ADAMS Session Number

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1 ML111010590. This meets criteria 2 for rejecting the
2 2.206 petitions under the 10 CFR 2.206 process.

3 On March 12, 2012, the Petitioner was
4 informed of the PRB's initial recommendation not to
5 accept the petition for review for the reasons stated
6 above. The Petitioner was also given a second
7 opportunity to address the PRB.

8 On March 14, 2012, the Petitioner informed
9 the Petition Manager via email regarding accepting
10 this opportunity to address the PRB. Our phone call
11 today is for this -- is for you, Mr. Mulligan, to
12 address the Petition Review Board.

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

18 Mr. Mulligan, I will turn this over to you
19 to allow you the opportunity to provide any
20 information you believe the PRB should consider as
21 part of this petition.

22 Mike?

23 MR. MULLIGAN: Thank you, sir. I just --
24 as far as I didn't give enough information, well, you
25 know, I am really not talking -- really talking like a

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1 set of rules, a set -- a language type of thing, you
2 know. I grew up in a low income project, and I kind
3 of -- I talk in a funny way to most people, and stuff
4 like that.

5 And so -- and I say "you know" a lot, and
6 stuff like that, and really kind of stuff that really
7 shouldn't be -- you know, I read my transcripts and it
8 drives me crazy. I can't stop it. But it's the kind
9 of language I grew up in, and stuff like that.

10 As far as your rules and regulations,
11 again, you know, you want me to -- it's kind of
12 language thing. It doesn't really mean that the NRC
13 is more right than me, and stuff like that. It's just
14 you won't accept my language. I'm painting a picture,
15 and you just won't accept it. You kind of rule me
16 out, and stuff like that.

17 You know, at the end of the day, we are
18 going to find out either you guys are right or I'm
19 right, and I hope I'm wrong, really, when it comes
20 down to it. So a lot of times I can present things in
21 a different way that you people -- you know, I might
22 present your information in a different way that you
23 guys don't see it, and it is just as good as bringing
24 in new information, but it doesn't meet your rules.

25 I could engage your hearts and I could

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1 change your hearts or something like that and it's the
2 same thing, you know, and see something a little bit
3 different, acting a different way, be a lot better,
4 and stuff like that. And that is just as good as
5 meeting your rules.

6 I don't think the 2.206 -- you know, I
7 have always said that I would know the NRC is
8 beginning to heal themselves if they changed the 2.206
9 process.

10 As far as a message to President Obama, we
11 should create a TVA-like authority and take over the
12 25 Fukushima-like nuclear plants in the USA -- the
13 MARK I's, and those kind of stuff. And we should take
14 them over, and we should shut them down as quick as
15 possible and come back out with a building program to
16 rebuild all of them 25 plants with new plants. And we
17 should make them identical -- identical procedures,
18 equipment, and stuff like that.

19 And I think we could operate those plants
20 a lot cheaper than the way these utilities are
21 operating it. And I think that would be -- you know,
22 it would contrast the way the utilities and their
23 competition type of stuff -- I think you could do --
24 you could make a lot of electricity a lot cheaper than
25 those guys. I think we should have that as the

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1 national plan.

2 The NRC talked about the themes, H.B.
3 Robinson, the Fort Calhoun electrical system, and
4 Palisades, DC and the service water pumps. These are
5 my themes -- they are -- 1) their obsolescent
6 equipment; 2) we watch gross equipment degradation and
7 breakdowns; 3) the employees begin duct taping and
8 bailing wire dying equipment; 4) the equipment
9 operation collapses; and 5) the accident happens, like
10 the DC accident.

11 Okay. The OECD and the NRC -- we are
12 talking about PWR mid-loop operations. That is when
13 you drain down a PWR to do an operation just below the
14 -- or just above -- probably quite a bit above, but
15 not the same as normal operations. During outages you
16 drain down the loop in order to do certain maintenance
17 issues.

18 And according to the NRC and the OECD,
19 usually there is a lot less than an hour for onset of
20 boiling. You worry -- everybody worries about
21 vortexing and air ingestion, to talk about you risk
22 irreversible damage to the RHR pumps and cavitations.

