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**NUCLEAR REGULATORY COMMISSION**

Title: 10 CFR 2.206 Petition Review Board  
RE: Pilgrim Nuclear Power Station

Docket Number: (n/a)

Location: teleconference

Date: Tuesday, June 11, 2013

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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

PILGRIM NUCLEAR POWER STATION

+ + + + +

TUESDAY

JUNE 11, 2013

+ + + + +

The conference call was held, Joe  
Giitter, Chairperson of the Petition Review Board,  
presiding.

PETITIONER: MICHAEL MULLIGAN

PETITION REVIEW BOARD MEMBERS

JOE GIITTER, Director, Division of Risk Assessment  
in the Office of Nuclear Reactor  
Regulation

RICHARD GUZMAN, Petition Manager for 2.206 petition  
EMILY MONTEITH, Office of General Counsel

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1 NRC HEADQUARTERS STAFF

2 LEE BANIC, Petition Coordinator, Division of Policy

3 and Rulemaking, NRR

4 JOHN BILLERBECK, Component Performance and Testing

5 Branch, NRR

6 MUHAMMAD RAZZAQUE, Reactor Systems Branch, NRR

7

8 NRC REGION I OFFICE

9 FRED BOWER

10

11 ALSO PRESENT

12 JOSEPH LYNCH, Entergy

13

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

(3:06 p.m.)

MS. RIVERA: Good afternoon. I would like to thank everybody for attending the teleconference.

My name is Alison Rivera, and I am the Facilitator for this teleconference. My role is to help ensure today's teleconference is informative and productive.

The purpose of today's teleconference is to allow the Petitioner, Mr. Michael Mulligan, to address the Petition Review Board, or PRB, regarding a 2.206 petition dated March 7, 2013, as supplemented by emails dated March 20th and April 5, 2013, regarding his concerns with safety relief valves at Pilgrim Nuclear Power Station.

This teleconference is scheduled for one hour, from 3:00 to 4:00 p.m., Eastern Time. It 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. Prior to placing the transcript in ADAMS, the PRB will review it to ensure that it does not contain any allegations or sensitive information.

For those dialing in to this

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1 teleconference, please remember to mute your phone to  
2 minimize any background noise or distraction. If you  
3 do not have a mute button, this can be done by  
4 pressing the keys \*6. To unmute, you will press \*6  
5 again.

6 I'd like to emphasize that we each need  
7 to speak clearly and loudly, to make sure that the  
8 court reporter can accurately transcribe the  
9 teleconference.

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

13 Now, I would like to have the NRC meeting  
14 participants to introduce themselves. I ask that all  
15 of the participants clearly state for the record your  
16 name, your position, and your organization.

17 I will start with myself, and then turn  
18 it over to the other NRC participants here in the  
19 room.

20 My name is Alison Rivera, and I am a  
21 Technical Assistant for the Division of  
22 Intergovernmental Liaison and Rulemaking, in the  
23 Office of Federal and State Materials and  
24 Environmental Management Programs.

25 CHAIR GIITTER: Okay. I'm Joe Gitter,

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1 I'm the Director of the Division of Risk Assessment,  
2 in the Office of Nuclear Reactor Regulations.

3 MR. BILLERBECK: This is John Billerbeck.  
4 I'm a Mechanical Engineer in the Division of  
5 Engineering in NRR.

6 MR. BANIC: Lee Banic, Petition  
7 Coordinator, NRR.

8 MR. GUZMAN: Rich Guzman. I'm a Senior  
9 Project Manager in the Division of Operating Reactor  
10 Licensing, in the Office of NRR.

11 MS. RIVERA: That completes the  
12 introductions of the NRC staff in this room. At this  
13 time, are there any NRC participants from  
14 Headquarters on the phone?

15 MR. RAZZAQUE: This is Mohammed Razzaque,  
16 from Reactor Systems Branch, NRR.

17 MS. MONTIETH: Emily Montieth, Office of  
18 General Counsel.

19 MS. RIVERA: Are there any NRC  
20 participants from the regional offices on the phone?

21 MR. BOWER: Yes, this is Fred Bower. I'm  
22 an Acting Branch Chief from Region 1.

23 MS. RIVERA: At this time, will the  
24 representatives for Entergy Nuclear Operations,  
25 Incorporated, Licensee for program, introduce

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1 themselves?

2 MR. LYNCH: This is Joe Lynch, Licensing  
3 Manager, Pilgrim Station.

4 MS. RIVERA: Mr. Mulligan, would you  
5 please introduce yourself for the record?

6 MR. MULLIGAN: I'm Mike Mulligan. I'm a  
7 whistle blower. I was in the Navy on an experimental  
8 pass protect submarine. I worked as a Reactor  
9 Operator for a number of years, and I've worked at a  
10 nuclear power plant.

11 Thank you.

12 MS. RIVERA: Thank you.

13 Are there any other, such as members of  
14 the public, on the phone?

15 And, for our court reporter, can you also  
16 please state your name?

17 COURT REPORTER: This is Sam Wojack. I'm  
18 the court reporter.

19 MS. RIVERA: Before we begin, I'd like to  
20 first share some general background on the 2.206  
21 process.

22 Section 2.206 of Title X of the Code of  
23 Federal Regulations, describes the petition process,  
24 the primary mechanism for the public to request  
25 enforcement action by the NRC in a public process.

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1 This process permits anyone to petition NRC to take  
2 enforcement-type action related to NRC licensees or  
3 license activities.

4           Depending on the results of this  
5 evaluation, NRC could modify, suspend, or revoke an  
6 NRC issued license, or take any other appropriate  
7 enforcement action to resolve the problem.

