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Title: Post Petition Review Board
 Meeting with Pilgrim Watch

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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POST PETITION

REVIEW BOARD CONFERENCE CALL WITH

PILGRIM WATCH

+ + + + +

THURSDAY

JUNE 12, 2014

+ + + + +

The conference call was held at 11:00 a.m.,
Eastern Daylight Time, Allen Howe, Chairman of the
Petition Review Board, presiding.

PETITIONER: MARY LAMPERT, Pilgrim Watch, Director

NRC STAFF PRESENT:

ALLEN HOWE, Petition Review Board Chairman

JOE ANDERSON, Chief of Operating Reactor

Licensing, NSIR

LEE BANIC, 2.206 Coordinator, NRR

RICHARD BARKLEY, NRC Facilitator

RAY HOFFMAN, Emergency Preparedness

Specialist, NSIR

ERIC MICHEL, Attorney, Office of General

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Counsel

NADIAYAH MORGAN, Petition Manager, NRR

(Continued)

NRC STAFF PRESENT:

SERITA SANDERS, NRR, Generic

Communications Branch

STEVE SHAFFER, Region I

ROBERT KAHLER, Branch Chief, NSIR,

Inspection and Regulatory

Improvements

MEMBERS OF THE PUBLIC PRESENT:

REBECCA CHIN, Co-Chair, Duxbury Nuclear

Advisory Committee

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

(11:01 a.m.)

MR. BARKLEY: Good morning. I would like to thank everybody for attending this meeting. Again, my name is Richard Barkley. I have met Mary and spoke with her at length back in May at the annual assessment meeting up at the Pilgrim, and I understand Rebecca Chin is also on the phone.

And so, my role as a facilitator is to help make this meeting, you know, as effective and productive as possible.

The purpose of the meeting today is to allow Mary at Pilgrim Watch to address the Petition Review Board regarding her 2.206 petition.

This was submitted back on August 30th of 2013, and at that time Mary requested the NRC take an enforcement-related action against Pilgrim to ensure that Pilgrim's radiological emergency plan and standard operating procedures and guidelines are based on accurate and credible evacuation time estimates.

This meeting is scheduled for an hour today, from eleven to twelve. It is being recorded by the NRC Operations Center and they will make a transcription of this recording, and then there will be a supplement to the petition.

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1 And the transcript will be made
2 publicly-available on ADAMS after the Petition Review
3 Board, after they have had a chance to review it for
4 allegations or any other sensitive information.

5 To get a good transcript and minimize
6 distractions, we ask you to turn off or mute any devices
7 that you have. So, I am turning off my cell phone as
8 we speak.

9 And, for those of you who are dialing into
10 the meeting, if you don't have a mute button, if you can
11 press the keys "star 6," that will mute your phone and
12 if you high "star 6" again, that will unmute your phone.

13 I want to reemphasize that we need to speak
14 clearly and loudly to make sure the court reporter can
15 transcribe this meeting from a phone recording. That
16 will ensure that it is, again, accurate.

17 And I would ask that when you speak up, you
18 actually say your name first.

19 We look forward to ways to improve our
20 meetings, and therefore, we ask for feedback. If you
21 have feedback on this meeting, we would ask that you send
22 your comments to the meeting contact, Dee Morgan and her
23 email address is nadiyah.morgan@nrc.gov.

24 I would like to now open the meeting to
25 introductions. So, Dee, if you could go around the room

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1 and say who is available in Headquarters.

2 MS. MORGAN: Okay. Again, I am Nadiyah
3 Morgan, the Petition Manager in NRR, and the Office of
4 Reactor Licensing.

5 MS. SANDERS: Hi. I am Serita Sanders in
6 NRR and the Generic Communications Branch. I am the
7 back-up to Lee, who is the lead for petition in the
8 Generic Communications.

9 MS. BANIC: I am Lee Banic, petition
10 coordinator.

11 MR. HOFFMAN: Ray Hoffman, NSIR, Technical
12 Review.

13 MR. ANDERSON: Joe Anderson, NSIR, Chief,
14 Operating Reactor Operator Licensing.

15 MR. HOWE: Good morning. This is Allen
16 Howe. I am in the Office of Nuclear Reactor Regulations
17 and I am the Petition Review Board Chair for this
18 Petition Review Board.