23 PWRs is the single risk determinant
24 configuration there is. The NRC terms it as a high-
25 risk operation.

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1 In 2010, on a DC root cause, coming up to
2 the 2010 outage, they discovered, you know, that green
3 light on the equipment hatch. And along with that
4 they were getting set to repair the DC breakers, and
5 you replace them or inspect them, and stuff like that.
6 They were getting set up for that late 2010 outage,
7 and this 2010 outage -- you know, it set up the
8 conditions for the red finding with the DC system
9 accident.

10 And I know this -- I'm reading over out of
11 Edward Johnson's letter to the NRC. He is the guy
12 that walked out of the control room during shutdown
13 operations. This happened -- well, the letter is
14 dated May 6th.

15 And, I mean, what I see here from what is
16 going on here, let alone what the individual did,
17 which everybody is missing is what happened on that
18 night. I don't understand why the NRC didn't have a
19 separate investigation on it.

20 And like I've said before, the NRC should
21 have stepped in on this DC business. At every step of
22 the way they could have stepped in, and they could
23 have rung Palisades' and Entergy's bell, and they
24 could have changed the events that later happened, and
25 stuff like that, you know.

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1 I don't understand. If we take it as this
2 is the way the regulations are, is this acceptable
3 outcome of the regulations? Is this the acceptable --
4 you know, can we have another Palisades, you know,
5 because the regulations aren't going to be changed, or
6 the behavior of the NRC is not going to be changed?
7 Are we going to get another plant that is just like
8 Palisades, and they are going to ramp up and get into
9 worse and worse trouble, and finally we have to wait
10 until a big event comes up?

11 I don't see anything in the public realm
12 recently what Palisades are doing any different, and
13 stuff like that. I mean, so is that the natural
14 outcome of the rules and regulations? [I mean] The
15 rules and regulations and the behavior in the NRC
16 creates that kind of an outcome as far as I am
17 concerned.

18 So here is this description of the event
19 of that night. I'm not going to read the whole thing,
20 of course, but I am going to read parts of it.
21 Palisades was near the end of the refueling outage
22 which was on course to be our most successful ever due
23 to the short duration and the large number of major
24 projects completed.

25 Most successful ever and short duration,

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1 you know, and you see all through this thing one
2 problem after another popping up. And they are
3 reducing -- I mean, that is what they are doing here
4 is reducing the level of the reactor and the
5 pressurizer and the steam generators, and stuff like
6 that. They are drastically reducing water on top of
7 -- having less water on top of the vessel as far as to
8 -- you are increasing the chance of losing water
9 drastically during this operation.

10 And everybody is talking about short
11 duration and large number of major projects completed.
12 I mean, that is -- you know, that might be the problem
13 here, you know, there is just too many projects going
14 on, and you never can complete the big projects, you
15 never are going to have these big projects.

16 Maybe you need something like, you know,
17 every five years or every 10 years, you know, extended
18 shutdown to have these guys do their big projects
19 instead of, you know, always being rushed, always --
20 instead of refurbishing all of the DC breakers they
21 get a chance -- wait a minute. Instead of
22 refurbishing eight breakers, they get to refurbish all
23 of the breakers, or get to replace them and stuff.
24 Why is this -- it's crazy, all of this rushing around
25 and juggling five or six things at the same time.

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1 They are lowering the reactor vessel water
2 here, one of the most critical operations of a nuclear
3 power plant. And I read about the different things
4 that were going on and the EHC problems and the
5 service water problems, and stuff like that. Are you
6 guys crazy, having all of this stuff going on in a
7 control room when there is such a critical project
8 going on and an inspection report is not issued and
9 you are not moving the rest of the utilities.

10 You guys are doing the same thing here.
11 You guys, you know, are juggling too many things at
12 one time and losing track. And this thing here --
13 they lose sight of water. At points in this thing,
14 they don't know what the levels of the water is. They
15 have reason to believe that they have lost the level
16 of the water above the reactor.

17 And it's startling, and the implications
18 could, you know -- you can imagine them guys -- you
19 know, you see the level going away and decreasing.
20 You say, oh man, this is odd, this is not right. And
21 you say to yourself, what is -- you know, the guy up
22 there says, where is the end of this? It's probably a
23 vacuum -- drawing vacuum on it. It is probably
24 because we're drawing vacuum on it, or we could have a
25 leak. How do we know?