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

12           Again, the purpose of today's  
13 teleconference is to give the Petitioner an  
14 opportunity to provide any additional support for the  
15 petition, in light of the Petition Review Board's  
16 initial recommendation.

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

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

23           Following this teleconference, the  
24 Petition Review Board will conduct its internal  
25 deliberations. The outcome of these internal

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1 deliberations will then be discussed with the  
2 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 other members of the Board, as  
7 determined by the NRC staff, based on the content of  
8 the information in the petition request.

9 As described in our process, the NRC  
10 staff may ask clarifying questions in order to better  
11 understand the Petitioner's presentation, and to  
12 reach a reasoned decision whether to accept or reject  
13 the Petitioner's request for review under the 2.206  
14 process.

15 Also, as described in our process, the  
16 Licensees have been invited to participate in today's  
17 teleconference, to ensure that they understand the  
18 concerns about their facility or activity.

19 While the Licensees may also ask  
20 questions to clarify the issues raised by the  
21 Petitioner, I would like to stress that the Licensees  
22 are not a part of the PRB's decision-making process.

23 I will now turn the teleconference over  
24 to Joe Giitter, the PRB Chairman, who will discuss  
25 the specific petition under consideration.

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1 CHAIR GIITTER: Okay, thank you, Alison.

2 I would like to begin by summarizing the  
3 PRB's understanding of the scope of the petition  
4 under consideration, and described the NRC's  
5 activities to date.

6 On March, 2013, Mr. Mulligan submitted to  
7 the NRC a petition on 2.206 regarding concerns with  
8 the safety relief valves, or SRVs, at the Pilgrim  
9 Nuclear Power Station.

10 In his petition request, Mr. Mulligan  
11 requests that the NRC immediately shut down Pilgrim  
12 Nuclear Station on the basis of the Licensee is  
13 operating the plant in an unsafe condition with  
14 defective or inoperable safety relief valves.

15 The Petitioner also indicates that  
16 Entergy is incapable of maintaining safety and  
17 quality of the plant. In addition, Petitioner  
18 requests the NRC to not allow the Pilgrim Plant to  
19 restart following shutdown until they understand past  
20 failure mechanisms of the defective SRVs at Pilgrim.

21 As support for this request, Mr. Mulligan  
22 states, in short, that the repeated nature of the  
23 failure of the SRVs at Pilgrim demonstrates that  
24 Entergy does not understand the mechanism of the  
25 failure and that defective or inoperable SRVs at a

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1 nuclear power plant is unsafe.

2 Mr. Mulligan also states that the NRC is  
3 allowing the plant to operate with unsafe SRVs until  
4 the next refueling outage, and is covering up an  
5 unsafe condition at Pilgrim.

6 Mr. Mulligan requests an investigation by  
7 the Office of the Inspector General for his concern.

8 Now, I would like to talk about what NRC  
9 has done to date on this.

10 On March 14, 2013, the Petition Manager  
11 contacted the Petitioner to discuss the 10 CFR 2.206  
12 process and to offer the Petitioner an opportunity to  
13 address the PRB by phone or in person.

14 The Petitioner requested to address the  
15 PRB by phone, prior to its internal meeting to make  
16 the initial recommendation to either accept or reject  
17 the petition for review.

18 On April 11, 2013, Mr. Mulligan addressed  
19 the PRB via teleconference. The PRB then held its  
20 internal PRB meeting on May 6, 2013, and on May 22,  
21 2013, Mr. Mulligan was informed of the PRB's initial  
22 recommendation regarding the petition, which is to  
23 reject the petition for review, because in accordance  
24 with Management Directive 8.11 Petitioner did not  
25 provide sufficient facts, or any element of support,

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1 beyond the basic assertion for the inquiry.

2 In addition, the PRB notes that the  
3 Petitioner did not identify a violation of an NRC  
4 requirement, or did Petitioner provide significant  
5 new information to warrant the request of enforcement  
6 action.

7 As support for its initial  
8 recommendation, the PRB notes that the Licensee's  
9 operability evaluation for SRVs that have leaked at  
10 Pilgrim have been reviewed by the NRC inspectors, and  
11 determined to be adequately justified. The Licensee  
12 has also complied with the applicable tech specs, and  
13 has demonstrated that SRVs are monitored and  
14 maintained in a condition that ensures that they will  
15 perform their safety function.

16 Additionally, the NRC staff continues to  
17 monitor and collect operating experience on SRV  
18 leakage problems. While the staff acknowledges that  
19 industry has seen, and is investigating leaking SRVs  
20 of this specific design, the NRC staff's evaluation  
21 no industry operational data to date indicates that  
22 the specific SRV model or design at Pilgrim poses a  
23 real significant safety concern.

24 As a reminder for the phone participants,  
25 please identify yourself if you make any remarks, as

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1 this will help us in the preparation of the meeting  
2 transcript that will be made publicly available.

3 Thank you.

4 Mr. Mulligan, I'll now turn it over to  
5 you, to allow you to provide any information you  
6 believe the PRB should consider as part of its  
7 decision.

8 MR. MULLIGAN: Okay. You talked about an  
9 allegation that you were going to submit, an  
10 allegation note or something. What was that about?  
11 I'm just curious.

12 MS. RIVERA: The PRB will review the  
13 transcript to ensure that there is no allegation with  
14 sensitive information.

15 MR. MULLIGAN: Okay, thank you.

16 I will just say that, you know, like I've  
17 always been talking about the NRC kind of says I have  
18 no proof about the system as far as the access to the  
19 information is zilch, and you give LERs, you give  
20 inaccurate, falsified information to the public as  
21 far as disclosures and stuff like that.

