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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

VERMONT YANKEE

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TUESDAY

APRIL 2, 2013

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The conference call was held, Mary Muessle, Chair of the Petition Review Board, presiding.

PETITIONER: MICHAEL MULLIGAN

PETITION REVIEW BOARD MEMBERS PRESENT:

MARY MUESSLE, Deputy Director, Office of

Nuclear Materials Safety and Safeguards

JAMES KIM, Petition Manager for 2.206 petition

ANDREA RUSSELL, Petition Coordinator, Office of

Nuclear Materials Safety and Safeguards

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1 NRC TECHNICAL STAFF PRESENT:

2 JOHN BILLERBECK, Mechanical Engineer, NRR

3 JOSEPH DeBOER, Project Engineer, Region I

4 SEAN MEIGHAN, Acting Branch Chief, Division of

5 Operating Reactor Licensing

6 MUHAMMAD RAZZAQUE, Reactor Systems Branch

7 SCOTT RUTENKROGER, Senior Resident Inspector

8 Vermont Yankee

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

(9:00 a.m.)

MR. KIM: Okay. Good morning. I'd like to thank everybody for attending this meeting.

My name is James Kim, and I am a Project Manager in NRR.

We are here today to allow the Petitioner, Mr. Michael Mulligan, to address the Petition Review Board regarding 2.206 petition dated December 5, 2012.

I am the Petition Manager for the petition. The Petition Review Board Chairman is Mary Muessle.

As part of the Petition Review Board's review of this petition, Mr. Michael Mulligan has requested this opportunity to address the PRB. This meeting is scheduled from 9:00 to 10:00 a.m.

The meeting is being recorded by the NRC Operations Center and will be transcribed by a Court Reporter. The transcript will become a supplement to the petition. The transcript will also be made publicly available.

I would like to open this meeting with introductions. As we go around the room, please be sure to clearly state your name, your position, and the office that you work for within the NRC for the

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1 record. I will start off.

2 This is James Kim. I am a Project Manager
3 in the Division of Operating Reactor Licensing in NRR.

4 CHAIR MUESSLE: My name is Mary Muessle.
5 I am the Petition Review Board Chairman. I'm the
6 Office of NRR. I'm an SES manager there in the
7 Division of Policy and Rulemaking.

8 MR. BILLERBECK: I'm John Billerbeck. I'm
9 a Mechanical Engineer with NRR in the Division of
10 Engineering.

11 MR. RAZZAQUE: This is Muhammad Razzaque
12 from Reactor Systems Branch, NRR.

13 MR. MEIGHAN: Sean Meighan, Acting Branch
14 Chief, Division of Operating Reactor Licensing,
15 Branch 11.

16 MS. RUSSELL: Andrea Russell, 2.206
17 Coordinator.

18 MR. KIM: At this time, are there any NRC
19 participants from headquarters on the phone?

20 (No response.)

21 Are there any NRC participants from the
22 regional office on the phone?

23 MR. DeBOER: Yes. My name is Joe DeBoer.
24 I'm a Project Engineer in Region I.

25 MR. KIM: Okay. Are there any

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1 representatives for the licensee on the phone?

2 (No response.)

3 Mr. Mulligan, would you please introduce
4 yourself for the record?

5 PETITIONER MULLIGAN: Mike Mulligan. I'm
6 a whistleblower. I worked at Vermont Yankee for 13
7 years. I was in the Navy on a fast-track submarine.
8 I have been working on -- ever since then, I've been
9 -- and I got fired from Vermont Yankee for raising
10 safety issues.

11 And I've been working on Vermont Yankee,
12 Palisades, Pilgrim, and a bunch of plants. I've been
13 keeping close track of all of the correspondence and
14 the inspection reports and the LERs and all of that
15 sort of stuff. I've spent an enormous amount of time
16 on their website.

17 Thank you.

18 MR. KIM: Okay. Thanks.

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

24 (No response.)

25 Hearing none, I would like to emphasize

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1 that we each need to speak clearly and loudly to make
2 sure that the Court Reporter can accurately transcribe
3 this meeting. If you have something that you'd like
4 to say, please first state your name for the record.

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

10 Thank you.

11 At this time, I will turn it over to the
12 PRB Chairman, Mary Muessle.

13 CHAIR MUESSLE: Good morning. Welcome to
14 our meeting regarding the 2.206 petition submitted by
15 Mr. Mulligan. First, I'd like to share some
16 background on our process. Section 2.206 of Title X
17 of the Code of Federal Regulations describes the
18 petition process, the primary mechanism for the public
19 to request enforcement action by the NRC in a public
20 process.

