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RE Pilgrim Nuclear Power Plant

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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 PLANT

+ + + + +

WEDNESDAY

FEBRUARY 25, 2015

+ + + + +

The conference call was held, Mirela Gavrilas, Chairperson of the Petition Review Board, presiding.

PETITIONERS:

MARY LAMPERT

WILLIAM MAURER

DIANE TURCO

PETITION REVIEW BOARD MEMBERS:

MIRELA GAVRILAS, Deputy Director

Division of Policy and Rulemaking

Nuclear Reactor Regulation

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(Continued)

PETITION REVIEW BOARD MEMBERS:

NADIYAH MORGAN, Petition Manager for 2.206

MERRILEE BANIC, Petition Coordinator

Nuclear Reactor Regulation

EMILY MONTEITH, Office of General Counsel

DIANE RENDER, Project Manager

Nuclear Reactor Regulation

REBECCA RICHARDSON, Nuclear Incident Security

Response

SCOTT SULLIVAN, Nuclear Incident Security

Response

NRC HEADQUARTERS STAFF

STEVE SHAFFER, Region I

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

(9:32 a.m.)

MS. MORGAN: Good morning. So, we will go ahead and get started. Good morning. I would like to thank everybody for attending this meeting.

My name is Nadiyah Morgan and I am the Pilgrim project manager.

We are here today to allow the petitioners to redress the Petition Review Board under the 2.206 petition dated September 16th, 2014.

I am the petition manager for the petition, and the Petition Review Board Chairman is Mirela Gavrilas.

As part of the petition review process, the petitioners have requested this opportunity to address the Petition Review Board. This meeting is scheduled from 9:30 a.m. to 10:30 a.m. Eastern Time.

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, and will be made publicly available in ADAMS.

I would like to open this meeting with introductions and, as we go around the room, please be sure to clearly state your name, position and the office

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

2 I will start off. Again, I am Nadiyah
3 Morgan of the NRR, Pilgrim Project Manager.

4 MS. GAVRILAS: Mirela Gavrilas, Deputy
5 Director in the Division of Policy and Rulemaking in the
6 NRR.

7 MS. RENDER: Diane Render, Project Manager
8 in NRR.

9 MS. MONTEITH: Emily Monteith, Office of
10 the General Counsel.

11 MS. BANIC: Lee Banic, NRR Petition
12 Coordinator.

13 MR. SULLIVAN: Scott Sullivan, Nuclear
14 Incident Security Response, Nuclear Security Oversight
15 Branch.

16 MS. RICHARDSON: Rebecca Richardson,
17 Nuclear Incident Security Response.

18 MS. MORGAN: Okay. We have completed
19 introductions at the NRC Headquarters. At this time,
20 are there any NRC participants from Headquarters on the
21 phone?

22 (No response.)

23 MS. MORGAN: Are there any NRC
24 participants from the Regional Office on the phone?

25 (No response.)

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1 MS. MORGAN: Are there any representatives
2 for the licensee on the phone?

3 (No response.)

4 MS. MORGAN: For the record, would the
5 petitioners please introduce yourselves again.

6 MS. LAMPERT: Mary Lampert, Pilgrim Watch,
7 Director, Duxbury, Massachusetts.

8 MS. TURCO: Diane Turco, with Cape
9 Downwinders. Harwich, Massachusetts.

10 MR. MAURER: Bill Maurer, Cape
11 Downwinders. I live in Falmouth, Massachusetts.

12 MS. MORGAN: And again, good morning to you
13 all. While it is not necessary or required for members
14 of the public to introduce themselves for this call,
15 however, if there are any members of the public on the
16 phone that wish to do so at this time, please state your
17 name for the record.

18 MS. LEGERE: This is Christine Legere. I
19 am a reporter for Cape Cod Times.

20 MS. MORGAN: Good morning, Christine.

21 Is there anyone else?

22 (No response.)

23 MS. MORGAN: Okay. With that, I would
24 like to emphasize that we each need to speak clearly and
25 loudly to make sure that the court reporter can

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1 accurately transcribe the meeting.

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

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

9 So, at this time, I will turn it over to the
10 Petition Review Board Chairman, Mirela Gavrilas.

11 MS. GAVRILAS: Thank you.

12 Good morning. Welcome to this meeting
13 regarding the 2.206 petition submitted by Cape
14 Downwinders and Pilgrim Watch.

15 I would like to first share some background
16 on our process. Section 2.206 of Title 10 of the Code
17 of Federal Regulations describes the petition process,
18 the primary mechanism for the public to request
19 enforcement action by the NRC in a public process.

20 This process permits anyone to petition NRC
21 to take enforcement-type action related to the NRC
22 licensees or license activities.