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1 You know, when you're up in the control
2 room, you don't really know what is going on there.
3 You start making assumptions. You don't know if it's
4 the vacuum for sure. You have a cause, but you can't
5 prove it, and stuff like that. And, I mean, it must
6 really upset people being up in the control room,
7 having that type of thing.

8 We were about to enter our third reduced
9 inventory period to perform a vacuum fill -- perform a
10 vacuum fill operation. Vacuum fill operation -- that
11 is for Palisades seals. Probably nobody in the --
12 only Palisades does this because they got bum seals,
13 CR -- control rod drive mechanism seals.

14 And you can watch how, you know, those
15 seals problems that they can't fix, you know, and see
16 have seen this time and again with these seals
17 problems. You know, it drives up complexity in the
18 control room. It drives up complexity in the -- at
19 the busy time of an outage, and stuff like that. You
20 know, when are people going to sit back and say, you
21 know, maybe there is too much complexity.

22 People up there in the control room can
23 only handle so much complexity and surprises, and
24 stuff like that. When are people going to get sober
25 and think about these things and say, you know, we can

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1 never allow our plant to be so confused up in the
2 control room again. We have to put some sort of
3 limits on what they can do during these outages, and
4 stuff like that.

5 And this whole thing sets up -- you know,
6 what this poor guy -- I consider him a hero, because
7 he wrote it up, and he has given us a window. He has
8 given us an opportunity. We should have had this
9 opportunity back in -- this should have been released
10 back in 2010, or it should have been in an inspection
11 report, and we are just getting wind of it, and stuff
12 like that. We should have been -- we should have had
13 this window.

14 This is a very infrequent window we get to
15 see what an operating plant, especially during an
16 outage, happens. And this kind of thing sets up what
17 happens later on with the red finding, and stuff like
18 that. If somebody would have stepped in, people could
19 have seen what was going on, could have wondered in
20 their minds, and the NRC could have said, you know,
21 it's time to put our foot down.

22 It's time to put some sanity and sobriety
23 in the operation of these nuclear plants, or of this
24 particular nuclear plant, and straightened them out
25 and reduced the chaos that is going on in the control

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1 room and stuff.

2 So the vacuum fill procedure was
3 relatively new for Palisades, having successfully
4 performed it for the first time during the previous
5 refueling outage. I mean, they only did this once
6 before. It is probably a one-off for the industry,
7 and they are doing it again. It is a procedure to
8 lower the water level in the reactor to the middle of
9 the hot leg, and then draw a vacuum on the primary
10 coolant system to evacuate air and other non-
11 condensable gases.

12 We devised this procedure in an effort to
13 improve plant reliability; specifically, to extend the
14 life of the control room drive mechanisms, pressure
15 boundary seals.

16 And so, you know, again, they've got a
17 defect with their seals, and, you know, have abnormal
18 leaks in their containment, and they are forced to
19 shut down, and they are forced to over and over again,
20 you know, is this a seal going, or they might assume
21 it's a seal going and it be a leak someplace else that
22 is obscure. There are so many risks involved with
23 this.

24 And so they drain down to the hot leg, and
25 then they are talking about a high temperature alarm

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1 and electrical hydraulic control, EHC. You know, they
2 are draining down, and they've got a turbine alarm
3 that they are worrying about.

4 They are talking about vent testing of the
5 EHC system, and then they've got -- they're worrying
6 about the temperature of the EHC system because of low
7 flow. And then, Mr. Johnson is talking -- is saying
8 that the - actually [I heard that], the reactor head
9 did not have a vent path. I heard that the reactor
10 head did not have a vent path.

11 You're going to find out later on that it
12 didn't have a vent path. And, you know, so -- in this
13 important procedure, they don't got their ducks in a
14 row. They don't know what -- they don't know about
15 what is going to be the vent path and stuff, you know.
16 They are winging it. They are guessing. They're
17 starting this procedure and they're guessing it.

18 It's a procedure they just started, the
19 second time doing it, and they have reduced inventory
20 three times during the outage. I mean, it's kind of
21 mind-boggling when you think about it and stuff. They
22 were so out of control, and the idea of this midloop
23 operation being so riskful and so close to boiling, if
24 somebody loses it and stuff.

25 And they don't know what the vent path is.

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1 The guys hears that they don't have a vent path. They
2 start the procedure and nobody says, is the vent path
3 established and stuff. I mean, this is just so -- so
4 against everything it stands for as far as nuclear
5 power plant and the operation of the control room of a
6 power plant. It is shocking. I can hardly even talk
7 about it.