21 This process permits anyone to petition
22 NRC to take enforcement-type action related to NRC
23 licensees or licensed activities. Depending on the
24 results of this evaluation, NRC could modify, suspend,
25 or revoke an NRC-issued license, or take any other

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1 appropriate enforcement action to resolve a problem.

2 The NRC staff guidance for the disposition
3 of 2.206 petition's request is Management
4 Directive 8.11, which is publicly available.

5 The purpose of today's meeting is to give
6 the Petitioner an opportunity to comment on the PRB's
7 initial recommendation to not accept the petition and
8 a second opportunity to provide any additional
9 explanation or support for the petition. The
10 Petitioner will have 45 minutes to address the PRB.

11 This meeting is not a hearing, nor is it
12 an opportunity for the Petitioner to request or
13 examine the PRB on the merits or the issues presented
14 in the petition request. No decisions regarding the
15 merits of the petition will be made at this meeting.

16 The PRB typically consists of a Chairman,
17 usually a manager at the SES level at the NRC, the
18 Senior Executive Service. It has a Petition Manager
19 and a PRB Coordinator. Other members of the Board are
20 determined by the NRC staff based on the content of
21 the information and the petition request.

22 At this time, I would like to introduce
23 the Board. I am Mary Muessle; I am the PRB Chairman.
24 James Kim is the Petition Manager for the petition
25 under discussion today. And Andrea Russell is the

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1 office's PRB Coordinator.

2 Our technical staff includes Muhammad
3 Razzaque from the Reactor Systems Branch, John
4 Billerbeck from the Component Performance and Testing
5 Branch, Dave DeBoer from the NRC's Region I's Division
6 of Reactor Programs. We also expect a representative
7 from our Office of General Counsel to join us today on
8 the call, but she has not -- she has not dialed in
9 yet.

10 MR. RUTENKROGER: Excuse me, Mary. This
11 is Scott Rutenkroger. I just want to let you know
12 that I did dial in, about a minute late, but --

13 CHAIR MUESSLE: Okay. Thank you. And
14 Scott is the Senior Resident Inspector at Vermont
15 Yankee Nuclear Power Station.

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

21 I would like to describe the scope of the
22 petition under consideration and the NRC activities to
23 date. On December 5, 2012, Mr. Mulligan submitted to
24 the NRC a petition under 2.206 regarding the Vermont
25 Yankee Nuclear Power Station. Mr. Mulligan requested

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1 an immediate shutdown of Vermont Yankee because, in
2 Mr. Mulligan's words, "the NRC and Entergy can't keep
3 their nuclear safety paperwork and documents accurate
4 and up to date."

5 He also requested 10 additional actions,
6 which I will not state now unless someone would like
7 me to on the call.

8 (No response.)

9 Okay. So now to discuss the NRC's
10 activities to date. On December 20, 2012, the PRB met
11 internally to discuss the request for immediate action
12 of emergency shutdown of Vermont Yankee. The PRB
13 denied the request for immediate action because there
14 was no immediate safety concern to the plant or to the
15 health and safety of the public.

16 On December 21, 2012, Mr. Mulligan was
17 informed of the PRB's decision on the immediate action
18 request. On January 9, 2012, Mr. Mulligan addressed
19 the PRB via teleconference to provide supplemental
20 information for the Board's consideration prior to the
21 PRB's internal meeting to make an initial
22 recommendation.

23 On January 23, 2013, the PRB met
24 internally to discuss the petition and to make an
25 initial recommendation. The PRB determined that some

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1 of the petition requests do not meet the criteria for
2 review because the petition failed to meet -- to
3 provide sufficient facts to warrant further inquiry.

4 The remaining requests within the petition
5 meet the requirements -- sorry. The remaining
6 requests within the petition meet the criteria for
7 rejection because they were not enforcement-related
8 actions.

9 We also confirmed at that time that there
10 were no safety concerns at the plant. Therefore, the
11 PRB's initial recommendation was to not accept the
12 petition.

13 On March 21, 2013, Mr. Mulligan was
14 informed of the PRB's initial recommendation and
15 requested another opportunity to address the PRB,
16 which is the purpose of today's call. Following this
17 meeting, the PRB will meet internally to determine
18 whether a modification or a change to its initial
19 recommendation is warranted. The outcome of this
20 internal meeting will be discussed with the
21 Petitioner.

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

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1 Thank you for that.