19 MR. KAHLER: Hi. This is Robert Kahler.
20 I am Branch Chief of the NSIR Inspection and Regulatory
21 Improvements Branch.

22 MR. MICHEL: Eric Michel from the office of
23 General Counsel.

24 MS. MORGAN: And that is all that we have
25 here, Rich.

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1 MR. BARKLEY: Do we have any other NRC
2 participants on the phone?

3 MR. SHAFFER: Yes, Rich. This is Steve
4 Shaffer, Region I.

5 MR. BARKLEY: Okay. And do we have any
6 representatives from Entergy on the line?

7 (No audible response.)

8 MR. BARKLEY: Okay. Mary, would you like
9 to introduce yourself, and then Ms. Chin can introduce
10 herself afterwards.

11 MS. LAMPERT: Hi. Yes. I am Mary
12 Lampert. I am director of Pilgrim Watch and the
13 Petitioner.

14 MS. CHIN: Yes. I am Rebecca Chin. I
15 co-chair the Duxbury Nuclear Advisory Committee, and I
16 am a co-Petitioner.

17 MR. BARKLEY: Okay. It is not necessary
18 for other members of the public to introduce themselves,
19 but if they would, they are welcome to acknowledge
20 themselves on the phone.

21 (No audible response.)

22 MR. BARKLEY: Okay. With that, let's move
23 on.

24 Mary, I know you are very experienced with
25 the 2.206 Petition process, so I won't get into

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1 providing a lot of background on it, but if you have more
2 in-depth questions on the guidance that that staff is
3 following, you can refer to the management directive
4 that is on our website. It is Management Directive
5 8.11.

6 Again, the purpose of today's meeting is to
7 give you an opportunity to provide any additional
8 information or support for the position as a result of
9 the PRB's initial consideration and recommendation.

10 This meeting is not a hearing, nor an
11 opportunity for the Petitioner to question or examine
12 the PRB on the merits of the issues presented in the
13 petition request.

14 No decisions regarding the merits of this
15 petition will be made at this meeting. It will be made
16 afterwards.

17 Following this meeting, the PRB will
18 conduct its internal deliberation and the outcome of
19 this internal meeting will be discussed with you
20 afterwards.

21 Again, the Petition Review Board consists
22 of a Chairman, Mr. Howe, who is a member of the senior
23 executive service as the petition manager and a petition
24 coordinator.

25 And other members of the Board are

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1 determined by the NRC staff based on the content of the
2 information in the petition. And we are obtaining
3 advice also from our Office of General Counsel.

4 As we described in our process, the NRC will
5 be asking clarifying questions in order to better
6 understand your presentation and to reach a reasoned
7 decision as to whether to accept or reject your request
8 for review under the 2.206 petition process.

9 Again, the licensee was invited but chose
10 not to participate in today's meeting to ensure they
11 understood the concerns about their facility or
12 associated activities.

13 And again, while if the licensee does log
14 onto this call later, they have the ability to ask
15 clarifying questions, but they are not part of our
16 decision-making process.

17 At this time, I would like to turn it over
18 to Allen Howe, the Petition Review Board Chairman so he
19 can discuss the petition under consideration.

20 MR. HOWE: Yes. Thank you, Rich.

21 And, good morning, Ms. Lampert, and Ms.
22 Chin.

23 I -- this is Allen Howe, and this -- the
24 purpose of this meeting is, as Rich has laid out, is to
25 listen to any additional comments that you would offer

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1 as a part of our considerations as we review this
2 petition.

3 What I want to do is just take a couple of
4 minutes to summarize the -- our understanding of the
5 scope of the petition, and also to provide you with an
6 overview of NRC activities to date.

7 So, starting there, if that is okay with
8 you, I will start going through that process.

9 MS. LAMPERT: Yes. Appreciate.

10 MR. HOWE: Okay. All right. Thank you.

11 Last August, August 30th of 2013, Ms.
12 Lampert submitted a petition to the NRC under 10 CFR
13 2.206 regarding Pilgrim's emergency plan.