8 We intend to line up the drain and
9 commence, but the PC level indication did not respond
10 as expected and we stopped the drain. Reactor water
11 level was out of control. It is behaving different
12 than they expected it. I mean, alarm -- somebody is
13 saying, you know, trying to back out of this thing.

14 We are -- it is all confusing. They are
15 doing this in the middle of the night. We need to put
16 a stop to this and get our shit together before we
17 start and know what is going on. How come nobody
18 stepped in there, and stuff, besides this guy getting
19 upset later on?

20 During the period we had the non-licensed
21 operators troubleshooting their problem by verifying
22 level, glass, and vent path. You know, this is a
23 reactor vessel level, reactor vessel -- Fukushima.
24 Concurrent with the PCS drain, most of the control
25 room staff was at the infrequently performed test and

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1 evolution brief for the vacuum flow work. Half of the
2 staff was missing during the middle of the night as
3 they are reducing level in the vessel. Where is the
4 conscience?

5 They had more issues in the ECC -- EHC
6 system. Mr. Johnson is reviewing prints, and he is
7 worrying about being distracted, and the PCS drain
8 valve, having more issues with the EHC system. But he
9 is buy [busy] -- listen to this, but he is busy
10 overseeing the PCS drain. He is worrying about the
11 EHC system, but he is worried about the PCS drain.

12 It's shocking. It's shocking that they
13 are doing this drain down, and that should be the only
14 thing that they should be doing. That is common
15 sense, that that is -- you know, it is such a riskful
16 endeavor that everything else should stop. And nobody
17 has the brains enough to put a stop to all of this
18 other stuff that is going on there. You know?

19 And you hear him talking about the most
20 successful outage, and we did the most things, and
21 this set them up for the DC -- you know, the DC short
22 business. And it set them -- and I can hear, you
23 know, Entergy officials talking in that meeting -- in
24 that meeting talking about the, you know, bad culture
25 and degradation of culture and people did bad things.

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1 It's shocking. It's absolutely shocking that the NRC,
2 you know, didn't have an inspection report on this.

3 And we are not hearing it out of the NRC's
4 mouth. We're hearing it out of this poor guy that did
5 wrong, but he is doing the right thing in the end by
6 exposing this.

7 So the ECS -- EHC low level alarm comes in
8 again. I'm convinced that it is -- I am concerned
9 it's a leak. Then they find a leak on the EHC system.
10 This is -- and quote, "This is all happening while the
11 PCS level indication troubleshooting was in progress."
12 This was all happening while the PCS level indication
13 troubleshooting was going on. They didn't know what
14 the level was.

15 That's what he is saying. In the control
16 room, we didn't know what the vessel level was. And
17 we are playing around with the EHC systems and service
18 water systems. Where is the NRC? Eventually,
19 maintenance workers removed the temporary flange
20 covers on the reactor head for better vent path.

21 You know, I kind of -- you know, I don't
22 like that wording "for better" -- you know, like there
23 was some vent path in there, you know? And he just
24 said -- remember, earlier he said that -- he said
25 there was no vent path, in the meeting and stuff, and

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1 now it comes -- you know, it is kind of watery
2 language that, oh, we had half a vent path, so we were
3 -- you know, Entergy lawyers must be involved in this.

4 This was all happening while the PCS level
5 indication troubleshooting was going on. I just can't
6 believe that. Eventually maintenance workers -- yeah,
7 I already went through that.

8 They are fiddling around with 3,100
9 gallons per minute RHR flow -- 3,100 gallons per
10 minute in order to keep the reactor stable with the
11 decay heat flow through there, 3,100 gallons per
12 minute. That gives you a clue how much decay heat has
13 to be removed to keep that so stable. That's a
14 tremendous amount of heat removal right there.

15 Then, we began several hours of trying to
16 complete the PCS vacuum fill, but a number of issues
17 accomplished that work. The previous time we
18 performed the vacuum fill procedure it worked
19 flawlessly, but this time it was different. The
20 vacuum did not raise in the expected manner.

21 You know, and I can hear this -- you know,
22 I can hear the EHC system alarms in the background,
23 you know, the service water alarms going off. And
24 these guys don't know what is going on with the
25 reactor vessel. It is mind-boggling, if you have any

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1 experience.