23 Depending on the results of its evaluation,
24 NRC could modify, suspend or revoke an NRC-issued
25 license or take any other appropriate enforcement

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1 action to resolve the problem.

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

5 The purpose of today's meeting is to give
6 the petitioner an opportunity to provide any additional
7 explanation or support for their petition before the
8 Petition Review Board initial consideration and
9 recommendation.

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

14 No decision regarding the merits of this
15 petition will be made at this meeting. Following this
16 meeting, the Petition Review Board will conduct its
17 internal deliberation. The outcome of this internal
18 meeting will be discussed with the petitioner.

19 The Petition Review Board typically
20 consists of a chairman, usually a manager at the senior
21 executive service level at the NRC. It has a petition
22 manager and the petition traffic coordinator.

23 Other Members of the Board are determined
24 by the NRC staff based on the content of the information
25 in the petition request. We also obtain advice from our

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1 Office of General Counsel.

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

8 Also, the licensee has been invited to
9 participate in today's meeting to ensure that they
10 understand the concerns about their facility or
11 associated activities.

12 While the licensee may also ask questions
13 to clarify the issues raised by the petitioners, I want
14 to stress that the licensee is not part of the Petition
15 Review Board's decisionmaking process.

16 I would like to summarize the scope of the
17 petition under consideration and the NRC activities to
18 date, September 16, 2014, Cape Downwinders and Pilgrim
19 Watch submitted a petition to -- under 2.206 to the NRC
20 regarding Pilgrim's land-based security.

21 In this petition request, the petitioners
22 requested that the NRC take an enforcement-related
23 action against the Pilgrim renewed operating license to
24 ensure that Pilgrim's land-based security is upgraded,
25 specifically, the petitioners would like checkpoints to

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1 be manned at all times.

2 The petitioners would like surveillance of
3 the owner-controlled areas to ensure that intruders
4 will be detected and prevented from entering. And
5 that, the petitioner stated, that the basis for the
6 request is due to a reported 15 trespassing events on
7 Pilgrim's owner-controlled property from July 2002
8 through September 2014.

9 As a reminder for the phone participants,
10 please identify yourself if you make any remarks, as
11 this will help us in preparing the meeting transcript
12 that will be made publicly-available.

13 Since this is a public meeting, I would like
14 to remind the Petition Review Board Members, the
15 licensees and any other meeting participants to refrain
16 from discussing any NRC sensitive or proprietary
17 information during today's meeting.

18 I am going to turn it over to the
19 petitioners to allow them to provide any information
20 that they believe that the Petition Review Board should
21 consider as part of this petition.

22 Go ahead, please.

23 MR. MAURER: Hi. Good morning. My name
24 is Bill Maurer. I live in Falmouth, Massachusetts, and
25 I will start it out for the petitioners.

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1 Just to tell you a little bit about the
2 experience that provoked the 2.206's, Diane Turco and
3 myself were -- were being interviewed by a local news
4 station, Channel 7 out of Boston, and so we -- we were
5 interviewed by Channel 7 out at the intersection of
6 Rocky Hill Road, which is a public road, and the access
7 road going to Pilgrim Nuclear Power Plant.

8 And the interview lasted for about 20
9 minutes plus, you know, some set-up time and, you know,
10 all of that, parking the cars, and no one came out to
11 even ask who we were or what we were doing during that
12 period of time.

13 And so then, after the interview was taped,
14 Diane and I decided that we would -- you know, we would
15 walk down toward the plant, down the access road, which
16 is the beginning of the owner-controlled area.

17 And so we walked down the access road for
18 about a quarter of a mile to the -- to the building where
19 employees check in with their security card and go
20 through the turnstile.

21 Now, on that walk down towards the plant,
22 I mean, we waved at people. There were two presumably
23 security guards that went by us in the other direction,
24 didn't even notice us.

25 When we were inside the employee check-in

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1 building, where there is a telephone and you can call
2 -- we picked up the telephone and tried to reach somebody
3 on that and no one answered.

4 Employees were coming and going and no one
5 even asked who we were and what our business was, and
6 I -- you know, it was just remarkable that the attitude.
7 It was like a college campus, and people were just coming
8 and going, and no one seemed concerned. It just -- I
9 was struck at how little of a security backdrop there
10 was, you know, whether it be just employees working
11 there or these two men who seemed to be security guard.

12 You know, there are signs that say "No
13 Trespassing. Keep Out." And, you know, that is really
14 -- it is very theater. It will only keep out the most
15 timid of tirekickers.

16 So, we walked back out down the road and by
17 the time we got back up to where the original interview
18 had started, there were -- there were the two guys that
19 walked past us in the other direction, and there were
20 two additional security guards with weapons out there.