14 In the petition request, you requested that
15 the NRC institute a proceeding to modify, suspend or
16 take any other action that may be proper to -- to the
17 operating license of Pilgrim, in order to ensure
18 Pilgrim's radiological emergency plan and standard
19 operating procedures and guidelines are based on
20 accurate and credible evacuation time estimates.

21 We use the term ETE's as a shorthand for
22 that.

23 You stated that the primary basis for this
24 request is in response to two documents prepared by KLD
25 Engineering, a contractor for Entergy.

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1 These documents are the Pilgrim's December
2 12th, 2012 ETE final report and the July 25th, 2013 Cape
3 Cod telephone survey results.

4 The petitioner asserts that the ETE's for
5 Pilgrim are based on inaccurate assumption and are not
6 credible. The petitioner further stated that the ETE's
7 fundamental assumptions and data were flawed, which
8 explained ETE's conclusion that, even in the worst case
9 scenario, everyone in the emergency planning zone will
10 be evacuated in about six hours.

11 The petitioner also discussed the results
12 of the Cape survey and maintains that it was not
13 properly-used to determine Pilgrim's ETE.

14 That is the -- that is the summary of our
15 understanding of the concerns related to the petition.
16 So, let me talk through now the NRC activities to date.

17 MS. LAMPERT: And let me provide a
18 clarification --

19 MR. HOWE: Okay.

20 MS. LAMPERT: -- or I misunderstood what
21 you just said. The Cape telephone survey demonstrated
22 two things. One, it demonstrated that the assumption
23 of a 20 percent shadow evacuation in 10 to 15 miles is
24 inaccurate because it is based upon a telephone survey
25 done by Sandia and also by Entergy here, but never

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1 mentioned that there would be -- that this was regarding
2 a nuclear accident. Number one.

3 Number two, it demonstrated that the staged
4 evacuation within the EPZ is also incorrect. Number
5 three, it demonstrated that more would be leaving Cape
6 Cod and the way the evacuations are off the Cape, it
7 feeds into one of the most congested areas within the
8 EPZ, so it would therefore slow the EPZ evacuation.

9 That is what was brought forward. And
10 also, I expect you will also discuss the supplement that
11 was provided to you on November 22nd, 2013. And, excuse
12 my voice, but I cannot help the pollen.

13 MR. HOWE: Okay. All right. Thank you.
14 Yes. I will -- I will go through just real quickly the
15 overview of the activities that have taken place to
16 date.

17 And, you are correct. I did not mention
18 the supplement that you provided in November. So,
19 thank you for that clarification.

20 So, let me just real quickly run through
21 this. This is going back to November of last year,
22 November 19th, 2013.

23 You and others addressed the Petition
24 Review Board. We did transcribe that meeting also
25 where you provided information to the Petition Review

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1 Board, and that transcript is publicly-available in our
2 agency document management system, also referred to as
3 ADAM.

4 And the reference number, the exception
5 number four of that document is ML14141A087.

6 The Petition Review Board met internally on
7 February 20th of this year, and after our internal
8 meeting, we decided to recommend that the petition would
9 be rejected for review.

10 And our determination was based on two
11 elements. First of all, the petitioner raised concerns
12 that are addressed within NRC's guidance, and this is
13 an NRC guidance document. It is NUREG/CR-7002. And
14 the title of that document is "Criteria for Development
15 of Evacuation Time Estimate Studies."

16 Okay. Or, the issues that you raised --
17 so, they were either evaluated in that document, or they
18 were evaluated based on a generic basis document in
19 Supplement 3, "Guidance for Protective Action
20 Strategies."

21 And this is a supplement to
22 NUREG-0654/FEMA-REP-1. So, those are the two
23 documents that we looked at.

24 The title of that document is "Criteria for
25 Preparation and Evaluation of Radiological Emergency

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1 Response Plan and Preparedness in Support of Nuclear
2 Power Plans."

3 And that was a joint document prepared by
4 both the Federal Emergency Management Agency and also
5 the Nuclear Regulatory Commission.

6 So, in sum with that -- I know that is a lot
7 of detail in there, but in sum, the issues that were
8 raised in your petition were reviewed as a part of those
9 two documents that I just referenced.

10 In addition to that, we also, subsequent to
11 the submission of your petition, the technical staff at
12 NRC conducted a review of the 2012 Pilgrim evacuation
13 time estimates, and we concluded and found that it was
14 consistent with the guidance contained in
15 NUREG/CR-7002.