22 So, how can somebody like me have  
23 confidence in the NRC doing their job?

24 Here's a June 11th Forbes article on San  
25 Onofre, and southern California citizens problems

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1 with their entire nuclear energy sector. So, a  
2 nuclear energy sector has taken a blow now that  
3 Southern California Edison has decided to permanently  
4 close this troubled nuclear plant. Safety is a key  
5 concern. So is honesty and transparency.

6 So, you know, you can take -- you guys  
7 talk about risk, this doesn't have any risk and stuff  
8 like that, and I'm telling you this has enormous risk  
9 for the community and you guys.

10 You know, if you keep going on in this  
11 direction, where, you know, a dual plant like San  
12 Onofre, you know, we get the feeling that the NRC is  
13 not enforcing their regulations correctly, and their  
14 perceptions of what the regulations state is so  
15 grossly obscene that, you know, we mistrust the  
16 agency. I mean, that's a risk of a different sort,  
17 that you don't even take into consideration.

18 And, this risk business, as far as giving  
19 me the information, you know, as far as what is going  
20 on with those valves, seeing the, you know, internal  
21 documents and stuff like that, that is the same as  
22 San Onofre had at its deepest core. You guys can  
23 hide your information away from the public, and you  
24 can have these special interpretations of rules and  
25 regulations, as far as, you know, not having a proper

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1 license amendment request and stuff like that, you  
2 can bend the rules, and stuff like that, you know,  
3 that's atrocious to think that that -- you know, all  
4 you guys deal with is the risk associated with, you  
5 know, as far as these engineers' calculations nobody  
6 can understand.

7 And, you don't look at the holistic risk,  
8 as far as your behavior, how we, the public, see  
9 this, and what garbage you've got in your document  
10 and stuff like that that's the essence of, you know,  
11 I talk about the tree-wise monkey architecture of  
12 Federal rules. I would include the way you interpret  
13 things, you know, the see no evil, hear no evil,  
14 speak no evil, the idea that you interpret things  
15 behind the scenes that nobody can make sure that you  
16 are telling the truth and disclosing everything, and  
17 all that sort of stuff.

18 And, that's what I'm talking about.  
19 That's what we are seeing in front of us, you know, a  
20 Pilgrim plant here, they've had a lot of protests, a  
21 lot of towns, you know, have given their hope as far  
22 as wanting to shut that down, and, evidently, nobody  
23 feels, you know, with San Onofre and a whole bunch of  
24 other events everybody feels nervous about disclosing  
25 things. And, you know, you keep your things in your

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1 desk, and I mean that seems to be what's going on  
2 here. The more you get frightened about events  
3 happening in front of us, the more you hide things,  
4 and the more destructive it's going to be, as far as  
5 hiding events, and not taking care of these things  
6 right, and turning off the public in ways.

7 So, you know, the new LER, I forget what  
8 the most recent one, is startling, things that were  
9 disclosed in that. And, of course, I put this to  
10 2.206 before the LER came in, was written up.

11 Anyways, I get a joke out of the  
12 Frankenstein Pilgrim SRV valve 3B, in an inspection  
13 report of 2013, 00 May 8th, the inspectors observed a  
14 plant shutdown on January 20, after operators had  
15 identified significant leakage on SRV 3B pilot valve.

16 First stage temperature indicated a temperature  
17 greater than 35 degrees. This exceeded the limits in  
18 their procedures, and required the operating crew to  
19 declare SRV 3B inoperable. And, you consequently  
20 shut down and stuff like that.

21 And, you either repaired it or replaced  
22 it, but, certainly, you must have tested it. And  
23 then, you know, so on January 20th, January,  
24 February, I don't know, two, three weeks later on,  
25 operators responded to further shut down the plant.

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1 They started it back up, and on February 3rd  
2 operators responded and affirmed indications of pilot  
3 leakage on SRV 3B, following its repair and forced  
4 outage 1906. Pilgrim remained at 80 percent power  
5 until Blizzard Nemo took the plant down.

6 And so, you know, this is atrocious  
7 behavior, that's one example, you know. You so-  
8 called fixed the valve, and, I mean, you know, is it  
9 risky as far as an engineering calculation on the  
10 relative work on the component, involved with the  
11 component, and stuff like that, do you guys deal with  
12 risk? Or, is it risky, the actual behavior or  
13 Entergy not to be able to have a leak, fix it, and  
14 with days of starting up the valve starts leaking  
15 again, and then they are forced to have a power  
16 restriction and stuff like that.

17 So, you guys interpret this as there's no  
18 safety issues, and what you can see over the period  
19 when they purchased these valves, and stuff like  
20 that, it's just atrocious utility and NRC behavior,  
21 as far as, you know, engineering quality, and, you  
22 know, you know what's going on with your plant, and  
23 you have the tools in front of you that you could  
24 quickly repair it. You know, this risk business is  
25 an excuse to do nothing, and that's how this turns

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1 out.

2 This risk business and calculation is an  
3 excuse to do nothing, and it's not an excuse to pay  
4 attention to our plant. I mean, it's not a tool that  
5 forces you to pay attention to your plant, and  
6 purchase the quality of valve that is necessary and  
7 stuff, and to repair it correctly, and test it. You  
8 know, like this business here, it was started up and  
9 it leaked again. And, this isn't the first time.

10 When they purchased them brand new valves  
11 and put them in for the first time, they had leaks  
12 within weeks of starting up again. Can you imagine  
13 that, how that looks, as far as people like me  
14 outside, the way we see this. You know, you guys  
15 want the most important valve components in the  
16 nuclear plant, and you can't figure out the quality  
17 that is necessary for their duty, and they start  
18 failing within two weeks, the new valves start  
19 failing within two weeks. And then, you people have  
20 the gall to come back and say, oh, well, this doesn't  
21 meet any of our -- this is all safe, and this is  
22 real good stuff, everything is okay.