21 And -- and it is just remarkable at how lax
22 the attitude was with security.

23 MS. LAMPERT: Now, weren't you walking
24 behind the guards?

25 MR. MAURER: I know when we were walking

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1 back up the road to where --

2 SPEAKER CR: I am sorry. This is the court
3 reporter.

4 MS. BANIC: -- from the second building.

5 SPEAKER CR: Excuse me. Who --

6 MS. LAMPERT: Mary Lampert.

7 SPEAKER CR: Thank you.

8 MS. LAMPERT: Mary Lampert said that.

9 SPEAKER CR: Thank you.

10 MS. BANIC: Yes. As we walked -- when we
11 left the -- the employee check-in building where the
12 turnstile is, the guards that we had passed going the
13 other way were in front of us, you know, by about, oh,
14 100 yards.

15 And so we were walking behind them while the
16 two armed security guards were up at the intersection
17 of Rocky Hill Road and the access road, questioning the
18 Channel 7 news team that did the interview.

19 So, it -- it is just remarkable that two
20 people -- I understand this is the access-controlled
21 area, and it is up to -- it is up to the operator to
22 determine how much security is required there. It is
23 just remarkable that in this age of, you know,
24 terrorism, that two people can just stroll -- stroll up
25 to a nuclear power plant and knock on the door without

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1 anybody -- without anybody asking them what their
2 business was there.

3 So, that is my story. I will let somebody
4 else speak now. Thank you very much.

5 MS. MORGAN: Thank you. Okay.

6 MS. TURCO: This is Diane Turco. Can I --
7 can I add into Bill's report?

8 MS. MORGAN: Please do.

9 MS. TURCO: Okay. Because, as a long-time
10 activist, and after 9/11, there is such a heightened
11 increase of concern regarding terrorist attacks, we
12 know that -- that, according to Senator Markey and the
13 9/11 Commission, that nuclear power reactors are on the
14 terrorists' lists of targets, and particularly in
15 Plymouth, because it is historically America's home
16 town, and only 35 miles from Boston, a major
17 metropolitan area.

18 We also know that the Nuclear Regulatory
19 Commission considers that the spent fuel storage
20 facilities aren't a problem in the event of a nuclear
21 attack.

22 Right on your website you talk about how
23 there would be no negative effects if there was an attack
24 on a spent fuel pool storage area, which flies into what
25 we understand from an Attorney General Office report,

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1 2006 by Dr. Gordon Thompson, that if there was a spent
2 fuel pool attack or fire that it would not be able to
3 be put out, that hundreds of miles downwind would be
4 contaminated.

5 There would be 24,000 latent cancers and we
6 would just -- it would just destroy this whole
7 metropolitan area.

8 This is a serious, serious issue for the
9 public, and we expect that the Nuclear Regulatory
10 Commission will also take this as a very serious issue.

11 So, when Channel 7 News was doing a story
12 on Seabrook and the lack of security with people driving
13 by the unarmed guard shack there, are called them up and
14 said, "Hey, you should come to Toga. We can work right
15 on the property right up to the building."

16 Well, they came down and met us right at the
17 entrance of Pilgrim, where the first no trespassing sign
18 is.

19 Now, they saw the black SUV with antennas
20 sticking out of it, and there were no markings of it
21 being a news station van. We got out and we were
22 interviewed for about 20 minutes and, in fact, the
23 security guard in that automobile from Entergy drove by
24 us, never stopped to check what was going on.

25 And I thought, "Well, that is pretty

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1 unusual. This could be a whole set-up right here, and
2 they are not even paying attention."

3 So, after our interview, we suggested to
4 this TV crew that we will show them, we could probably
5 walk by that guard shack that was unmanned and nobody
6 would even come out.

7 So, Bill and I -- and so the TV crew would
8 not go on because it would be going past those no
9 trespassing signs, and they weren't going to be doing
10 that. So, they stayed on the main road.

11 Bill and I walked past the no trespassing
12 signs, we walked past the unmanned gate and unmanned
13 shack and we kept walking, and we walked up to the top
14 of the hill, and I couldn't believe that people drove
15 by us, we waived. Nobody stopped or paid any attention
16 to us.

17 So, we kept walking towards the building
18 and then we thought, well, we would take some time and
19 so let's see how far we can go. So, Bill and I kept
20 walking towards the entrance building and two men from
21 -- I assume they were security men from Entergy, walked
22 in the opposite direction right past us, didn't even
23 give us a second look.

24 We ended up walking into the building where
25 employees were scanning or punching in a code to get into

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1 the building. No one spoke with us. We stood there and
2 were so surprised that we were -- we were there and
3 nobody paid attention.