16 And this April, April 9th, the petition
17 manager Nadiyah Morgan, informed Ms. Lampert that the
18 recommendation -- of the recommendation, that is to
19 reject this petition, and offered a second opportunity
20 to address the PRB. And that is the purpose of today's
21 meeting.

22 Just to follow on with what Rich had
23 indicated earlier, in terms of any meeting
24 participants, just please identify yourself if you are
25 going to make any remarks because this will help us in

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1 the preparation of the transcript that we will be making
2 publicly-available.

3 And, since this is the public meeting, I
4 would like to remind the PRB members, the licensee and
5 any other meeting participants to refrain from
6 discussing any NRC-sensitive or proprietary
7 information during today's meeting.

8 And, with that, Ms. Lampert, I will turn it
9 over to you to provide any information that you believe
10 that the PRB should consider as a part of this petition.

11 MS. LAMPERT: Yes. This is Mary Lampert,
12 director of Pilgrim Watch, Petitioner.

13 The PRB's initial decision boils down to
14 Pilgrim's KLD followed NUREG/CR-7002 guidance, and the
15 guidance in Supplement 3.

16 In other words, that they followed the
17 procedure or recipe for doing ETE's, but the issue is
18 not whether the procedure was followed, but whether the
19 assumptions upon which the procedures are based are
20 valid and the correct input data was used. That is
21 whether they got an honest answer, which we have shown
22 they did not.

23 An analogy would demonstrate the
24 irrelevance of PRB's arguments. For example, let's
25 make it real simple. If I baked a cake that even a dog

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1 wouldn't touch, despite the fact that I followed a
2 standard recipe to a T, but the ingredients I put in were
3 of poor quality, and the recipe, itself, turned out to
4 be deficient, both in, for example, the time to bake the
5 cake and the oven temperatures were off, so that it
6 turned out to be as dry as a bone.

7 But, despite all of this, the cake could not
8 be considered acceptable because the directions were
9 followed. But, following the PRB's reasoning in its
10 initial decision, the answer is, yes, it is fine.

11 Of course, that is absurd and patently
12 wrong. The cake, like Pilgrim's ALG should be
13 discarded. It is time to try again.

14 Further, if you look at the executive
15 summary in NUREG/CR-7002, it also undercuts the PRB's
16 initial decision. First, it is replete in explaining
17 that the NUREG is simply guidance. It is not
18 regulation.

19 It says in the executive summary that
20 method and solutions that differ from those described
21 in this document may be deemed acceptable if they
22 provide an alternative that is in compliance with
23 appropriate NRC regulations.

24 It says further, the voluntary means that
25 the licensee is seeking the action on its own accord and

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1 without support of a legally-binding requirement.

2 Further it goes on, the staff may not
3 represent to the licensee that the licensee's failure
4 to comply with the guidance constitutes a violation.
5 The NRC staff does not expect any existing licensee to
6 use or commit to using the guidance in this document.

7 It goes on to say that ETE's that
8 overestimate or underestimate evacuation times are not
9 helpful in making the best protective action decisions
10 and the petition clearly shows how Pilgrim's ETE
11 underestimated evacuation times, underestimated
12 demand, the total number of people in vehicles
13 evacuating, underestimated road capacity and drift
14 generation times and its estimate of six hours to
15 evacuate Pilgrim's EPZ is laughable.

16 That was the response of the local press and
17 the public. The executive summary at 8, most
18 importantly says Appendix E to 10 CFR, part 50 requires
19 ETE updates when the conditions of an EPZ are changed
20 significantly due to, dot-dot, "other reasons."

21 We have provided the other reason that the
22 ETE's assumptions and input are incorrect. We gave
23 numerous examples of how the demand was underestimated.
24 We show the inaccurate assumptions on shadow
25 evacuations outside the EPZ that assume only 20 percent

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1 would self-evacuate and only those in the 10 to 15 miles
2 would self-evacuate.

3 This was shown, not through opinion, but
4 through facts. Entergy, itself, paid for a telephone
5 survey on Cape Cod, an area not simply 10 to 15 miles,
6 but the respondents were out to a little better than 25
7 miles.