2 Mr. Mulligan, I will now turn it over to
3 you to allow you to provide any information that you
4 believe the PRB should consider as part of the
5 petition.

6 It is now 9:10, so you will have until
7 9:55 for your remarks.

8 Thank you.

9 PETITIONER MULLIGAN: Well, thank you very
10 much for this opportunity. I can remember -- I can
11 remember when Entergy first came onto the scene over
12 here at Vermont Yankee. I remember, you know,
13 employees coming up to me on the streets and they are
14 talking to me about Entergy. And, you know, I asked,
15 "Well, how are they?" This was probably, you know,
16 2007. No, 2008, and stuff.

17 And they basically said, you know, "Mike,
18 they are all business. Everything about them is
19 business. It's all money and stuff, and they're
20 arrogant." And so, you know, of course I had issues
21 with Vermont Yankee before that, and stuff like that.

22 And so -- and then I remember -- I
23 remember reading the Palisades inspection reports and
24 documents. These guys are -- these guys are out of
25 control and the agencies can't figure out a way to

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1 interact with them and put a stop to it.

2 And, you know -- and I remember saying to
3 myself, well, what -- you know, what are your
4 expectations? I said, well, I'll just get something
5 on paper anyways.

6 And I pondered, I says, you know, can you
7 imagine this -- in 2011, I can remember thinking --
8 I've got it on paper and I says, "Can you imagine all
9 of the problems that are going to happen in the next
10 year, next two years, or so? Can you imagine the
11 mind-boggling number of problems?"

12 Even though you've talked about it and
13 you've identified there's a pretty big problem, and
14 stuff like that, and -- you know, and then Palisades
15 showed up with all of their unimaginable problems that
16 showed up, and then they have continued to be a leaky
17 plant over and over again, and stuff like that.

18 And I can remember, you know, Vermont
19 Yankee was before that with their tritium problem, and
20 the essence of Entergy not being honest and truthful.
21 And the whole thing was kind of revolving around plant
22 disclosures and being honest and truthful and
23 immediate disclosures and thorough documentation, you
24 know, because everybody reads documents later on, and
25 it's critical that we know the history to interact

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1 with the future and stuff, and, you know, the essence
2 of -- of accurate documents and stuff.

3 And Entergy had problems being truthful,
4 playing word games up there in Montpelier, and that
5 type of stuff. They just -- they showed arrogance in
6 a lot of their communications and stuff to the state,
7 and we are seeing the results of that today.

8 You know, repeated arrogance, you know, I
9 tell everybody it's a cold-hearted ideology, really,
10 that propels a lot of this sort of stuff, this sense
11 of entitlement of -- they work for themselves and
12 their profits and the company, and they don't work for
13 us as an entity for our nation and our national
14 interest and our greatest interest.

15 And so those are the things that I have
16 been concerned about, and I really haven't seen much
17 of a change. You know, I understand everybody is
18 following the rules and that type of thing, but, you
19 know, rules are very -- they carry very little
20 information. They carry zero intelligence. And, you
21 know, we've all got to follow the rules, but we've all
22 got to -- rules are the basics, the very basics of how
23 we control our behavior.

24 On the other end of it, our intelligence,
25 the ability to focus on something and pay attention

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1 and keep attention to what you're doing and interact
2 and create a voice, and those types of things, you
3 know, is what our great nation is built on, is the
4 ability to be -- it's not to say -- to equate this
5 system that all we are concerned about is the rules
6 and following the rules.

7 We have enormous capabilities to act above
8 the rules, to interact -- you know, a rule doesn't
9 tell us when to interact with a problem. It's our
10 intelligence and stuff and the ability to interact
11 with our world and to assess it and to anticipate
12 problems and change the world. I think we all have
13 those kind of -- these kind of gifts, and they are all
14 in us, and we just have to develop them.

15 You know, I was just thinking with the --
16 a lot of documents and the inspection reports and the
17 public declarations of the utilities, they are
18 structured to not communicate. They are structured to
19 give limited information out there, you know, to not
20 be held accountable and that type of thing.

21 I see it in the LERs, their -- you know,
22 the rules say you have to -- you have to give the
23 minimum amount of information, because, you know, your
24 enemies are out there and they will take advantage of
25 it and stuff like that.

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1 So the whole thing is the essence of
2 giving very little information, and it has gotten
3 worse in the last two decades, both under the
4 Republicans and the Democrats. The Democrats are just
5 as bad as the Republicans, unfortunately, with this.
6 They don't seem to understand how important
7 information is to people like me and my community and
8 the idea that it's part of our constitutional ideals.