2 The vacuum did not rise in the manner
3 expected, instead of a smooth trend raising vacuum.
4 You know, we don't have vents on. We don't -- I heard
5 that we don't have any vents on, and things aren't
6 acting right, and find out that we made a vent path
7 eventually by hunting and pecking around.

8 And now here we go, we are still going --
9 they are still going -- PCS pressure changed radically
10 and vacuum developed much slower than anticipated.
11 There was indication of a leak somewhere that was
12 intermittently vented, allowing pressure to leak or
13 equalize throughout the system.

14 And then, while they were troubleshooting
15 the problem with the vacuum fill, we received a low
16 critical service water alarm centered procedure, loss
17 of service water.

18 The CRS steps in and tells Mr. Johnson to
19 communicate more effectively. The CRS should have
20 stopped in -- should have stepped in and had a stop
21 work order, everybody stops until we figure -- until
22 we get -- until we, number one, only pay attention to
23 what the level is doing, and make sure that we have
24 adequate procedures. And we don't have to make the
25 procedures up as we go, and that is what they should

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1 have done, instead of talking to this one guy and
2 stuff like that. It's mind-boggling.

3 And the work control center sent out a
4 lube oil stroke PM for -- of the main lube -- oh, it
5 bugs me. I showed him the one-minute cooldown rate
6 trend on the Palisades plant [computer]and said there
7 may be some vortexing or other flow phenomena that I
8 did not understand. You know, he is worrying they
9 lost the primary -- the coolant system level. He had
10 reason to believe -- he didn't know what the level was
11 on top of the fuel, and now he is worried the water
12 was so low that there might be vortexing.

13 Remember, I told you that the NRC and the
14 EDOC -- whatever it is -- talking about damaging the
15 RHR pumps, and stuff like that? He is worrying about
16 it starting to vortex and get air in the RHR pumps.
17 You know, you might not be able to get them back on
18 for quite a while, and stuff like that.

19 Vortexing -- worried about vortexing,
20 worried about the lube oil. What about the lube oil?
21 What about the turbine lube oil that they are fiddling
22 around? Even worrying about that. I mean, I am being
23 ridiculous here, because they are worrying about the
24 turbine lube oil while they are worrying about the
25 vortexing on top of the reactor water level.

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1 Suddenly, however, DC level indication
2 sharply fell to an evolution below the bottom of the
3 hot leg. We immediately stopped the evolution and
4 broke vacuum. So we were obviously not that -- they
5 recovered that, but they -- you know, again, they
6 didn't know what the level was. Nobody knew where the
7 level was in the operating reactor, less than one hour
8 away from boiling.

9 And at that point, the level was bobbling
10 around. Is it because of vacuum, or did something got
11 let go in the primary -- you never know. You never
12 know, you know? You've been in these for a while, and
13 you face these things. You know, you don't have
14 complete information, and you sit there -- what can it
15 be? It is probably the vacuum. We are fiddling
16 around with vacuum. It is probably that.

17 But you never can know if there is
18 something else -- a pipe breaking somewhere else or a
19 pipe breaking and you've got the big problems. And,
20 you know, it takes a while for it to settle out and
21 you really understand what caused the -- you know,
22 it's amazing, totally amazing, that they didn't know
23 where the level was for them two minutes. They would
24 never even tolerate a minute or two of not knowing
25 where the level was, having it bobble around, and

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1 stuff like that.

2 And they are doing this for the seals.
3 You know, instead of getting the right seals or the
4 control rod drive mechanism seals fixed right, and
5 stuff like that, they are putting pressure and
6 complexity on employees in the control room at its
7 most critical point probably during an outage. And
8 all of this stuff going on and DC circuit breakers
9 supposed to be worked on and all of that sort of
10 stuff. And nobody ever really has enough time to
11 finish all the jobs, and stuff like -- it is insane.

12 And so that is -- that is an amazing
13 admission by somebody, and it has to come out that
14 way. It's just amazing.

15 You know, I talked about at the recent
16 meeting -- public meeting and stuff I says, you know,
17 risk assessment, everybody thinks risk assessment is
18 gone, and stuff like that. Well, you know, how come
19 you take risk assessments and throw them in on --
20 throwing them in the computer codes, and stuff like
21 that. How come you can't predict the outcome? How
22 come you can't predict what was going to happen to
23 Palisades, you know?

