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**NUCLEAR REGULATORY COMMISSION**

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RE Indian Point Nuclear Generating Unit 2

Docket Number: 05000247

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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

INDIAN POINT

+ + + + +

WEDNESDAY

JULY 15, 2015

+ + + + +

The conference call was held, Christopher Miller, Chairperson of the Petition Review Board, presiding.

PETITIONER: PAUL BLANCH

PETITION REVIEW BOARD MEMBERS

DOUG PICKETT, Petition Manager for 2.206  
petition

BENJAMIN BEASLEY

DAVID BEAULIEU

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

2:41 p.m.

1  
2  
3 MR. PICKETT: Good afternoon. I'd like  
4 to thank everybody for attending this meeting. My  
5 name is Doug Pickett, and I am the Indian Point  
6 project manager. We are here today to allow the  
7 Petitioner, Mr. Paul Blanch, assisted by Mr. Richard  
8 Kuprewicz of Accufacts Incorporated, to make a second  
9 presentation in support of his petition before the  
10 Petition Review Board, also referred to as the PRB.  
11 I am the petition manager for the petition. The PRB  
12 chairman is Mr. Christopher Miller.

13 As part of the PRB review of this  
14 petition, Mr. Paul Blanch has requested this  
15 opportunity to address the PRB. In accordance with  
16 NRC Management Directive 8.11, the purpose of today's  
17 second presentation is to allow the Petitioner to  
18 comment on the initial recommendation of the PRB and  
19 to provide additional information that supports the  
20 original petition.

21 Today's meeting is scheduled from 2:30 to  
22 3:30 p.m. Eastern time. The meeting is being  
23 recorded by the NRC Operation Center and will be  
24 transcribed by a court reporter. The transcript will  
25 become a supplement to the petition, and the

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1 transcript will also be made publicly available. I'd  
2 like to open this meeting with introductions. As we  
3 go around the room in here, in NRC headquarters, in  
4 Rockville, Maryland, please be sure to clearly state  
5 your name, your position, and the office that you  
6 work for within the NRC. I'll start with myself.  
7 I'm Doug Pickett. I'm the NRR project manager for  
8 Indian Point, and I'm the petition manager for this  
9 petition.

10 CHAIR MILLER: My name is Chris Miller.  
11 I'm the PRB chairman, and I'll be speaking with you  
12 in a minute.

13 MR. BEASLEY: Ben Beasley. I'm a board  
14 member. I'm also a branch chief in the Division for  
15 Operating Reactor Licensing.

16 MR. CYLKOWSKI: This is David Cylkowski.  
17 I'm an attorney in the Office of General Counsel.

18 MR. THOMPSON: William Thompson. I'm a  
19 senior special agent with the Office of  
20 Investigations.

21 MR. BEAULIEU: I'm David Beaulieu. I'm  
22 a board member. I'm the project manager in the  
23 Division of Policies and Rule Making.

24 MR. TAMMARA: I'm Rao Tammara. I'm a  
25 technical reviewer in NRO [Office of New Reactors].

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1 MR. MCCOPPIN: Mike McCoppin, chief of  
2 the Radiation Protection and Accident Consequence  
3 Branch, Office of New Reactors.

4 MR. GILBERTSON: Anders Gilbertson,  
5 reliability and risk analyst, Office of Research.

6 MS. HAUSER: Jenny Hauser, project  
7 manager, Division of Operating Reactor Licensing.

8 MR. WRAY: John Wray, along with Robert  
9 Carpenter, from the Office of Enforcement.

10 MR. DUDEK: Michael Dudek, acting chief  
11 for Project 1 Branch.

12 MR. PICKETT: Okay, we've completed the  
13 introductions of the NRC headquarters. At this time,  
14 are there any NRC participants from headquarters on  
15 the phone?

16 MS. SPICHER: Yes, Terri Spicher from IG  
17 [Office of the Inspector General].

18 MR. PICKETT: Okay, are there any NRC  
19 participants from the regional office on the phone?

20 MR. SETZER: Yes, this is Tom Setzer,  
21 senior project engineer for Project Branch 2.

22 MR. BURRITT: Art Burritt, branch chief  
23 responsible for inspections at Indian Point.

24 MR. KROHN: Paul Krohn, branch chief, DRS  
25 engineer.

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1 MR. PICKETT: Are there any  
2 representatives for the Licensee on the phone?