8 Unlike the Sandia survey, unlike the
9 telephone survey done by Entergy before the ETE was
10 completed, the Cape survey told respondents we are
11 talking about evacuation because of an emergency at the
12 Pilgrim Nuclear Power Plant.

13 So, 70 percent of the respondents, when
14 told the real purpose of the survey said they would
15 evacuate. Not 20 percent, but 70 percent.

16 Also, when they were asked in the question
17 if you were told not to evacuate when there was an
18 accident at the Pilgrim Nuclear Power Plant, what would
19 you do? Fifty percent said they would evacuate,
20 anyway.

21 And so, what does this show? It shows that
22 a telephone survey that is honest and explains what the
23 purpose is will end up with three times more saying they
24 will evacuate than NRC or ETE -- in the ETE assumed.

25 So there can be no doubt that in both cases

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1 the 250 percent to 300 percent increase in the number
2 of evacuees from the EPZ will have a dramatic increase
3 in traffic density and speed and will increase the time
4 necessary to evacuate.

5 And the telephone survey also speaks to the
6 staged evacuation with assumptions within the EPZ.
7 That assumes that people are going to obey the theory
8 that, in a disaster people from miles around will be told
9 to evacuate and then those in a pie-shaped wedge
10 determined by wind direction from two to five miles will
11 be told to evacuate and the rest of the population will
12 sit.

13 Well, the Cape telephone survey indicated
14 when people were told that they should not evacuate and
15 then what would they do, fifty percent said they would
16 evacuate.

17 Further, I will add as a matter of fact, the
18 Town of Duxbury unanimously voted at annual town meeting
19 in 2006 on an article that opposed the NRC and licensee
20 then new emergency planning policy that describes this
21 two-mile around and only those within a certain segment
22 would evacuate because they recognize that is baloney,
23 particularly with today's communication capability,
24 the word is going to get out.

25 In fact, the plan itself, the standard

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1 operating procedures at the alert stage close the
2 beaches, close the parks and the harbormaster gets the
3 people off the water. And when that word gets out,
4 anyone who thinks the rest of the population is going
5 to continue swimming in their pools or sitting on their
6 beach is crazy.

7 Then, we also show that the total number of
8 people in vehicles evacuating was further
9 underestimated by -- and I can just give an example.
10 Estimating transients within the EPZ at 20,000 when the
11 previous KLG estimated twice that number, 42,000.

12 Now, you just look at that and you say this
13 doesn't make any sense at all, particularly because the
14 overall population in eastern and southeastern
15 Massachusetts and the Boston Metropolitan Area have
16 increased substantially.

17 And so, to even presume that that number has
18 any meaning is ridiculous. And you can go on and on and
19 on and as we did, to indicate it makes no sense.

20 Improper input, improper assumptions.
21 There were inaccurate assumptions on estimating the
22 road capacity. The -- there were fly-over's to
23 determine how many cars were on the main evacuation
24 route, but when did they take those numbers, for
25 example, to determine if an accident occurred during a

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1 snowstorm, they must add traffic speed on the major
2 evacuation routes when there was snow midweek, midday.
3 Weekend, midday.

4 Now, the proper time to look, obviously, is
5 when the roads are crowded with commuter traffic coming
6 and going in -- into the city or what have you.

7 To do it midday simply is evidence that they
8 -- what they were looking for was to substantiate a
9 predetermined answer. There were inaccurate
10 assumptions regarding the trip generation time.

11 The assumption is that everybody would get
12 ready at the starting gate, they would be in the starting
13 gate within 15 minutes after the sirens went off the
14 evacuation would begin.

15 Again, we did a telephone survey, in the
16 Town of Duxbury after the siren checks in November which
17 our supplement describes and it indicated that the
18 public, 72 percent did not understand the siren's
19 message. 40.3 percent didn't even hear the siren.

20 The sirens, as everybody knows, are outdoor
21 warning systems and everybody knows that we don't sleep
22 outside, that we have air conditioning, that in this
23 particular EPZ, the houses tend to be more on one-acre
24 lots and with a lot of shrubbery.

25 So, as we pointed out, the people will not

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1 -- you cannot assume, as the ETE did that, as soon as
2 those sirens sound the people are going to be out of
3 here.