24 They are going to get into trouble. These
25 guys are in trouble, and the computers start alarming,

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1 and predicting what was going to -- you know, I'm just
2 saying with these risk assessments, you only can see
3 in the rear view mirror. Everybody knows that. And
4 you project this thing out that you can see in front
5 of the driving car, but you really can't see in front
6 of the car with risk perspectives.

7 You can -- a lot of this stuff happens,
8 and, you know, risk perspectives -- can't see it. And
9 you -- I think at the agency there is a false
10 impression that the risk perspectives can see in the
11 future, and it leaves that impression with people that
12 you are so safe because you see risk perspectives.
13 And none of this risk perspective stuff could see the
14 problems with Palisades or any plant, or any of the
15 plants that are in so much trouble.

16 And then, you -- some recent stuff, you
17 know, the main feed pump recirc valve, opening plant
18 trip, LER-2011-08, it talks about fuse holders, and
19 stuff like -- you know, it's not probable to me that
20 it happened like that, that the prongs -- you know,
21 you take -- what I was associated with is you get a
22 fuse holder, and it takes quite a bit of -- quite a
23 bit of effort to yank out a fuse on these fuses -- to
24 yank out the fuse, you know, because they are so tight
25 in the prongs, stuff -- it boggles the mind to think

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1 that a guy could stick a fuse in there and it be loose
2 enough for him to not, you know, say, oh boy,
3 something is wrong with this and they've got to fix
4 this. They've got to get an electrician down here to
5 see the -- to fix this, to see what is going on and
6 stuff.

7 You know, and then you find out the fuse
8 holder, you know, Palisades says that it is
9 repetitive. You know, it's an old plant, you know,
10 and who knows how many zillions of fuses have gone in
11 and out of them prongs, and stuff like that. And
12 then, you know, the -- then, the next question, you
13 know, is trying to figure out an association.

14 Well, you know, if these fuse holders are
15 so loose like that, you know, like Fort Calhoun, you
16 know, with their electrical system and their breakers
17 and stuff, you know, how much trouble -- how is their
18 breakers? That would be the next course. I wonder
19 how their breakers are. Are they old? You know, they
20 are an electric system.

21 Do their breakers need -- you know, is
22 this indicative of the rest of their breaker system,
23 you know? If they are putting so much wear and tear
24 on these fuses -- fuse holders by -- in and out of --
25 putting the fuses in and out, well, they must be doing

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1 the same thing to all of the breakers.

2 So I would hope that, you know, you don't
3 wait until there are so many problems with your
4 breakers that -- I mean, those are the kind of
5 associations, you know. If you don't have any direct
6 evidence, that is the kind of thinking that keeps you
7 out of trouble is you make these fleeing associations
8 and you don't have any evidence to back it up.

9 You know, I think human intelligence is
10 just as worthy as evidence. It is higher than
11 evidence, you know, thinking and associations and
12 acting, you know -- acting to prevent things instead
13 of responding to events, accidents. I think that is
14 the gold standard.

15 I think you can screw up three or four
16 times with trying to look in the future, but you are
17 going to catch that big accident. And I think it is
18 worth it, and people should not always say, "I want
19 100 percent evidence. I want 300 percent evident
20 before I do anything." You know, I want people to use
21 their heads and their intelligence and have adequate
22 time to flip these things around in their heads.

23 And those are the kinds of things that,
24 you know, you engineering guys you want to see
25 equipment going and data, and stuff like that, and

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1 steel structures and flows and stuff. Those are smart
2 things, but, you know, there is other higher things,
3 you know, of associations and watching people's
4 behaviors and acting before they get into trouble,
5 those are the things that I think are more worthy than
6 evidence-based stuff.

7 So, you know, I'll tell you, with those --
8 you know, them prongs and that fuse, you know, that
9 just doesn't seem possible to me. I would want to
10 know if there was -- depends on what those fuses --
11 were they in the plant -- in a panel where nobody
12 could be around? Did somebody screw around while
13 nobody was looking and try and sabotage the plant, you
14 know? How do you know, and stuff -- so those are the
15 kind of things.