3 MR. WALPOLE: Yes, Doug. It's Bob  
4 Walpole, regulatory assurance manager. With me is  
5 Steve Prussman, and also John Skonieczny, and we have  
6 more people from Entergy listening in.

7 MR. PICKETT: Mr. Blanch and Mr.  
8 Kuprewicz, would you please introduce yourselves,  
9 along with anyone else assisting you, for the record?

10 MR. BLANCH: At the time, there's no one  
11 else. Dave Lochbaum, if he has time, may be calling  
12 in.

13 MR. PICKETT: Okay. I'd like to  
14 emphasize that we each need to speak clearly and  
15 loudly, to make sure that the court reporter can  
16 accurately transcribe this meeting. If you have  
17 something that you would like to say, please first  
18 state your name. At this time, I'll turn this over  
19 to the PRB chairman, Chris Miller.

20 CHAIR MILLER: Good afternoon, and thank  
21 you for joining us. We appreciate the information  
22 we've received so far during this process, as the  
23 Board is using the information to make our decision.  
24 We look forward to the information you've provided us  
25 today. I'd like to first share some background.

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1 Section 2.206 of Title 10, Code of Federal  
2 Regulations, describes the petition process, the  
3 primary mechanism for the public to request  
4 enforcement action by the NRC in a public process.  
5 As Doug mentioned, our guidance for 2.206 comes from  
6 Management Directive 8.11, and that's publicly  
7 available. The focus of today's meeting is a follow  
8 up to get any information that the Petitioner wants  
9 to provide us so that we can make our final decision,  
10 and for the Petitioner, with any other support that  
11 he has, to provide that information, and any other  
12 perspectives on our decision process so far.

13 The public will be provided the  
14 opportunity to provide comments regarding the  
15 petition.

16 (Telephonic interference.)

17 CHAIR MILLER: The purpose of the  
18 meeting is not to provide an opportunity for  
19 questioning the PRB's decision so far, but more to  
20 gain additional information to help support and make  
21 the decision. It's not a hearing. It's not an  
22 opportunity to go into the merits of, as I said, the  
23 decision making, other than to provide additional  
24 information into that decision making.

25 We're not going to make a decision in

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1 this forum here. We're going to seek information and  
2 have a separate PRB meeting to consider the  
3 additional information that has been cited.  
4 Following this meeting, the Petition Review Board  
5 will conduct a deliberation, and the outcome of the  
6 internal meeting will be provided to the Petitioner.  
7 The PRB typically consists of a chairman, a manager  
8 at the senior executive level, a petition manager,  
9 and a PRB coordinator. As described in our process,  
10 the NRC may ask clarifying questions in order to  
11 better understand the Petitioner's presentation and  
12 reach our reasoned decision whether to accept or  
13 reject the Petitioner's request.

14 At this time, I want to summarize the  
15 scope of the petition that we are considering within  
16 the Board. On October 15, 2014, Mr. Blanch submitted  
17 a 2.206 petition to the NRC regarding the 50.59 Site  
18 Hazards Analysis prepared by Entergy, the Licensee  
19 for Indian Point. A 50.59 analysis was performed by  
20 the Licensee to determine the safety impact on the  
21 Indian Point plant due to Spectra Energy's proposed  
22 42-inch diameter natural gas pipeline that is planned  
23 to traverse a portion of the owner-controlled  
24 property at the Indian Point facility.

25 In the petition, Mr. Blanch requests that

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1 the NRC take enforcement action against Entergy, the  
2 Licensee, for a violation of 50.9, Completeness and  
3 Accuracy of Information, for providing inaccurate or  
4 incomplete information in the 50.59 Site Hazards  
5 Analysis. In violation of 10 CFR [Code of Federal  
6 Regulations] 50, Appendix B -- that's the quality  
7 assurance criteria -- they're relying on a contractor  
8 who is not qualified in accordance with Appendix B  
9 requirements, who is not qualified in accordance with  
10 Entergy's quality assurance program, and as a result,  
11 was not qualified to perform an analysis for such a  
12 significant safety-related issue in violation of 10  
13 CFR 50.59 -- that's our changes, tests and  
14 experiments chapter -- for failing to perform the  
15 necessary safety evaluation requirements.