23 Even to this day, even to this day with  
24 two shutdowns over these valves, you are heading for  
25 a third shutdown, you have an association of power

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1 restrictions and stuff like that, almost three  
2 shutdowns and six or eight power restrictions at  
3 different times and all that sort of stuff.

4 And, the last LER states that we still  
5 don't know what's wrong with those valves, and we are  
6 doing further investigation. Is that what nuclear  
7 power has come to, as far as, you know, you guys  
8 don't have the sense of quality and expertise and  
9 honesty to deal with these things relatively  
10 immediately, and the analysis gives you the excuse  
11 that nothing ever matters, that we can run these  
12 things into the ground, into the dirt.

13 I mean, you know, most of the public  
14 doesn't really understand what's going on here, but I  
15 do, and you do, too. And, allowing this stuff to go  
16 on here, and somebody not raising a stink is  
17 astonishing, especially, within the NRC.

18 I'm going to go back to the first LER for  
19 a few comments there. At this time, the most -- this  
20 is the first LER, LER 2011 007-00, right? At this  
21 time, the most probably root cause are problems  
22 during the initial manufacturing and their assembly  
23 of the pilot at the Target Rock prior to installation  
24 at the site.

25 CHAIR GIITTER: Could you restate that?

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1 MR. MULLIGAN: At the time, the most  
2 probable root cause were problems during the initial  
3 manufacturing or assembly of the pilot at the Target  
4 Rock prior to installation on the site.

5 Wile Labs, Target Rock and Entergy are  
6 looking into these problems.

7 The identified condition, is a leaking  
8 SRV pilot, based on the only pilot -- you know,  
9 you've got to say this, what this is, the report  
10 date, the event date, 12/26, right, 12/26, yes, the  
11 pilot leaks, and this is what I'm talking about. This  
12 is gross falsification of Federal documents. It's  
13 gross falsification of Federal documents by NRC, by  
14 Entergy, and the NRC doesn't call them on it.

15 Based on the review of the data, the only  
16 pilot to exhibit leakage is RV --

17 MS. RIVERA: Mr. Mulligan?

18 MR. MULLIGAN: Yes.

19 MS. RIVERA: This is Alison Rivera. We  
20 have a question over here about your previous  
21 statement, trying to figure out if that's an  
22 additional allegation.

23 MR. MULLIGAN: Yes, it is.

24 CHAIR GIITTER: Could you, specifically,  
25 state the allegation again, Mr. Mulligan?

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1 MR. MULLIGAN: Okay, based on the plant  
2 data, the only -- "The only pilot valve that exhibits  
3 signs of leakage is RV 203-3B."

4 And, let me see if I can -- the last LER  
5 indicates that within weeks of starting up the plant  
6 they had a leak -- they had a leak on a valve, and  
7 then a month before the first LER they had another  
8 leak on it.

9 And, when I get to that LER, I'll  
10 identify that, the time frame.

11 CHAIR GIITTER: Okay. Could you just  
12 restate the allegation again? I'm not sure I got  
13 everything.

14 MR. MULLIGAN: Okay. The LER that I'm  
15 talking about, 2007 007-00 it quotes right here, "The  
16 only pilot valve to exhibit signs of leakage is RV  
17 2003-3." 2003-3, RV 2003-3B.

18 "The only pilot valve to exhibit signs of  
19 leakage is RV 2003-3," and they had two prior leaks  
20 that they didn't disclose in this LER.

21 You got it?

22 CHAIR GIITTER: Yes, the LER was 2007-  
23 007?

24 MR. MULLIGAN: 2011.

25 CHAIR GIITTER: 2011, I'm sorry.

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1 MR. MULLIGAN: So, this guy is -- the  
2 event date is 12/26/2011 and two prior events before  
3 that -- there was two prior events before that, that  
4 they had leaks that they didn't disclose, that they  
5 later disclosed on the most recent LER.

6 Okay?

7 CHAIR GIITTER: Thank you.

8 MR. MULLIGAN: And, this is another one.  
9 This is another allegation. Because the leakage  
10 established by procedure did not affect the SRV set  
11 pressure, or capacity, the SRV would have been able  
12 to respond if needed to meet core cooling or reactor  
13 vessel over pressure, over pressure detection  
14 function.

15 And, the most recent LER says that there  
16 was a leakage effect of the SRV open set point. And  
17 so, I mean, the idea that they are saying it did not  
18 affect the SRV set pressure or capacity set pressure,  
19 you have to meet set pressure.

20 So, and then later on, because of the  
21 leakage you did have an SRV that exceeded its plus or  
22 minus 3 percent opening set point level. And, if you  
23 would have known about that, I believe it was 3.8, if  
24 you would have known about that they would have been  
25 required to shut the plant down.

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1           And so, you now, you are sitting here --  
2           you know, he makes a kind of a simple statement that  
3           the procedure did not affect the SRV set point  
4           pressure. So, what is thinking of these guys, you  
5           know? Okay, we've got leaks here and stuff like  
6           that. If it hasn't reached its set -- it hasn't been  
7           inaccurate yet, but, you know, is the engineers going  
8           down there anticipating the future, can we have  
9           opening set points inaccuracy problems that we can't  
10          see and stuff like that. We could, essentially, have  
11          a set of SRVs that would not be able to reach -- be  
12          at their accuracy level, plus or minus 3 percent, and  
13          stuff like that.