4 Also, conversely, on the other side of the
5 coin, because, as I just pointed out in the standard
6 operating procedures, at the alert stage, the word is
7 will be out, although the sirens do not sound until the
8 general emergency.

9 So, what you will have is people leaving
10 early, people leaving later, not just when the sirens
11 sound. In other words, what you will have will be an
12 uncontrolled evacuation which will only mean a slow and
13 poorly-organized one.

14 In conclusion, again, there were
15 example-after-example, 20 of false assumptions and
16 inaccurate facts. The petition and its supplement
17 clearly shows that the ETE underestimates evacuation
18 times.

19 And what would the Petition Review Board's
20 denial of this petition confirm? It will confirm that
21 the process is a farce. It becomes a classic case in
22 support of Judge Rosenthal's conclusion that there
23 should be no room for a belief on the requester's side
24 that the pursuit of such a course -- and I will add 2.206
25 petition, is either being encouraged by the Commission

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1 officialdom, or has a fair chance of success.

2 And another procedure I was involved in,
3 Judge Rosenthal requested the NRG staff to review what
4 happens to 2,206 petitions over the previous 37 years.
5 In that time, they found that only one -- one had found
6 meaningful -- a meaningful decision.

7 Further, it adds fodder to the OIG's
8 current investigation into this process on a couple of
9 -- on at least one other petition I am involved with
10 other folks across the nation.

11 The OIG is now getting into this. It also
12 adds fodder to the Senate concern, or some of the
13 Senators on the committee. It also builds the record
14 for a Federal Court challenge that you guys simply are
15 not doing what you are required statutorily to do.

16 And I don't think any of that is a good
17 thing. When you lose the public which the NRC, let's
18 face it, is doing with grand success, when there is no
19 faith in the regulator, A, it doesn't help with a nuclear
20 future of public acceptance of that and more
21 importantly, it leaves the public's health, safety,
22 property, the economy at risk.

23 And then, it has shown very blatantly
24 lately that the NRC is not doing what it is
25 statutorily-required by the AEC.

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1 And so, the decision is in your hands. You
2 are either going to provide more evidence that we should
3 have no faith or you will look at the facts presented
4 before you that showed that the assumptions used in the
5 KLG, some of the input in the KLG are baloney.

6 Therefore, it is time to go back and have
7 an honest assessment. And I shall add, I could not get
8 an affidavit, two retirees from Pilgrim's emergency
9 management division at the site who are now retired
10 said, "Hey, we know it is a joke. We know the plans are
11 a joke, and they will never work, but are we to say that?
12 Of course not, because then we would shut down because
13 we have shown that we are not operating safely. But,
14 you are right. It is a joke."

15 So, essentially, that is what I have to say.

16 MR. BARKLEY: Okay. Thank you, Mary. I
17 understand that Rebecca had a statement to make?

18 MS. CHIN: Yes. I would just like to add
19 to Mrs. Lampert's comments, and this is Rebecca Chin
20 again. I co-chair the Nuclear Advisory Committee for
21 the Town of Duxbury, that we were in receipt in January
22 of 2013 of a memo that John Giarrusso sent out to Pilgrim
23 about the KLD study, as an ETE, and he is the nuclear
24 section chief of planning and preparedness for
25 Massachusetts Emergency Management, which covers

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1 Pilgrim territory.

2 And he, in his statement, and he has at
3 least six areas of deficiencies of the ETE and he has
4 asked them to be addressed. They have not been, because
5 the study was already completed by the time he sent it
6 out.

7 And he has -- he is showing deficiencies in
8 the tables, in the input of data and how -- and data that
9 has been omitted in the report, and he is showing -- his
10 comments are that they need to be resolved and that real
11 calculations and real evacuation time estimates need to
12 be inserted.

13 And, following up on that report, I have
14 been in contact with Aaron Wallace who was the emergency
15 management director for the Town of Plymouth and have
16 asked him to verify some data that were in the tables,
17 specifically Table E-5, recreation areas within the EPZ
18 with comments that -- data that has been published
19 previously and asked for you to either confirm or add
20 to it, and he is saying that the KLD numbers that have
21 been identified are under the baseline that they
22 expected from their regional planning commission, which
23 they talked to the Federal Transportation -- U.S.
24 Department of Transportation.