4 Bill, like he said, picked up the phone and
5 asked if he could get a tour, and no one answered the
6 phone. So, we stood there. And then we thought, well,
7 let's get back because the Channel 7 people are waiting
8 for us out on the street, and they have been there for
9 a while.

10 So, as we walked back, I noticed the two men
11 who had passed us previously were in front of us, walking
12 towards the public road. We walked behind them. It is
13 a good distance. And they never even knew we were
14 behind them.

15 And in front I could see the Channel 7 news
16 folks with two other security people from Plymouth --
17 I mean, from Pilgrim. One of them had a huge gun over
18 his shoulder.

19 So, I have to say, this was very, very
20 serious. We are two people on the property of a nuclear
21 power reactor and there are four security guards between
22 the street and us and the reactor is behind, undetected,
23 for over 20 minutes. That is a very serious violation
24 of security, I would say.

25 In considering, like I said, the location,

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1 the spent fuel pool, it is just unacceptable, and that
2 is why we put this petition together because it is
3 unacceptable that Entergy does not patrol or protect the
4 owner-controlled area at all.

5 I will be done with that.

6 MS. LAMPERT: Yes. This is Mary Lampert,
7 Pilgrim Watch. I want to bring up just a couple of
8 points.

9 First off, NRC is responsible for safety.
10 We know that Entergy is responsible to their
11 shareholders. Clearly, they don't want to see the
12 place blown up, either, but they are looking at money
13 and particularly here in our market electric economy
14 where they are not doing well competing with natural
15 gas.

16 So, we can understand from the financial
17 point of view why they don't want to pay for guards at
18 the checkpoints going in. They want to reduce the staff
19 or keep it as at just required, as far as guards go, as
20 far as putting a fence around the perimeter. Then, that
21 would cost money.

22 Putting a grade across the intake and now
23 as recommended long ago by Homeland Security. That
24 would cost money, et cetera.

25 So, when you have the licensee looking at

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1 their pocketbook, it is especially important for the NRC
2 to step up to the plate and fulfill your obligations to
3 protect public safety.

4 Diane mentioned, this is America's
5 hometown. That makes it a particularly -- Pilgrim
6 particularly attractive target. Also, you have to look
7 at the issue of land security in connection with the
8 other two modes of potential attack.

9 As far as an air attack, Pilgrim is
10 vulnerable to a small airplane. That has been
11 demonstrated. There is no security, nothing to prevent
12 an air attack on -- nothing on site, that is.

13 And these private airports don't have
14 beefed-up security that you find at your major airports.
15 Second, as far as security from the water, the nuclear
16 proliferation prevention project at the University of
17 Texas, their study specifically says it that Pilgrim is
18 one of a handful of reactors that was vulnerable,
19 especially vulnerable to attack from water.

20 So, you have two out of three that do not
21 have the robust attack security that they should. And
22 we have seen that the same is actually the case for
23 laymen.

24 We know that the U.S. Department of
25 Homeland Security had issued the National

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1 Infrastructure Protection Plan called NIPP, and other
2 Federal agencies along with NRC have confirmed their
3 acceptance of NIP.

4 And NIPP identifies the purposes to protect
5 critical infrastructure of which nuclear reactors are,
6 and the first -- first point is deter the threat.

7 And so, what we are talking about here is
8 the need to increase deterrents or the lack of
9 deterrents in the owner-controlled area at Pilgrim.
10 The importance of having visible deterrents such as
11 guards in the, you know, entry points, and a fence around
12 the property is really telling prospective, let's say
13 terrorists that, you know, this isn't necessarily a soft
14 target, so maybe we ought to take our trouble someplace
15 else.

16 And it also would tell the less
17 sophisticated perpetrator that, you know, this isn't a
18 good idea. If there is this apparent effort to keep
19 people off the property, it is probably really beefed-up
20 further down.

21 And that is a key -- key reason to have the
22 fences and the guards. Granted, the probability of an
23 attack you could say is fairly small, however, the
24 consequences are very, very large.

25 In addition, if people can wander -- as you

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1 say, "at-will." I will say "at-will" onto the property
2 because only last week I was talking to an electrician
3 who came to do some work in the house. He lived in
4 Manomet close to the reactor.

5 We were talking about himself. Yes, we
6 always go down and go fishing. Everybody goes -- goes
7 down. It is not a deal. That is not good news. It is
8 not good news when you consider the weapons that are
9 available today that can penetrate the three -- now we
10 have three dry casks on site, visible from the parking
11 lot, that they -- that the two petitioners, Bill and
12 Diane passed, because there are weapons that can
13 penetrate, as you know, and the contents of a cask is
14 equivalent to half of the cesium-137 that was released
15 in Chernobyl.