9 We are an open government. We are one of
10 the most open governments on the face of the planet,
11 and we strive to take into consideration how important
12 an open government and an open society is, and we give
13 information. We give it to people like me, so-called
14 enemies, and I get to interact with my politicians and
15 the media and the environment around me, and stuff
16 like that.

17 And we give feedback to the NRC and to the
18 government itself, and that's -- and everybody makes
19 mid-course corrections, and stuff like that. It is
20 vital for a person like me to know what is going on at
21 Vermont Yankee and a lot of these plants, and stuff
22 like that, because that's how I interact with my
23 community and that's how I interact with my government
24 and stuff.

25 And when everybody is playing these games

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1 or Rosies, you know, and we use rules to be
2 undemocratic, and that type of thing, I think it's --
3 I think it's a tragedy. I think it's -- I think it's
4 just a tragedy. It's not who we are. That's -- we're
5 the greatest democracy, actually republic, but we --
6 the ideals of a democracy and open government, an open
7 society, is who we are.

8 And, unfortunately, a lot of things -- a
9 lot of the way the world works now, we've all gotten
10 to the -- you know, this privacy thing, and we are
11 afraid of giving information out, we are afraid of
12 letting people see our humanity, our human mistakes
13 and errors, and also some of the -- a lot of times our
14 -- things that we catch that are astonishing, you
15 know.

16 It's almost like we think the world is an
17 enemy in front of us, and we've got to hide in corners
18 and darkened corners and not let people -- not let the
19 world see how beautiful we are.

20 And so, you know, an example is, well, in
21 the recent LERs what I have been dealing with with the
22 SRVs, it's just not complete information. From the
23 get-go, it is -- I know it is information that is --
24 the first LER with the SRVs was incomplete and
25 inaccurate mostly.

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1 And it's astonishing. If that's what the
2 world is, and that's what Entergy and the NRC is
3 seeing, that's such a poor state of engineering and
4 professionalism, that there shouldn't be any plant
5 running in the United States. If that's -- Vermont's
6 first LER is what is -- is the best of us, is the best
7 of engineering, we can allow that plant to operate and
8 not know what the -- not know the condition of the
9 components that they are operating, who are we? It's
10 terrible, you know?

11 And didn't the Commissioner just talk
12 about, who are we, you know, and prod us to be -- prod
13 us to be bigger and better than we are? And so the
14 LERs -- then, the second rendition of the LER came out
15 and it was still inaccurate, and they didn't know what
16 was the cause of that thing, or at least that's what
17 they say.

18 And I think that's like most -- what's
19 happening is you are following the rules, but -- and
20 you don't realize you are giving incomplete and
21 inaccurate information out to the public, out to the
22 nation in general, and stuff. I worry about that.

23 Pilgrim -- Pilgrim plant with their SRV
24 problems, they have brand-new SRVs. Within a year,
25 one failed and started leaking and they had to

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1 shutdown, and a host of different -- the NRC let it
2 get by. Entergy said that there was no problem with
3 those new SRVs.

4 Southern Company said that -- they were
5 brought in as the backstop of everybody else, and they
6 said that there was nothing wrong with the SRVs and
7 that type of thing, perfectly good and nothing wrong
8 with them. And then, they started up and within a
9 year they had another leak, and then they had another
10 leak, and then they had another leak. We have yet to
11 see any of these other LERs on the SRVs, and stuff
12 like that.

13 So it's the sense that we don't get the
14 information, the immediacy of what is going on. We
15 don't have the ability to, you know, put it in our
16 heads, mull it around and interact with the
17 politicians in the agency, and, you know, went on with
18 a participatory democracy type of thing. That's what
19 we're worried about.

20 And we've got issues of -- let's see, the
21 grid in New England is becoming unstable itself. Our
22 sources of energy, I call it a -- becoming a -- as far
23 as our electric grid and our industry sources, a Third
24 World-style Guatemala oligarchy as far as all of the
25 different players and each -- everybody sabotaging

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1 each other, and new sources are coming in, and people
2 are, like I said, sabotaging each other.

3 And then there is this -- these secretly
4 expensive sources of electricity that is undermining
5 us all. And the whole thing is a sense of -- who is
6 controlling all of these things? Is it the United
7 States Government? Are we setting the codes and rules
8 and stuff like that?