25 They have raised their concern and they

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1 have not been resolved and they have found transient
2 populations are lower than actually seen peak holiday
3 event times are lower in the report, and they are still
4 struggling with it.

5 And that is not okay, to leave us hanging
6 with a deficient report. And I really hope that you
7 will step up and do your jobs.

8 MS. LAMPERT: Mary Lampert also would like
9 to read an email from Chief Kevin Nord, who is fire chief
10 and emergency management director from the Town of
11 Duxbury, written July 30, 2012, 11:56 a.m. to Ed
12 Hartman, who was emergency planning at Pilgrim. And he
13 cc'd the state, Aaron Wallace, et cetera. The subject,
14 KLG study.

15 "Ed, here is what I have so far of what needs
16 to go." He talks about the transient population is way
17 underestimated and went up from 204, not down. Has
18 section 3.15, has zero for Duxbury employees, not true.

19 Section 5.4.3, inaccurate, does not
20 account for sail and small boats, considerably longer
21 based on lack of motors, tide and wind. 7.5 talks about
22 staged evacuation not having any positive impact.

23 I totally disagree with it, that people are
24 not going to sit idle. Their dogs might. Section 8.4
25 presumes that no one will pick up their kids at schools.

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1 Wrong. And I will add, as part of our standing
2 operating procedure, the parents will pick up children
3 in schools.

4 Therefore, there will be many more cars on
5 the road. Add the assumption that just all the children
6 are going to be going. Section 8.8, only ten minutes.
7 I have to consider private roads as part of the
8 contractors not cooperating.

9 On and on and on. Section K-58, out of
10 point bridge estimates, that the bridge connects the
11 beach to the mainland is unrealistic.

12 I disagree with any data for the telephone
13 survey as they did not identify it as a radiological
14 emergency, especially in light of Fukushima. I would
15 expect residents to respond differently.

16 In fact, one assumption was that a family
17 will wait for their significant others to commute home
18 from Boston and then they will leave together. Who
19 would believe that. And then he explains that he will
20 send more information.

21 So, you have emergency planners locally,
22 town emergency planners finding problems. You have the
23 state, John Giarrusso from MEMA. Hey, there is
24 something wrong with this.

25 You have former employees in emergency

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1 management which unfortunately I couldn't get an
2 affidavit because they still want all their pension and
3 stuff taken care of, saying to myself and four other
4 people this is baloney.

5 And then we -- we provided the facts. And
6 so, for you to then turn around and say they followed
7 the recipe, therefore it is fine, is patently absurd.
8 It is an insult to emergency management personnel and
9 the public here who know otherwise.

10 You can tell, it has made me furious. It
11 is sort of -- you know, the frosting on the case. I
12 started out with an analogy of cake, but this is the
13 frosting on the cake of my feelings of growing
14 disrespect, which is unfortunate.

15 I know there are some good people working
16 within the agency and it gets sort of dwindled down as
17 decisions move higher up the food chain. But, it is not
18 acceptable.

19 MR. BARKLEY: Okay. Thank you, Mary.

20 At this time, I guess I would ask whether
21 the staff has any questions from Mrs. Lampert or Ms.
22 Chin.

23 MR. HOWE: Yes. Thanks, Rich. This is
24 Allen Howe.

25 Ms. Lampert, Ms. Chin, you referenced some

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1 statements being made by some Entergy retirees. You
2 also mentioned an email and a memorandum that had been
3 -- one was prepared by a person at the -- at the
4 Massachusetts Emergency Management Agency, and there
5 was also another email from another individual.

6 As our -- as our process allows, if there
7 are additional documents -- and I am going to open it
8 up wider than just the ones you cited that are an
9 information that you would like the Petition Review
10 Board to consider, I would invite you to provide that
11 information to us so that we can review that additional
12 information in addition to the -- the comments that you
13 have provided today.

14 MS. LAMPERT: We certainly will, and we
15 will send it in to Nadiyah Morgan.

16 MR. HOWE: Yes.

17 MS. LAMPERT: Or directly to you?

18 MR. HOWE: You can send it in to Nadiyah.

19 MS. LAMPERT: Okay. Okay. That will be
20 great.

21 MR. BARKLEY: Any other questions?

22 MR. HOWE: Okay. I am looking around the
23 room and I don't -- I don't see anybody here indicating
24 they have any questions.