14                 So, you know, the idea that these guys  
15          can say to themselves do an analysis and say, oh, and  
16          one of the issues we could have in the future with  
17          our crazy SRVs that keep malfunctioning on us, is we  
18          could have an inaccurate opening of an SRV. We could  
19          have an inaccurate opening of an SRV for an over  
20          pressure condition caused by the leak. I mean, is  
21          anybody thinking about these things, about how set  
22          pressure could become inaccurate?

23                 And then you say to yourself, well, do  
24          they even test for set pressure on all these leaking  
25          valves that they had, and stuff like that. Do they

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1 check themselves and say, hey, we are going to do a  
2 set -- an opening, with these defective leaking  
3 valves we are going to do -- and, you know, we are  
4 going to raise up questions to the valve opening and  
5 see where it begins to open, and see if the leakage  
6 has caused set pressure problems and stuff like that.

7 Is anybody doing that kind of stuff?

8 You know, so there's an issue that, you  
9 know, they really assumed that the leaking wouldn't  
10 cause any SRV set pressure problems in the future,  
11 and, of course, we know that they did.

12 So, and here's another one with the  
13 leaking -- the leaks that they didn't disclose.  
14 There is no previous first-stage leakage occurring at  
15 these safety relief valves since all four safety  
16 relief valves were newly installed in May --  
17 April/May, 2011, during refueling outage 18.

18 But, you know, they made the assertion in  
19 Federal documents that there was no prior leakage,  
20 and you know there's two other -- there's two other  
21 leakages that, you know, I should have been, you  
22 know, outsiders should have been notified. And, we  
23 should have seen how inaccurate these safety relief  
24 valves are, and how unreliable, and how incompetently  
25 Entergy has dealt with the -- Entergy and Target Rock

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1 has dealt with these safety relief valves.

2 Now, just like San Onofre, if you hide  
3 things it's going to be ten times worse when  
4 something bad happens, instead of being open and out  
5 front, and making, you know, people want to talk  
6 about things, and making an effort to talk about  
7 those issues, instead of just kind of -- you know,  
8 hiding, you know, the politicians above us, Congress  
9 and, you know, the hateful Republicans and all that  
10 sort of stuff, they are going to vaporize us if we  
11 open our mouths, or if we enforce regulation and  
12 stuff like that. And so, I'll be quiet, you know,  
13 see no evil, hear no evil, and speak no evil.

14 If you get into that San Onofre mindset,  
15 that's more destructive than a meltdown, as far as  
16 I'm concerned.

17 And, here's another one. However, the  
18 industry has experienced leakage with other Target  
19 rock model safety relief valves at other plants.  
20 Other, you know, there's Entergy, how come they  
21 didn't -- you know, it sounds like there was that  
22 they admit in that last LER, the newest LER, that  
23 there was a set of issues which are three-stage  
24 Target Rock relief valves. Again, you know, taking  
25 the narrow thing that, you know, maybe it's not an

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1 other model, you know, being this model isn't  
2 leaking, or however they want to term it, but there  
3 was leaks with three-stage Target Rock. However, the  
4 industry has experienced leakage with other Target  
5 rock model safety relief valves.

6 You know, they are saying that the three-  
7 stage relief valve, the three-stage doesn't have  
8 leakage problems in the industry, when in reality  
9 there was a host of Target Rock model safety relief  
10 valves that were leaking, and it's not full  
11 disclosure.

12 You know, how do you -- how do you -- you  
13 know, if there was widespread issues in the industry  
14 with three-stage safety relief valves, how is  
15 outsiders, like a guy like me, supposed to, you know,  
16 utilize it, if you guys don't want to, you know, deal  
17 with your problems, it's just up to me to try and  
18 figure out what's going on and trying to help you  
19 guys do the right thing.

20 With these issues in the 2.206, I mean,  
21 if you hide information on me, and stuff like that,  
22 then it negates the 2.206 process. It makes me -- it  
23 makes me -- I don't have any information. And, you  
24 keep coming back at me that, you know, I don't have  
25 any information, that type of thing, and stuff like

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1 that.

2 So, everybody feels comfortable that I  
3 don't have any evidence. You know, is that because  
4 there's no evidence, or is that because a whole ton  
5 of evidence is being hidden from me. Those are  
6 completely different things.

7 You know, the OE business, and all the  
8 internal documents that Entergy has, the OE, you  
9 know, safety relief temperature phenomenon at Target  
10 Rock, and stuff like that, you know, it's all hidden  
11 from me. It's all hidden from guys like me, and when  
12 you do that you prevent a guy like me from stopping  
13 you from doing the San Onofre, you know, as far as,  
14 you know, harassing you, and making you slow down,  
15 and making you do the right thing, and stuff like  
16 that, you hide it. And that, in essence, causes  
17 these big events where you end up losing the trust of  
18 people around the plant, and you have to shut down  
19 the plant, or the plant operation.

20 You know, and then we go into the -- I've  
21 already talked about this, then we go into the  
22 following, you know, this is the next -- this was the  
23 update on that LER of 2011, Level 2, and, you know,  
24 there was -- and it talks about all the different,  
25 you know, testing and all that sort of stuff, like,

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1 you know, no big deal, everything is cool. We looked  
2 over and we find no -- who was it, there was a whole  
3 bunch of you guys involved, Southern Company, Wile  
4 Labs, Entergy, and who else, there was another one,  
5 and stuff, and you made a big deal over that first  
6 LER, that first leak and stuff, and you had another  
7 shutdown, another new shutdown with the NEMO  
8 blizzard, with that bad valve, and then like I told  
9 you, then you replaced the valve with a new, fully  
10 tested valve, and within days it leaks up, it has  
11 leaks again, just like when you installed that valve  
12 for the first -- these valves for the first time,  
13 within two weeks you have an indication of leakage.