9 Or is it a -- there is a group of people,
10 an oligarchy, a special people that have the controls
11 of what is going on with our grid, and where one time
12 we've got astonishing expensive electricity, and a few
13 months later it's -- the cost of electricity is
14 crashing through the floor, and nobody can afford to
15 make electricity.

16 You know, it sounds like Guatemala. You
17 know, it sounds like a South American Third World
18 government -- country operating their electric system,
19 and the sources that -- sources of the energy that
20 support our electric system.

21 And so -- and we've got financial
22 qualification problems at Entergy. The NRC has got
23 concerns that they are financially capable, but they
24 got good grades, you know, from -- Yankee's got good
25 grades, green grades this year, and everything is

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1 forgotten in the past.

2 We have issues at Vermont Yankee with the
3 silts. They have taken the silt out of the surface
4 water base and they deposited it somewhere, and it --
5 the rainwater -- this caused the rainwater to go
6 through a drain cover, whatever, and go into the
7 switch rooms, stuff like that.

8 And, you know, in the back of my head I
9 can say, you know, we had -- since my days at Vermont
10 Yankee, we've had issues with cable -- cable water
11 seals and fire seals and other kind of seals in that
12 switch room. I mean, what is the periodic nature of
13 -- they can't maintain the seals in general.

14 I mean, if you look over a long time,
15 there's a lot of problems with seals. You know, how
16 about the testing? How come they didn't have post-
17 installation testing? How come they didn't -- how
18 come they haven't, you know, put water in there? Hey,
19 what are the results? Can we see water in that switch
20 room drain type of thing?

21 You know, just since that, you know,
22 testing, you know, we put in new stuff and we test it,
23 and that type of thing, did they put the silt, you
24 know? They -- how come the silt -- you know, it
25 sounds like the silt wasn't -- two years ago, or when

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1 they have done it in the past, they put it someplace
2 else. And this time they put the silt in a different
3 place that caused this problem. You know, it sounds
4 kind of unprofessional and stuff.

5 The ventilation system -- the fans, they
6 were doing maintenance on them or something like that,
7 and they started the system up and one of the fans
8 didn't work. I think it was the supply -- the exhaust
9 fan didn't work and the supply fan worked.

10 And then they talked about, well, the
11 panels are for -- that's what the panels are for as
12 far as misoperation of the ventilation system. Well,
13 I seem to remember it was more or less those panels
14 were -- you know, it's technically accurate.

15 They were for, you know, the hydrogen leak
16 in an accident, and certainly all of them -- I don't
17 know, what is it, nine panels there and stuff like
18 that, and certainly if you have a type of a -- break
19 of a steam pipe and stuff like that, those are the --
20 you know, I kind of thought it was -- those kind of
21 things were the reason why the panels were there.

22 And, again, it's kind of the essence of
23 everybody is framing the information to sound pleasing
24 to minimize the impact and not tell the whole truth,
25 and stuff like that. And if you know the whole -- if

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1 we see the problem, and our enemies even see the
2 problem, then we would fix them, type of deal.

3 And, you know, that's the sense of what I
4 have as far as the NRC and utilities. They have been
5 withholding information. They have been structuring
6 it -- intentionally structuring the disclosure of the
7 information to us. And they have been protecting
8 everybody, you know. Everybody is protecting their
9 buddies and -- type of thing.

10 And, you know, we get in more trouble
11 doing good and acting in a group than we do when we,
12 you know, intentionally do bad and stuff like that.
13 It kind of -- when we think we're doing good, and we
14 justify it under -- for good reasons, that -- you
15 know, that bypasses a lot of our protection circuits
16 in our brains and that type of thing.

17 So, you know, and what is going on with
18 Entergy -- Arkansas I. I remember Palisades --
19 Palisades I talked about in one of my 2.206s. I
20 remember talking about their crane up there in the
21 Reactor Building, and I remember making a joke about,
22 what would happen if -- you know, you guys are taking
23 -- you're not taking the protective interlocks of the
24 crane and the general operation, the -- doing the
25 safety checks before you operate the machinery, the

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1 skills needed to operate that piece of equipment, and
2 stuff, you know, it seemed like there wasn't enough
3 training and enough paying attention to procedures and
4 stuff.

5 The NRC wrote about these things and
6 stuff, and I joked about, you know, what happens if a
7 cable snaps and a reactor head goes -- crashes down
8 through numerous levels of floors, and stuff like
9 that. That would be the most amazing two seconds in
10 your life, actually listening to that.