16 And to not ask those kind of questions on
17 this tells me that Palisades is not changing their
18 standards at all. It is a quick-to-do LER, and there
19 is no analysis on why it happened and an explanation
20 of why it happened. And we looked at all of these
21 different other breaker panels, and we checked the
22 fuse holders, and we checked all of the other
23 breakers.

24 And, you know, it is just -- it's
25 thoroughness. They threw out one of these incident

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1 LERs with zero information on it just about, and
2 stuff, and it's the kind of stuff that we've seen in
3 the past that has not changed anything. It is the
4 kind of stuff that the NRC recently, in the last
5 couple of -- last month or two, is seeing.

6 We don't see -- we can't see -- we can't
7 see them changing the behaviors. We don't get any
8 information on the new mistakes they are making, and
9 stuff like that. And it worries us, it worries us
10 with the whole fleet of energy plants, unfortunately,
11 and stuff.

12 The annual assessment, cross-cutting
13 themes -- I'm almost done -- cross-cutting themes and
14 aspects of conservative assumptions, documentation,
15 procedures, and oversight. That is what the NRC --
16 the themes.

17 Cross-cutting -- the license determined
18 that the apparent cause was managers making decisions
19 based on meeting only minimum regulatory requirements.
20 Minimum regulatory requirements. I mean, how many
21 times -- how many decades have we heard that from
22 these, you know, corporations getting into trouble?

23 From Vermont Yankee to all of these
24 plants, and we always get down to -- they always slide
25 down to, you know, a bunch of people get into the

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1 theme of just meeting minimum regulator requirements.
2 I mean, that is the -- that should be proof positive
3 that a plant is going to get into an accident that is
4 going to scare the shit out of everybody, you know,
5 when they start doing that, when, you know, they get
6 into those -- well, you know, rules are -- metal
7 structures, and, you know, they are facts, they are
8 evidence, and, you know, I had -- you know, it is
9 proof positive.

10 All I've got to do is follow the -- do
11 what is required of me. I've got a set of rules, I've
12 got a concrete-hard structure in front of me with
13 these rules. My assumption I make, there is going to
14 be a good outcome. That's kind of like the
15 engineering -- engineers kind of hole that a lot of
16 these people run into.

17 And they -- and it's an incorrect way of
18 thinking, and it should always be -- you know, always
19 be -- the NRC gets it pretty good. The NRC thinks
20 it's a -- leader excellence, you know, they should be
21 striving for excellence, not the minimum required, not
22 for D's and D minuses, and making the most profits,
23 and stuff like that.

24 You should be -- you know, you should take
25 pride in your work, and you should try and do -- you

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1 should always strive for the best you can. And you
2 should throw enough money at a plant that they get at
3 least A minuses, you know? You could do that. You
4 know, these plants, nuclear facilities, and stuff like
5 that, they could do that if they threw enough money.
6 You know, I think this is -- all this is is a money
7 base.

8 Somebody gets it in their head that, you
9 know, I've got to have this kind of a budget, I don't
10 care what happens. And that is the kind of thing over
11 and over again that gets a plant into trouble when
12 they start these mechanicalistic budget issues and
13 budget reductions of whatever -- five percent or 10
14 percent, and they don't see what it does to the rest
15 of the plant. It doesn't see how they destroy the
16 spirit of the employees and how difficult they make it
17 up in the control room.

18 And like I said, this is an example of --
19 I mean, it's astonishing to see that they are playing
20 around with reactor water level, and in a PWR really
21 low -- if the water is really low, and so many stuff
22 going on in that control room, it is astonishing.

23 And they somehow couldn't get that -- all
24 this superfluous stuff outside the control room when
25 they are only dealing -- when they should only be

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1 dealing with paying attention to what the reactor
2 water level is doing, and they don't have the proper
3 procedures and stuff.

4 This guy, Mr. Johnson, did us a favor.
5 Sometimes, you know, you can make a sin, and your sin
6 can uncover everybody else's sins. And, you know,
7 that makes that one sin worthy. That was a worthy
8 sin. You know, it was worth it for you to sin that
9 way.

10 And, again, thank you very much for
11 listening to me.

12 MR. CHEOK: Well, thanks, Mr. Mulligan.
13 Just a few comments on your opening remarks. We do
14 consider all of the information you present, not just
15 the language, so we do consider what was said and not
16 how it was said.

17 And also, I guess one question. For the
18 record, you mentioned a Mr. Johnson. Can you tell us
19 who this Mr. Johnson is. Is he from the plant?