16 Knowing that there are those casks there
17 now, okay, visible, able to be penetrated, it would --
18 and these casks are going to continue ever two years to
19 grow on this tag where they are stacked vertically with
20 nothing but a fence around them.

21 I think, as added reasons to beef up -- I
22 won't even say "beefed up." Add security to the
23 owner-controlled area, not to mention a fuel pool that
24 is tightly packed in a closed-frame design outside
25 primary containment. There are numerous ways,

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1 obviously big problems could occur.

2 I would also add this point. The number of
3 security, or the DBP has in it an assumption of how many
4 attackers that they would have to defend against.

5 Now, if the owner-controlled area is wide
6 open, it only stands to reason that the number of
7 attackers, the number of groups of attackers would have
8 to be assumed to be far larger than if the
9 owner-controlled area was, in fact, secured to deter
10 entry.

11 And so, it seems you can't have it both
12 ways. You can't assume you only need actually a small
13 force of guards, you only need to protect against a
14 relatively small number of attackers, and groups of
15 attackers when you are wide open from the water and you
16 are wide open in your protective areas.

17 Now, because of the bad press, Entergy has
18 put up more signs. That was their response. That was
19 the most cost-effective measure they could take.

20 But, let's be serious. Signs along the
21 road and buoys in the water to mark the 500-yard no entry
22 area are not going to deter anyone who is determined to
23 cause trouble.

24 What are they -- there is a cartoon here
25 when they put up the buoys in the water that has some

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1 -- a couple of frogmen approaching the buoy saying, "Oh,
2 my God, abort attack. It says "No trespassing."

3 It is the same thing with the signs along
4 the road. We understand that Entergy has two goals to
5 minimize efforts to have visible security. One, of
6 course, is money that I mentioned before. The other is
7 public relations.

8 That if you have a sign, then you might
9 notify the neighbors this could be a potential problem,
10 then they won't like us. It is the same type of thinking
11 of why the NRC and industry thought providing potassium
12 iodine, as was recommended in the Kennedy Commission
13 because we provide a pill we might notify the natives
14 this could be a hazard.

15 But this type of thinking is totally
16 inappropriate post-9/11 and inappropriate after
17 Timothy McVeigh, Oklahoma, and inappropriate when our
18 President is saying we should be concerned about
19 Americans here who may have become sympathetic to ISIL
20 and could follow not only the requests from ISIL to start
21 blowing up malls, shopping malls, but who really would
22 go after a mall when you have a nuclear reactor that
23 could cause such devastation, such symbolic value, as
24 we have here.

25 So, what we are saying is, to NRC, is -- has

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1 endorsed NIPP, therefore, it is time to follow through
2 and require deterrents on the owner-controlled areas
3 because that is the only sensible thing to do in regards
4 to, again, the weapons that are available today, the
5 threat that is available today.

6 And I could list -- we did list in -- I think
7 it was Part B, the appendix, the capability of some
8 weapons and match that up about -- with the thickness
9 of the walls around the dry cask and the thickness of
10 the wall of the reactor and that should have been a
11 wake-up call.

12 We know nuclear utilities aren't required
13 to protect against rocket-propelled grenades. It is
14 sniper rifles with armored-piercing ammunition,
15 weapons that are possessed by many terrorist
16 organizations.

17 POGO, Project of Government oversight
18 noted that rocket-propelled grenades could be purchased
19 cheaply and quickly in international weapons markets
20 and shipped with relative ease to the United States,
21 making them a very plausible weapon for a terrorist
22 attack on U.S. nuclear facilities, and the one we are
23 looking at now, I am looking at actually -- I am looking
24 at it out my window, the Pilgrim's Nuclear Power Plant.

25 So, please, step up to the plate.

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1 MS. MORGAN: Thank you.

2 MS. LAMPERT: Who is next? Or, do you all
3 have any questions?

4 MS. GAVRILAS: We have no questions

5 MR. MAURER: You know, I will just add one
6 thing. One other experience of mine not reported in the
7 written petition is there is another entrance to the
8 Entergy owner-controlled area. I call it the back
9 entrance.

10 It is -- it is opposite -- it is at the
11 opposite end of the plant and it is -- it goes into a
12 storage area and where the helicopter landing pad is,
13 and it is up on higher ground. It overlooks the -- the
14 vantage point actually overlooks the plant and the dry
15 cask storage area.

16 I have driven into that area twice in my
17 vehicle. One time I even parked my car. I got out of
18 my car and walked up to the first layer of the double
19 fence where there were warnings painted on the ground
20 saying, "Don't go any further than this."