11 And so since that, you know, all of us --
12 as far as with Palisades, Vermont Yankee, Pilgrim, and
13 stuff like that, I mean, I worry that there is
14 underlying indications with Entergy as a whole that we
15 -- that a lot of problems are submerged and we can't
16 see it, and we can't interact with Entergy. We can't
17 find a way to control those -- this corporation and
18 stuff.

19 And I -- you know, since -- I feel
20 powerless. I have tried writing, in my limited
21 skills, about the problem with these plants, and stuff
22 like that, trying to say that -- it's really not one
23 plant. It's not Palisades or it's not Pilgrim.
24 There's a system behind it. It's not even Entergy.
25 You know, it's the system, it's the organizations, the

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1 interacting organizations, our legislature, our
2 President, the regulatory rules. The whole system --
3 it's not working.

4 And if you study all of these documents
5 and stuff, from my point of view, you can see that.
6 You can see that the thing is not working, and
7 everybody knows they are not working, but most of the
8 officialdom sits there and, you know, talks in
9 happyland, everything is pretty well much going on,
10 and that -- going good.

11 And Vermont Yankee got green grades this
12 marking -- this marking period and stuff, and yet here
13 we are at another plant at -- with Entergy, and where
14 there is a pretty big event is what I'm hearing.
15 Unfortunately, a death has occurred and numerous
16 injuries and stuff, and most of us outside are getting
17 the idea that, you know, you're kind of withholding
18 information from us.

19 You're kind of -- you're kind of
20 structuring the disclosure information, like the LERs,
21 you know, to in a pleasing way -- you're not just
22 giving us the cold, hard facts, and that type of
23 thing. And I feel as though that, you know, if you
24 were -- if the NRC was listening to me, if the NRC had
25 restructured their 2.206, if you gave me an

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1 opportunity, a structured opportunity to demand
2 information, and everybody was required to be truthful
3 and honest, not -- just follow the rules, because the
4 rules are meant -- the way they are written nowadays,
5 you know, it's, hey, the utilities basically made
6 those rules and they are interacting with our U.S.
7 legislators, Congress, and stuff like that.

8 They are not written by the people outside
9 the plant. They are written by the companies and the
10 money they have with Congress and stuff like that. If
11 the rules would have allowed me to -- and the NRC and
12 the utilities, we all act -- interacted together,
13 committee, and everybody was forced to be honest with
14 each other, and stuff like that, I think a life could
15 have been saved.

16 I think there is injuries that could have
17 been prevented with Entergy over there in Arkansas.
18 We would have seen the system that Entergy -- the
19 dysfunction of the system of Entergy, and we would
20 have fixed it. I believe that if we were honest, if
21 everybody was honest with each other and open, and we
22 acted in the national interest and the greater
23 interest, I think we could have prevented Arkansas I.

24 And, you know, I still say to myself, I
25 think I said, well, the next two years, what is going

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1 to happen in the next two years? What kind of mind-
2 boggling problems are going to erupt from Entergy in
3 the next two years, you know?

4 They dropped this spatter a couple of days
5 ago. What else is going to pop up? They've got a
6 plant that is in a -- in the national -- it's all over
7 the media as far as Palisades, wondering what is going
8 on with them. You know, the NRC seems to think they
9 are cured, and that type of thing. Right? And they
10 think Vermont Yankee is cured. They think Pilgrim is
11 doing well and stuff.

12 And then this other problem pops up that
13 is a magnitude that is astonishing, is what we can see
14 and stuff. And so we think the system doesn't work.
15 We think the whole system doesn't work, from the
16 legislature to the -- the mechanisms of government
17 doesn't work here. The disclosure of information to
18 each other and how we are supposed to work as a
19 country doesn't work, and it's a big problem we see.

20 And like I said, there's noise at Vermont
21 Yankee. There's the ventilation system, the switch
22 gear problem. You know, I tell everybody, you know,
23 I don't care how insignificant a problem is. Every
24 little insignificant problem is a golden opportunity
25 to understand the system behind it.

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1 If you sit and look at these insignificant
2 problems, and you ponder and ask the questions, where
3 did it come from, how can I catch it the next time, I
4 will catch it the next time, I guarantee I'll catch it
5 the next time or -- and stuff. And a lot of times
6 little problems, you know, you sit and ponder it, and
7 how all of a sudden you look around and there's a
8 monster sitting next to it, and you say, "Holy
9 Christ."

10 And the only reason why I got attention --
11 the only reason that brought -- drew my attention was
12 that this -- talk about this little system, little
13 problem that nobody -- nobody knew.