25 There was an NRC person on the -- on the

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1 telephone line other than Rich? Any comments from you?
2 Any questions?

3 MR. BARKLEY: It was Steve Shaffer. I --
4 he may have dropped off the line.

5 MR. HOWE: Okay.

6 MR. BARKLEY: Mary or Rebecca, do you have
7 any other last remarks before I turn it back over to
8 Allen to wrap up?

9 MR. HOWE: Sorry, Rich. I was on mute.
10 No. I do not have any additional questions.

11

12 MR. BARKLEY: Okay.

13 MS. LAMPERT: This is Mary Lampert. No, I
14 do not have any additional comments.

15 MS. CHIN: Nor do I, Rebecca Chin.

16 MR. BARKLEY: Okay. Thanks very much.

17 MS. LAMPERT: Okay. We look forward to
18 the next chapter, and we hope it will be a positive one,
19 both for the agency and for the citizens here, because
20 we take it very seriously.

21 I have been reviewing the Town of Duxbury
22 emergency plans to assist the Town since 1988. And this
23 is a review that is done, reading every plan for every
24 town department every year.

25 Rebecca has been doing the same thing.

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1 How long have you been doing this, Becky?

2 MS. CHIN: The same, 25 years ago, because
3 I chaired the Duxbury School Committee and I saw the
4 first SOP's that came through. They were called
5 something besides SOP's in those days, but I have
6 chaired several town committees in the 27 years that I
7 have been doing town support, and I have had the
8 opportunity for the last eleven years to work with Mrs.
9 Lampert on the Nuclear Advisory Committee and we
10 diligently review every report and every document that
11 comes through.

12 MS. LAMPERT: Yes. And so, we are not --
13 we are not nay-sayers. We actually want plans that are
14 the best they can be to reduce risk, and the KLD is very
15 key to providing public health and safety because it
16 triggers just how many state responders, you know, there
17 will be, where the traffic control will be,
18 establishment of routing, et cetera, et cetera, et
19 cetera.

20 So, we want good plans. We want to work
21 constructively with NRC and FEMA. And not have these
22 roadblocks that, hey, everything is fine, because we
23 have come up with this foolishness. That isn't helping
24 our citizens, and that is what we want to do.

25 MR. BARKLEY: Okay. Thank you, Mary.

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1 Allen, do you want to have closing remarks?

2 MR. HOWE: Yes. I think, Rich, I do, and
3 Ms. Lampert and Ms. Chin, thank you also for your remarks
4 and your input today, and for taking the time to provide
5 us with some clarify information on the petition that
6 you have submitted.

7 You have indicated that you are going to
8 provide us some supplemental information for our
9 consideration. You can work out with Nadiyah Morgan on
10 the provision of that additional information.

11 I would ask you to provide that as soon as
12 it is reasonably possible to do that.

13 As has been indicated, this meeting was
14 transcribed. We will also take a look at the transcript
15 as a part of this meeting.

16 What we -- what the next steps are going to
17 be -- let me just lay those out. You are going to
18 provide some additional information. We are going to
19 have the transcript from this meeting. We are going to
20 meet again and review our, the results of our
21 preliminary decision and this additional information
22 and make a final recommendation for a decision.

23 And, following that meeting, we will -- the
24 petition manager, Nadiyah Morgan, will inform you of our
25 decision on whether we are accepting or rejecting this

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1 2.206 petition for review.

2 And then, of course, that is all being done
3 under the governance of our management directive 8.11,
4 which provides our position -- or, rather, petition
5 management process.

6 But, let me go on. We have a court reporter
7 on the phone.

8 Do you need any additional information at
9 this point in time for preparation of the transcript?

10 COURT REPORTER: I do not.

11 MR. HOWE: Okay. Thank you.

12 Okay. With that, I want to thank everyone
13 for their participation in this meeting and with that,
14 we will conclude the meeting and terminate the phone
15 connection. Thank you.

16 (Whereupon, the above-entitled matter went
17 off the record at 11:50 a.m.)

18

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