21 And I stood there, looking through the
22 fence down -- down at the plant and at least two
23 employees came into this -- this upper storage area and
24 went to storage, chain-linked fence storage places that
25 they had up on the paving, and no one even came over and

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1 asked who I was.

2 You know, it is -- it is just incredible at
3 how casual, you know, the security atmosphere and
4 attitude is there. It -- you know, it boggles my mind
5 that -- that I could just get that close to the plant.

6 And I am -- I am not a terrorist, but I am
7 thinking to myself, you know, -- you know, there are all
8 kinds of weapons have now. You know, shoulder-mounted
9 rocket launchers and things like that. And, you know,
10 I could practically hit the plant with a baseball,
11 swinging a bat.

12 You know it is -- that is why we are writing
13 this petition. We really think that it is just -- just
14 way too casual at Pilgrim Nuclear Power Plant.

15 MS. LAMPERT: Yes. And another point.
16 Mary Lampert.

17 What Bill just said reminded me that some
18 of the FLEX equipment, you know, that is outside -- they
19 are outside the protected area, and so, on the one hand,
20 how can NRC approve the FLEX plan, the fact that the
21 extra diesel generator, you know, was put in place when
22 that could be taken out so easily.

23 MS. TURCO: Right. And this is Diane
24 Turco. And I just want to sum up here that all that is
25 happening at Pilgrim, with us being able to walk on the

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1 property the way we did was very frightening.

2 It is just a symptom of the lack of real
3 oversight by the Nuclear Regulatory Commission. When
4 I read on their website the answer to the question, "What
5 is the danger from radioactive contamination as a result
6 of a terrorist attack?" the response by the Nuclear
7 Regulatory Commission is, quote, "It is very unlikely
8 that any substantial radiological releases would occur
9 from an attack on a spent fuel pool or dry cask storage."

10 Now, just that the NRC acknowledges that
11 they don't even see any risk, very unlikely risk of any
12 release, radiological release is a very huge concern
13 because, like I said before, there are studies and
14 documents that say just the opposite.

15 And in the Crac Report, that is talked about
16 damages all across Massachusetts. So, you can't deny
17 that there will be a serious and substantial
18 radiological release if there is an attack on that spent
19 fuel pool.

20 So, I think it is really important that the
21 Nuclear Regulatory Commission recognize the risk. And
22 there will be no public confidence or trust when the NRC
23 artificially reduces the threat of a catastrophic even
24 by not including plans to consider the maximum level of
25 credible threat or require that Entergy work to deter

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1 entry to the owner-controlled property by increasing
2 security in those areas beyond what they have done is
3 put up no trespassing signs.

4 Safety is not a suggestion it is something
5 that the public demands, and it is a mandate of the
6 Nuclear Regulatory Commission to provide for public
7 health and safety.

8 And we have put this petition in because it
9 is not doing its job.

10 MS. LAMPERT: Mary Lampert. Again,
11 Diane's last statement concerning NRC description of
12 the probability consequences of a terrorist attack on
13 spent fuel.

14 We noted -- I noted that in the Peachbottom
15 study done for the nuclear waste, new nuclear waste
16 confidence, it talked about what the consequences would
17 be of a spent fuel fire.

18 Of course, they never bothered looking at
19 security as a potential cause, however the consequences
20 were described that would make uninhabitable an area
21 about the size of Massachusetts.

22 Our own attorney general, the New York
23 Attorney General, Connecticut, Vermont, all looked into
24 and have looked into the consequences of a spent fuel
25 pool fire that could be caused by, among other things,

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1 a security attack.

2 And so, recognizing there is a problem, if
3 you -- if you want for your own PR purposes, to say it
4 is a small probability, the consequences are
5 undeniable. Therefore, when severe consequences, it
6 then becomes prudent to step up to the NIPP
7 responsibilities of deterrents.

8 And I would broaden deterrents, not only to
9 the land, but also to the protective area that is in the
10 water. Pilgrim is on Cape Cod Bay and, as I commented,
11 there are 19 buoys, very thin, as a matter of fact,
12 because we have a couple of boats, to mark that area.

13 Last summer, my husband and I went out just
14 to, you know, see whether we could, in fact, see where
15 the buoys were. And with the lobster pots, their sticks
16 and then the sticks from Pilgrim, we couldn't figure out
17 and we didn't want to be caught inside, where -- what
18 is being marked. Where is it marked?

19 So, we asked some people who were in their
20 boats, fishing. They just had, you know, small
21 whalers, what have you, with anchors over. "Gee, are
22 those the marks where we are not supposed to go in?"

23 We asked three different boats. "I don't
24 know. Look, there are their boats in there. It must
25 not be. It must be some other ones closer. Who knows."