14 You had, before the first shutdown you  
15 had two leakages and stuff like that. This is  
16 heightened, and in the NRC's mind this is right?  
17 This is the right outcome to deny me a 2.206 because  
18 I don't have enough evidence and stuff like that?  
19 This is right, that you don't fix this thing?

20 I don't know, it's still up in the air as  
21 far as what's causing all these shutdowns and stuff  
22 like that, not only at Pilgrim, but other plants, and  
23 stuff. It's right?

24 We are the United States of America, the  
25 best country on the planet, and stuff like that, and

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1 this doesn't reflect well on us at all as a  
2 democracy, and the essence of being truthful, honest  
3 to each other, especially, with these endeavors that  
4 have a lot of energy in them and stuff like that.  
5 It's wrong.

6 So, here we go. We have in the update,  
7 no additional corrective actions are recommended on  
8 the results of testing, inspection and evaluation of  
9 the leaking pilot valve, by a three team of Wile  
10 Labs, Target Rock and Entergy. You know, these  
11 things -- you know, and then we talk about 10 CFR 21,  
12 that for the first time in the industry it's ever  
13 happened that the bellows had a crack in it, and we  
14 don't know -- we are not clear whether that came from  
15 a -- it came from directly from plant operation, you  
16 know, they shut down, then they tested it, and then  
17 up, or whether it was, certainly -- it was,  
18 certainly, heading back to the plant, and then you  
19 say that these valves, in an emergency, you know, can  
20 operate between 250 to 500 times, you know, in a dire  
21 accident, you know, the worst accident you can  
22 imagine, no electricity and stuff like that.

23 And, you know, you've got this defect in  
24 the bellows that, you know, nobody still -- and it's  
25 just astonishing, you guys are educated, and you've

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1 got a whole bunch of processes and stuff like that,  
2 and you can't -- it takes you years. I mean, the LER  
3 process sounds like the engineer, it's not  
4 engineering to engineer these documents to tell the  
5 truth, it's giving them the excuse to hide it, you  
6 know, we'll do another update, and we'll just ignore  
7 it, and we'll falsify documents in front of you. And,  
8 the NRC will, you know, hear no evil, see no evil,  
9 and speak no evil.

10 They have a ton of rules, but they  
11 interpret them in a special way that nobody can see  
12 if they are doing it right. I just -- it's mind  
13 boggling, when you consider how big this thing is.  
14 You know, and you have the update, and however  
15 industry has experienced leakage with other Target --  
16 you know, however, the industry has experienced  
17 leakage with other Target Rock model safety relief  
18 valves at other plants. Why isn't there a thing, we  
19 have -- let's be honest, you know, and up front,  
20 instead of giving you a baloney sentence like that,  
21 why couldn't they give a list of all the plants, you  
22 know, all the plants that had problems with three-  
23 stage relief valves.

24 In the LER, they've got the three-stage  
25 guys in there, you know, San Onofre again, how come

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1 nobody -- how come in that license amendment request,  
2 put these three-stage guys in there, how come they  
3 didn't talk about all the vulnerability of three-  
4 stage valves. How come they didn't talk about all  
5 the leakages with three-stage Target Rock relief  
6 valves in that LER. You know, how come, you know,  
7 they quoted regulations business and all that sort of  
8 stuff, you know, and happy land, these are new valves  
9 replacing old valves, how come you never talk about,  
10 you know, the thermability of these three-stage  
11 valves, what problems there were in the industry, and  
12 that type of thing.

13 How come -- is that all the documents,  
14 you know, all the NRC's documents and LERs in the  
15 industry, the happy land, this is the happy land  
16 version of documentation, and we are the professional  
17 class of incomplete and inaccurate Federal documents  
18 and stuff like that. Is that what this -- is that  
19 what's going on here with LERs in general and stuff  
20 like that, or, you know, like for like processes and  
21 stuff like that, is anybody going behind the scenes  
22 and talking and interpreting these things in a way  
23 for themselves, and not for what's in the interest of  
24 our country.

25 That stuff, it asks so much of us, it

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1 asks so much of us to be better people, and so we'll  
2 go to the new one. This is the guy that is kind of  
3 interesting, you know. I did write my 2.206 before  
4 this, right, and I did have my first transcript thing  
5 there, so this is a new one. And, you know what it's  
6 talking about, SRV 3B, safety relief valve declared  
7 inoperable due to leakage and set point drift, right?

8 This guy is still going to say, at the end of it,  
9 after all of this in the industry we still don't know  
10 what's wrong with these safety relief valves. We are  
11 still investigating it. Is that what we've come down  
12 to, that it takes two years and you are still  
13 investigating it? Is it going to be another ten  
14 years before you come to a solution with this, and  
15 you've become honest with people and stuff like that?

16 Do you know how dangerous this kind of  
17 stuff is to you guys, you know, if an accident shows  
18 up, and it turns off everybody, this is  
19 extraordinarily dangerous stuff. You see the problem  
20 we face if all of a sudden everyone has lost faith in  
21 the NRC, and we start turning off these plants nilly-  
22 willy, you know, we lose a tremendous amount of  
23 electricity, electrical capacity, because you guys  
24 are mistrustful.

25 You say you follow the rules, and you

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1 create meticulously accurate documents, but you play  
2 these document games and selective disclosures, and  
3 you space these things for a date, you know, six  
4 months down the line. Your fine LER is obscenely  
5 inaccurate and falsified, and it's all staged to not  
6 come up with a solution or accurately describe what's  
7 going on. It's an excuse to delay fixing these  
8 things and keeping a plant in operation, when they  
9 shouldn't be in operation. It's an excuse for, you  
10 know, Entergy, or any other plant in the United  
11 States, you know, we've got a problem and we  
12 shouldn't play these document dancing games whenever  
13 we feel like it and stuff like that, and we can delay  
14 admitting what's going on here for months.