14 So, you know -- just looking over my
15 notes. So, you know, like I said before, we think
16 that what we can see is the NRC and the utilities, you
17 know, are systematically managing the information,
18 systemically and systematically managing the
19 information to project an incorrect image to us.

20 And that's a big problem, if they're doing
21 that. That's a huge problem, if they can't be honest
22 to us, and if the agency, you know, is -- according to
23 them they're following the rules to be dishonest to
24 us, you know. There's something wrong there, you
25 know, and I've seen how, you know, we gain rules

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1 between us and groups and I have -- I have -- you
2 know, looking back at some of my own behavior, it is
3 just horrendous what I have done in the past a lot of
4 times as far as sometimes being in a group and, you
5 know, acting in that group thing and letting them --
6 and me not being under full control of my capabilities
7 and stuff like that.

8 I have been in places that -- when I was
9 younger, I have done things that were pretty bad and
10 stuff, and I see how groups of people -- I know how
11 groups of people -- I've been involved in a lot of
12 things in the community and groups of people and
13 organizations that are wonderful.

14 We wouldn't be where we are without
15 organizations. Most of our troubles emerge from
16 organizational and group thinking and stuff like that,
17 and, you know, we should be above that in this stage
18 of the game. But we are going backwards.

19 So I think the grid is in trouble. Our
20 electric system is in trouble. You know, as a whole,
21 it questions, you know, the reliability of supplying
22 emergency power to a lot of these nuke plants in New
23 England. We sense that a lot of the rules are not
24 fair. And, furthermore, they don't -- they are not
25 fair, they are corrupt, they give us too expensive

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1 electricity, and they are all driving the system to
2 being unstable. And we worry about that, what that
3 does.

4 The price of electricity, as already --
5 which the utilities depend upon has been spiking and
6 crashing, and stuff like that. It's out of control,
7 and it's an enormous system, and we worry about not as
8 a nation being in control of these attributes, and the
9 whole thing spinning out of control.

10 We have seen in New England, you know, in
11 this time of -- there is supposed to be an excess of
12 natural gas and you have deflationary prices there.
13 We've seen how the system has created a bottleneck and
14 created a crisis with expensive electricity and
15 threatening not to have -- not being able to support
16 the transmission system or electricity to our homes,
17 and stuff like that. It's a grave concern as far as
18 what I can see.

19 And so -- just two seconds here. Oh.
20 And, you know, like I -- like I said earlier, the --
21 we got to -- to the process, you know. Like, you
22 know, I wonder if it would have been different if I
23 would have had access to more information, if I would
24 have created a discussion, instead of people shunning
25 me, in the agency at times shunning me, instead of,

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1 you know, they kind of drew me into it or drew people
2 like me into it, into the problems, and we created
3 some of our own different perspectives, and we all,
4 you know, have seen more of the world, would
5 Arkansas I have happened?

6 Would Entergy have been a lot more
7 stronger of a company? Would the agency have been
8 different? I think it would have been, you know, if
9 we were more the ideals of our country and our
10 constitution instead of these -- an oligarchy type of
11 thing with our little groups, exclusive groups and
12 stuff like that.

13 I think we could have stopped it, and it
14 worries me what kind of problems we are going to see
15 in the next two years. And I'm -- and, you know, what
16 kind of flows in the head -- you know, two years ago
17 and now we've got dropped spatter, and will the next
18 one be a dropped head in the Reactor Building? Will
19 a regular crane fail? because it was aging, type of
20 thing? What other things? What does the next two
21 years have in store for us?

22 I'm telling you, the last two years we've
23 had some pretty big problems, and our capacity factor
24 shows it, and a lot of these utilities are under
25 increasing stress in a lot of different ways. We've

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1 got a lot of bad actors out there, San Onofre, Fort
2 Calhoun, TVA.

3 I talked a lot in the past about
4 counterfeit parts and stuff like that, and fraudulent
5 parts and stuff like that. And TVA is talking about
6 exactly the stuff I talked about a couple of years
7 ago, or a year ago, and that type of thing, a lot of
8 what I have talked about with the SRVs at Vermont
9 Yankee, and going to talk about at Pilgrim and stuff
10 like that.

11 So what have we got in front of us? We
12 think this is going to be good as far as how the
13 public thinks about the NRC and the nuclear industry.
14 In two years, will we be more insecure? Will the
15 public be more -- have a sense of, well, these guys
16 aren't straight-shooters. They are all -- we -- will
17 the nation wake up and say, you know, we can't trust
18 these guys to tell us the truth.