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1 Sometimes kids use them for slaloms, for Pete's sake.

2 So, my point is that the protected area is
3 not even protected on the water side when Pilgrim was
4 cited as being highly-vulnerable.

5 We know, if you go down to New London,
6 Connecticut, you can see floating barriers to protect
7 the atomic submarines. That is a possibility. But, of
8 course, it is not there. Also, the possibility for
9 grates at the mouth of the intake canal.

10 Entergy and Millstone, they didn't want it
11 because they might have spent some more money scraping
12 the mussels off to the grates. So, we know, it is a
13 piece of cake to be able to either a diver or a remote
14 controlled, operated using the underwater missiles to
15 take out the cooling structure.

16 Not a difficult operation. So, when I
17 stand in line -- I like to travel a lot. When I stand
18 in line at the airport, and they want me to take off my
19 shoes and they going into my bag because I might have
20 a large bottle of shampoo, but the nuclear reactor is
21 wide open to attack from the air, from the water, and
22 it would not be difficult from the land, and nobody seems
23 to want to do anything about it because it would cost
24 the licensee money.

25 I think you have got to understand that is

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1 not right. Oh. I can't think of anything more to say
2 because it is so obvious.

3 Bill, Diane, do you have anything to say?

4 MR. MAURER: No. No. I don't think there
5 is anything more to say. You know, it is a no-brainer
6 for me, is that the plant is quite vulnerable from the
7 land and from the ocean and from the air. I mean, there
8 is no restricted air space over the plant, either. So,
9 I will close for that.

10 MS. LAMPERT: Yes. And I happen to -- Mary
11 Lampert. I thought of one more thing.

12 During demonstrations some people have
13 been arrested for putting their toe on the property.
14 Now, why are they doing that if they don't think it is
15 -- would be dangerous to have 80-year-old ladies
16 stepping their toe over the property?

17 But it does say if you are going to arrest
18 people, then you must recognize there is a problem. If
19 you recognize there is a problem, then you should be
20 having real concerns against that, because there is an
21 80-year-old lady or two. That is one thing.

22 But, that is not saying everyone or anyone
23 who is going to plan to cause harm is going to be like
24 those 80-year-old ladies. So, again, you can't have it
25 both ways.

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1 If you aren't going to actually protect and
2 keep people out, then you might as well have your picnic
3 benches, serve cocktails, gin and tonic's on Friday
4 nights in the summer. Maybe show a few movies. Have
5 a whale of a time.

6 At least you will be accomplishing what
7 your goal is, that let's not be fearful of nuclear
8 reactors, let's pretend there can be no problems and we
9 will do this by assuring there will be a problem.

10 Oh, it is bad for my blood pressure, so I
11 am not going to talk anymore.

12 MS. TURCO: Right. And, this is Diane
13 Turco again. And I -- I will support Mary, too, because
14 there are gates there. There are no trespassing signs.
15 There is an empty guard shack. Empty.

16 And again, too, is that -- is that just
17 there to make it look like there is security there when
18 we kind of proved that there wasn't. And again, this
19 is a very, very serious issue. We are talking about a
20 nuclear power reactor, 35 miles south of Boston and 35
21 miles north of where I live.

22 MS. LAMPERT: And 37 miles from
23 Providence.

24 MS. TURCO: Does the Board have any
25 questions?

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1 MS. GAVRILAS: We are waiting for you to
2 conclude your remarks.

3 MS. LAMPERT: I am finished. I told you,
4 it is bad for my blood pressure.

5 MR. MAURER: Yes. I am -- this is Bill
6 Maurer. I have concluded my remarks, as well.

7 MS. TURCO: And this is Diane Turco, and I
8 would just like to make one more remark in just a general
9 not so much towards the petition.

10 But, given the Nuclear Regulatory
11 Commission's recent report from 1/26/15, after a whole
12 year of oversight because of the degrading cornerstone
13 that Entergy was given for Pilgrim, it has reiterated
14 that Pilgrim still remains as one of the worst operating
15 reactors in the world.

16 So, while we are very concerned about a
17 terrorist attack that is real because our senators in
18 the 9/11 Commission said so, we are also feeling that
19 Entergy and Pilgrim Nuclear is a terrorist site, itself,
20 for us, because of the dangerous and degrading
21 cornerstone that Entergy did not complete corrective
22 actions that they should have, that the last storm --
23 two storms ago, Juno, knocked it out do the scramble of
24 complications.

25 And then, just after Valentine's day,

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1 Entergy shut it down on their own with an incoming storm
2 but, again, there were more complications when they
3 tried to restart it.