15 Now, with Vermont Yankee with the safety  
16 relief threaded seal business, you won't admit to it,  
17 but you did the same thing. And so, then we go down,  
18 automatic depressuring provides tanks for  
19 interpreting the thermocoupling data and determine  
20 valve operating, based in part on testing performed  
21 by Target Rock. Can I see that? Can I see that --  
22 can I talk to somebody in Target Rock and say, you  
23 know, what is your indications when you have a  
24 leaking relief valve, what is the failure rate of set  
25 point inaccuracy problems, you know, about not

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1 lifting plus or minus three at the right pressure.

2 See, and remember, this is the guy that  
3 you asked me the question about. So, as far as the  
4 installation of RF2, oh, man, I'm getting all  
5 excited, the installation in RF018 and prior to this  
6 Pilgrim experience, minor second stage valve leakage  
7 from SRV, RV203-3C. We know, from this one, too,  
8 it's the first stage and the second stage, two  
9 different components here. So, and, basically, you  
10 know, you've got the inaccuracy problems, and then  
11 you've got the bellows issues. You know, these  
12 things are all broken up into little pieces with you  
13 guys, and you see the happy tune side of it, and  
14 stuff like that.

15 What happens if you put everything  
16 together? Do you think the bellows thing was just a  
17 coincidence? Do you think this whole cycle was just  
18 a coincidence that just happened? Hey, you know,  
19 almost three shutdowns and all these things, can you  
20 imagine the money associated with this, with these  
21 three shutdowns, three-day shutdowns, a million and a  
22 half, maybe \$2 million a day or more, and stuff like  
23 that. Is this competency?

24 I don't understand how the CEO gets away  
25 with this stuff, that he can have an organization

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1 that's so incompetent, and they can't see each other  
2 that he is sabotaging the operation of this plant  
3 because he's losing money on full-quality valves, you  
4 know, in a host of ways. I can't understand, I hope  
5 this isn't going on throughout the whole fleet, where  
6 these guys are so incompetent and, you know,  
7 reckless, as far as with money, with Entergy, I don't  
8 see how they get away with it.

9 So, we are going to get done reading that  
10 Pilgrim experience minus second-stage pilot valve  
11 leakage from SRV RV203-3C on May 18, 2011. That's  
12 two weeks, wasn't anybody astonished, brand new  
13 valves, this is a mature design of valves. We've had  
14 these valves in the system for many decades, and two  
15 weeks after installing brand new valves they start  
16 leaking.

17 And then November 2nd, they start leaking  
18 again and stuff like that, and nobody does nothing?  
19 You know, no, it will go away, we'll just ignore it  
20 and it will go away. Every time they have a  
21 shutdown, or whatever stuff, we don't have to tell  
22 anybody, and it will go away. We don't have to --  
23 you know, all this my interest and stuff like that,  
24 you'd think before they start it up they would have,  
25 you know, said, oh, we found the problem, and it's

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1 taken care of, fixed for sure this time. Would you  
2 trust them, though, with falsifying documents like  
3 they've done, and the NRC sitting back and playing,  
4 what is that one, the wise monkey stuff.

5 So, November 25th and December 26th,  
6 2011, the first two leaks, that was never disclosed  
7 until this last -- you know, and then they -- I never  
8 got to see this LER until the plant was shut down,  
9 you know. Do you know what that stinks of? You guys  
10 were structuring closure of this valve in a safe  
11 shutdown, and stuff like that. Is that what was  
12 going on here with Entergy is saying, well, we don't  
13 want to admit this when the plant was in operation.  
14 We don't want to, you know -- we probably have some  
15 -- we don't have to disclose these things within a  
16 certain amount of time, they just have to do it when  
17 they feel like it, when it's convenient, when the  
18 plant is in a safe condition, a shutdown condition,  
19 and they won't be threatened by a shutdown, you know.

20 As I said, do we have to get in this  
21 environment where everybody is so scared, you know,  
22 the San Onofre shutdown, and a host of other threats  
23 going on and stuff like that, and then pretty soon,  
24 you know, they are pulling in the horns, and we come  
25 in a dictatorship state, essentially, with releasing

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1 information. The security causes us to close down,  
2 to be like a -- not the great United States of  
3 America, our country, we are with our legal systems  
4 and all that sort of stuff, are we becoming something  
5 that we shouldn't be, because we are fearful, and  
6 because, you know, it has to -- you know, it becomes  
7 a turmoil, and troubles like that, do we hinder to  
8 our basic instincts, or do we come bigger than we  
9 are, we have to be, we come bigger and better than we  
10 normally are. Does our character ask us  
11 or tell us into being more open? I don't feel I  
12 should be closed, I try to be bigger than that. I've  
13 got to be bigger in front of my family, in front of  
14 my Nation, and I've got to set my sites to a standard  
15 that purports to our Constitution, that this is the  
16 ideals of our Constitution, openness, earnestness,  
17 integrity, trustworthy, and I'm a man of my honor, or  
18 a woman.

19 Or, do I fiddle around with these rules,  
20 I twist them around, and, you know, we all think we  
21 are following the rules, but the product is that we  
22 are getting falsified and inaccurate information out  
23 there. We sit back and be happy that we are  
24 following the rules, and nobody can -- not outsiders  
25 can really understand if you are following the rules,

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1 or you are misinterpreting the rules and regulations  
2 and stuff like that.