19 An example was Pilgrim and the casks, and
20 the Pilgrim -- took pictures, and then, again, the
21 sense that the NRC Public Relations Department and
22 inspectors, they were giving incomplete information.
23 Since that, they caught the agency with their pants
24 down, and the utility, and it has taken months to
25 straighten the mess out, instead of it should have

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1 taken just being honest, and, you know, not playing by
2 the rules and using the rules to hide information and
3 not use -- making the rules to disclose information,
4 making it mandatory to disclose information.

5 Is that what is going to happen in the
6 next two years, where many in New England have -- lose
7 faith in the NRC, and certainly Entergy? Is this --
8 is this where it is all heading as far as the LERs
9 being more incomplete and more inaccurate, and that
10 type of thing?

11 And we get in our heads that the NRC is
12 not successful, and 25 percent of our electricity is
13 not ethical and honest, and we as a collective group
14 do something crazy as far as maybe wanting to shut a
15 bunch of them down to our detriment, is that where
16 we're heading? Will we see more Arkansas I type of
17 events to make us be more insecure with the nuclear
18 industry and stuff?

19 You know, I see a lot of problems that are
20 bubbling under the surface. And if an event shows up,
21 a lot of dishonesty everybody gets away with and
22 stuff. And if an event shows up and everybody does
23 what they are trained -- been trained to do, and being
24 complete and dishonest in what they have allowed to
25 have gotten away with in the past, and an event shows

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1 up that creates -- that shows this system that's
2 there, we are going to lose faith, besides in
3 government or a segment of government.

4 We are going to lose more faith in the
5 nuclear industry and the integrity of the nuclear --
6 we are going to all think that they all stick together
7 and just -- like they don't even belong in the United
8 States. And we are going to collectively think they
9 are untrustworthy, you know? Back to 1979 again type
10 of thing, you know, I don't think we're far away from
11 that. We are just -- we are a nation that doesn't
12 have a lot of faith in government already, and stuff
13 like that.

14 I worry about the trends of the industry,
15 you know. Is it declining? Is more people losing
16 faith? Has the system responded with happy tunes and
17 la la la la, you know, like a three-year-old kid whose
18 parents are trying to explain something and they go
19 "la la la la," like they don't want to hear it? Is
20 that what is happening with a lot of the NRC and the
21 utilities?

22 Do you think that kind of making that
23 noise to not hear what is going on, do you think that
24 is going to work for very long? I don't think so.
25 And I think you could change your tune, and we could

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1 come out of this pretty quickly, if everybody became
2 more honest. But changing behavior is tough.

3 You know, like I can see it in the eyes of
4 Palisades in 2011, and stuff like that. I can see how
5 unresponsive the system is. It's huge. They don't
6 listen, and stuff like that. And they can't -- they
7 can't see themselves what they're doing and stuff, and
8 I worry about that in the next two years. What will
9 they -- what will the next two years bring?

10 We have a terrible accident, terrible
11 accident like Fukushima or something like it, or would
12 it be a much lesser accident but be in the United
13 States and more open, it would be -- be in our minds
14 deeper and stuff.

15 So anyways, I thank you for this
16 opportunity for letting me talk.

17 CHAIR MUESSLE: Thank you, Mr. Mulligan.

18 At this time, does the staff here at
19 headquarters have any questions for Mr. Mulligan?

20 (No response.)

21 What about questions from the region?

22 MR. DeBOER: We have no questions at this
23 time.

24 CHAIR MUESSLE: Okay. Mr. Mulligan, thank
25 you for taking time to provide the NRC staff with

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1 clarifying information on the petition that you
2 submitted.

3 Before we close, does the Court Reporter
4 need any additional information for the meeting
5 transcript?

6 (Whereupon, some name spellings were
7 provided to the Court Reporter.)

8 CHAIR MUESSLE: Okay. Thank you. With
9 that, this meeting is concluded and we will be
10 terminating the phone connection.

11 Thank you.

12 (Whereupon, at 9:49 a.m., the proceedings
13 in the foregoing matter were concluded.)

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CERTIFICATE

This is to certify that the attached proceedings
before the United States Nuclear Regulatory
Commission

Proceeding: 10 CFR 2.206 Petition-Vermont Yankee
by Michael Mulligan

Docket Number: n/a

Location: teleconference

were held as herein appears, and that this is the
original transcript thereof for the file of the
United States Nuclear Regulatory Commission taken
and thereafter reduced to typewriting under my
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