4 So, yes, we know there is a terrorist threat
5 out there, but we also are threatened by the continued
6 operation of the Pilgrim Nuclear Power Reactor in
7 Plymouth, and we ask the Nuclear Regulatory Commission
8 to seriously consider to revoking the operating license
9 there for the public health and safety.

10 MS. LAMPERT: That isn't part of the
11 petition. Mary Lampert.

12 MS. TURCO: I know. I know. I know.

13 MS. LAMPERT: That is not part of the
14 petition, so I feel it is inappropriate.

15 MS. TURCO: Okay.

16 MS. GAVRILAS: Any more comments from the
17 petitioners?

18 MR. MAURER: I have concluded. This is
19 Bill Maurer.

20 MS. LAMPERT: Concluded. Mary Lampert.

21 MS. TURCO: I am concluded. Diane Turco.

22 MS. GAVRILAS: Okay. Thank you again.

23 At this time does the staff hear at
24 Headquarters have any questions for the petitioners?

25 (No response.)

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1 MS. GAVRILAS: I am seeing none.

2 What about the Region?

3 MR. SHAFFER: No questions from Region I.

4 MS. GAVRILAS: Thank you.

5 Does the licensee have any questions?

6 (No response.)

7 MS. GAVRILAS: Again, I am hearing none.

8 Do any members of the public have questions
9 about the 2.206 petition process?

10 MS. LEGERE: Yes. This is Chris Legere.
11 How long does it take to wrap this up? When can one
12 expect a decision?

13 MS. MORGAN: Well, honestly, you know,
14 that is really based on schedule, but we do, you know,
15 proceed immediately.

16 After this meeting here, the PRB will meet
17 internally to come up with an initial recommendation as
18 to whether or not to reject or accept the petition and
19 then, upon approval from management, then I will notify
20 the petitioners of that decision and then offer them a
21 separate -- or a second opportunity to address the
22 Board.

23 After that, then we will meet again to
24 discuss our final recommendations and then, upon
25 approval of management also, we will determine, you

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1 know, if the petition will actually be accepted or
2 rejected.

3 And so, depending on which happens, the
4 process is different. If it is going to be rejected,
5 there will be a closure letter. Obviously, if it is
6 going to be accepted, it will be a proposed director's
7 decision as the final document, and that process is a
8 little longer because then we are investigating the
9 petition.

10 So, it is really hard to say. But it is an
11 ongoing process. We do try to, you know, get it done
12 as soon as possible.

13 MS. LAMPERT: Mary Lampert. Nadiyah, I
14 have another point. I have brought this up many times.

15 MS. MORGAN: All right.

16 MS. LAMPERT: In a proceeding I was in on
17 one of the NRC orders, Judge Rosenthal was sitting on
18 the Atomic Safety Licensing Board, and he accurately
19 said that was one possible exception, the NRC has not
20 granted a 2.206 petitioner substantive relief for at
21 least 37 years.

22 He concluded where, "Truly substantive
23 relief is being sought by some affirmative
24 administrative action taken with respect to the
25 licensee or license. There should be no room for a

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1 belief on the requester's part to pursue such a course
2 is either being encouraged by Commission officialdom or
3 has been fair chance of success."

4 That is from his memorandum and order deny
5 petitions for hearing LBP 1214, July 10, 2012.
6 Additional comments of Judge Rosenthal.

7 And I will add there is no ability to appeal
8 a final PRB decision which also slams the door shut for
9 relief. There is a potential we are learning, to go to
10 the OIG.

11 But, my request would be to save a Judge
12 Rosenthal in the future could the Petition Review Board
13 keep score as the petitions come in and indicate, as
14 Judge Rosenthal has discussed, too, what it was about
15 and whether it was accepted, what relief was or was not
16 granted.

17 That way, I think it makes this whole
18 process more transparent and it would be helpful for the
19 public, but I think for the NRC also.

20 MS. MORGAN: Thank you for that, Ms.
21 Lampert.

22 MS. LAMPERT: This is a request on process.

23 MS. MORGAN: Thank you, Ms. Lampert.

24 MS. LAMPERT: Oh. Thank you, Nadiyah.
25 You really do a very nice job in keeping everybody up

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1 to date on the status and procedure.

2 MS. GAVRILAS: Thank you for that
3 feedback, and thank you for everything.

4 Unless there are any -- any further
5 comments, I would like to say thank you to the
6 petitioners for taking time to provide the NRC staff
7 with clarifying information on the petition you
8 submitted.

9 Before we close, does the court reporter
10 need any additional information for the meeting
11 transcript?

12 MS. RENDER: No. This is Diane. I just
13 want to thank you for your time.

14 (Whereupon, the conference call was
15 concluded at 10:23 a.m.)

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