3 And, you know, it goes down to this thing  
4 of character and honor and stuff. If you don't have  
5 that, you know, I'd rather have character and honor  
6 than rules, really, when you get down to it. I  
7 believe you can be good people, and being good, and  
8 honest, and transparent, and stuff like that, can  
9 bail you out of a lot of trouble type of thing.

10 And, you know, fiddling around with  
11 rules, and disclosures, and, you know, playing it  
12 safe, you are asking for a disaster of enormous  
13 magnitude, and it doesn't have to, necessarily, be a  
14 core meltdown, it could be an integrity meltdown,  
15 like at San Onofre.

16 So, with the condition potentially high,  
17 here we go, condition potentially placed on all four  
18 states SRV valves that were installed in RF018, how  
19 come that ain't raising back the hairs on everybody's  
20 head. This is common mode failure. It's diagnosed  
21 and they don't know what's causing it, or they won't  
22 admit it, is that what -- I mean, like I said, is  
23 that what's going on here, they know what's going on  
24 her but they just holding it for money reasons, not  
25 to lay the blame disclosing what's going on here and

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1 stuff.

2 I know I've got three minutes left.

3 You know, that bugs me, May 18, 2011, two  
4 weeks after the start-up of brand new valves, and  
5 November 22nd, then they lied about it on December  
6 26th. They lied about it in documents. See, the  
7 2.206 problem is supposed to give a guy like me the  
8 ability to create transparency and change your mind,  
9 change your hearts and minds and stuff like that.  
10 That's what the 2.206 -- it's bigger -- I'm an idiot,  
11 and I'm a peon and an ant, but it's supposed to be  
12 something that is bigger than me, and bigger than  
13 you, and it's supposed to be a tool of transparency,  
14 where our Nation gets to see what's going on, and  
15 give support to the ideals of what a great nation is,  
16 and great character, and honor, and integrity.  
17 That's what the 2.206 problem is.

18 And, the way this thing is instituted now  
19 is that, it's a tool of the devil, and then we get to  
20 talk about my deviation 3.8, if they would have seen  
21 that, if they would have magically had the God's-eye  
22 view of seeing that 3.8, they would have had to shut  
23 down.

24 I know, these guys don't test it until  
25 they are shut down, but there's a requirement if it

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1 goes past the 3.8 -- 3.0, you are supposed to shut  
2 down, but you don't test it. It's mind boggling.

3 Additional corrective actions will be  
4 implemented based on the results of testing,  
5 inspection and evaluation of the first -- leaking  
6 first stage from the 2B valve.

7 You know, the risk of operating the  
8 valves, the risks of operating the SRV characterized  
9 by increased chance, right? They had problems this  
10 last time, you didn't know if the valve was open or  
11 shut because they couldn't hear the noise monitor, or  
12 the noise detector, acoustical detector, you know. I  
13 don't know what that was all about.

14 But, having an inadvertent open SRV would  
15 increase chance of valve failure to reclose. That's  
16 important, but, you know, you guys don't talk about  
17 putting an accurate set point pressure on it. They  
18 maybe talk about -- talking about the set point  
19 drift, and they don't even talk about -- you know,  
20 you were quiet once it got back 3.0, we are supposed  
21 to -- and then, you know, industry has experienced  
22 numerous instances where SRV leakage has occurred at  
23 other plants with other Target Rock three-stage  
24 relief valves. I'd like to know what that means,  
25 with other -- you know, so you could have other

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1 Target Rock model three-stage relief valves, I mean,  
2 there's more than one model for three-stage relief  
3 valves, you know.

4 But, here they start talking about, you  
5 know, three-stage relief valves at Plant Hatch, and  
6 other things, and then they start talking about the  
7 three stage, you know. Oh, we've had other problems,  
8 even that first LER talks to us about we have leakage  
9 in that other valve, not the model we are using here  
10 type of language, and now they are talking about, oh,  
11 well, you know, here's a list of three-stage relief  
12 valves that we've had.

13 You know, that whole thing, honesty,  
14 integrity, and I'm a man of character type of thing,  
15 you know, an organization, I never would write a bad  
16 report, an organization never forces me to write a  
17 bad or an inaccurate report, because I'm a man of  
18 integrity. I will not tolerate that kind of business  
19 type of thing.

20 And, I guess, you know, you know my  
21 issues with the Navy rock that go shut down with the  
22 weather instrumentation.

23 Yes, I'm done.

24 CHAIR GIITTER: Thank you, Mr. Mulligan.

25 At this time, does any staff here at

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1 Headquarters have any questions for Mr. Mulligan?

2 CHAIR GIITTER: Thank you. What about  
3 the region?

4 MR. BOWER: None.

5 CHAIR GIITTER: Thank you.

6 Before I conclude the meeting -- well, we  
7 don't have any members of the public, or we didn't,  
8 so I just want to make sure there's no members of the  
9 public on the bridge. Okay.

10 As stated in the opening, the purpose of  
11 this meeting is not to provide an opportunity for the  
12 Petitioner or the public to question or examine the  
13 PRB regarding the merits of the petition request.

14 Mr. Mulligan, I thank you for taking time  
15 to provide the NRC staff with verifying information  
16 on the petition you submitted. The PRB plans to meet  
17 internally, and discuss the matter one more time.

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

21 COURT REPORTER: No, I've got everything,  
22 thanks.

23 CHAIR GIITTER: Thank you. With that,  
24 the meeting is concluded, and we'll be terminating  
25 the phone connection.

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1 MR. MULLIGAN: And, thank you very much  
2 for this opportunity.

3 CHAIR GIITTER: Okay, thank you, Mr.  
4 Mulligan.

5 (Whereupon, the above-entitled matter was  
6 concluded at 4:03 p.m.)

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