20 MR. MULLIGAN: Mr. Johnson is the RO that
21 -- back in 2010 he walked out of -- he got frustrated
22 with the control room.

23 MR. CHEOK: Okay.

24 MR. MULLIGAN: And he got frustrated in
25 the control room with that -- you know, and that was

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1 his letter explaining -- that was his letter to PROS I
2 think it was.

3 MR. CHEOK: Okay.

4 MR. MULLIGAN: And the NRC had it on their
5 web -- it just came out on their website. And so that
6 -- he got -- they went through -- it was made into a
7 report. He -- it was a -- it's in this -- in the
8 inspection report, you know, as far as one of the
9 issues that the NRC has to deal with this year.

10 MR. CHEOK: Okay. Thanks. I'm familiar
11 with the PROS reports. We will go look at those.

12 So at this point, let me look around
13 headquarters. Does anyone here have any questions? I
14 see some heads shaking. So no questions in
15 headquarters.

16 MR. LERCH [MULLIGAN]: There was a
17 confirmatory -- I can't even say it now. I can say it
18 sometimes -- confirm --

19 MR. MULLIGAN [LERCH]: Confirmatory.

20 MR. LERCH [MULLIGAN]: Confirmatory letter.
21 That was what he had -- they went through the ADR
22 process, and all of that sort of stuff. He left the
23 room for 10 minutes, and he came back, and he had to
24 go through all -- you know, we are very -- that he got
25 into that kind of trouble.

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1 MR. CHEOK: Thanks. Thanks for the
2 clarification.

3 So does anyone in the regions have any
4 questions?

5 MR. LERCH: No, I do not.

6 MR. CHEOK: Okay. Anybody from the public
7 joined us since we began?

8 (No response.)

9 So there will be no public comments.

10 So, Mr. Mulligan -- I'm sorry? Licensee,
11 do you have any questions?

12 MR. ERICKSON: No.

13 MR. CHEOK: No? Thank you.

14 So, Mr. Mulligan, thank you for taking the
15 time to provide NRC with clarifying information on the
16 petition you have submitted.

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

20 * THE COURT REPORTER: I do. Has the
21 meeting ended?

22 MR. CHEOK: The meeting will be ended as
23 soon as you tell us you don't need any more
24 information.

25 THE COURT REPORTER: Oh, okay. I'm going

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1 to need some contact information for Mr. Erickson and
2 Mr. Mulligan.

3 MR. MULLIGAN: Do you want my phone
4 number?

5 THE COURT REPORTER: Actually, is this Mr.
6 Mulligan?

7 MR. MULLIGAN: Yes, sir.

8 THE COURT REPORTER: Could I have your
9 address and your phone number?

10 MR. MULLIGAN: P.O. Box --

11 MR. CHEOK: Wait a minute. Let me
12 interject a little bit. And the reason I'm saying
13 that is because we have this process where we cannot
14 give names and phone numbers over a public system,
15 because there is privacy laws involved. So we will
16 have Mack Chawla contact Mr. Mulligan and Mr. Erickson
17 for that information individually, and then we will
18 pass the information on to the Court Reporter.

19 THE COURT REPORTER: Would you like me to
20 not include that information on the transcript?

21 PARTICIPANT [MS RUSSELL]: Typically what
22 is included on a transcript is just the names and
23 titles and, you know, who their employers are, for
24 instance.

25 PARTICIPANT [MR. CHAWLA]: Right. That

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1 was my question.

2 PARTICIPANT [MR. MULLIGAN]: Well, just --
3 I never have any confidentiality or anonymity issues,
4 unless I say so. You know, that is what I have done
5 over the years, so I never have any confidentiality
6 and anonymity issues.

7 THE COURT REPORTER: If we don't typically
8 put these on the cover page, then I just don't need
9 the information at all.

10 MR. CHAWLA: No. We don't put the
11 telephone number. I don't believe so

12 THE COURT REPORTER: Okay. Thank you very
13 much.

14 MR. CHEOK: Thanks. So I guess with that,
15 we will close the meeting, and the meeting is
16 concluded, and we will be terminating the phone
17 connection.

18 Thanks.

19 (Whereupon, at 2:59 p.m., the proceedings in the
20 foregoing matter were concluded.)
21
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23
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