16 The Petitioner supplemented his petition  
17 with a number of documents that address the  
18 following: the need for an independent assessment  
19 of the proposed pipeline, the assumed three-minute  
20 closure time for the pipeline isolation valves, the  
21 impact of the proposed West Point Partners  
22 high-voltage, direct-current transmission cable,  
23 deficiencies with the NRC's Independent Confirmatory  
24 Blast Analysis, including the status use of the ALOHA  
25 computer code, and improprieties by the NRC staff.

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1 The latter concern has been forwarded to the NRC  
2 Inspector General's office.

3 Allow me to discuss the NRC activities to  
4 date. There's been a number of communications with  
5 Mr. Blanch, but let me highlight the ones that are  
6 pertinent to this process. On January 28th, the  
7 Petitioner, with the assistance of Mr. Richard  
8 Kuprewicz, of Accufacts, made their first  
9 presentation before the PRB. On April 28th, the  
10 Petitioner was informed that the initial  
11 recommendation of the PRB was to reject the petition  
12 on the basis that the NRC staff has previously  
13 reviewed and resolved the issues identified in the  
14 petition.

15 Subsequently, the petitioner was  
16 offered, and accepted, a second opportunity to  
17 address the PRB. There's just a couple of final  
18 things and I'll wrap up. As a reminder for the  
19 participants, please identify yourself if you make  
20 any remarks, as this will help us in the preparation  
21 of the meeting transcript that will be made publicly  
22 available, just like the last transcript was made  
23 available.

24 At the end of the meeting, members of the  
25 public may provide comments regarding the petition

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1 and ask questions about the 2.206 petition process.  
2 However, as discussed in the opening, the purpose is  
3 to provide information that helps the board render a  
4 decision, not necessarily on the merits or agreement  
5 with the decision making so far. Mr. Blanch and Mr.  
6 Kuprewicz, with that being said, I'll turn it over to  
7 you to provide additional information you believe the  
8 PRB should consider as part of this decision. Thank  
9 you very much.

10 MR. BLANCH: Okay, thank you. This is  
11 Paul Blanch. Can you hear me?

12 CHAIR MILLER: Yes, we can, very clear.

13 MR. BLANCH: I believe that you made a  
14 statement at the beginning relative to Management  
15 Directive 8.11 that said I'm not allowed to ask  
16 questions. Is that an accurate portrayal of your  
17 statement?

18 MR. PICKETT: The purpose of today's  
19 meeting, according to the Management Directive, is  
20 for you to comment on the initial recommendation of  
21 the PRB, --

22 (Telephonic interference.)

23 -- petition, and to provide additional  
24 information.

25 MR. BLANCH: I'm not sure I heard an

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1 answer to my question. Am I allowed to have a  
2 dialogue and ask questions and receive answers from  
3 the NRC?

4 MR. PICKETT: No, you are not.

5 MR. BLANCH: And could you tell me where  
6 in 8.11 it says that?

7 MR. PICKETT: It doesn't say that in as  
8 many words, but it's clear the purpose of the meeting  
9 is for you to provide additional information in  
10 support of your position.

11 MR. BLANCH: Again, this is a primary  
12 point. The Management Directive says the NRC can ask  
13 questions, the Licensee can ask questions, but it  
14 does not preclude --

15 (Telephonic interference.)

16 -- I guess what I'm hearing is I'm not  
17 allowed to ask any questions of a regulator who  
18 supposedly serves the public and the environment.

19 CHAIR MILLER: This is Chris Miller, Mr.  
20 Blanch. I think what you're hearing is we're trying  
21 to have an efficient process here. What we're trying  
22 to do is get through and hear the additional  
23 information that the Board has to consider. If you  
24 have clarifying questions to say, "I'm not really  
25 sure what you meant by in your decision to date," or

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1       whatever, and that helps, and then you say, "Here's  
2       my information related to that," that might be  
3       useful.

4               We don't have the purpose of this meeting  
5       to have a dialogue on whether or not, for example, a  
6       particular calculation is accurate or not, but if you  
7       want to provide more and say, "I didn't understand  
8       how you got to that assumption. Let me tell you what  
9       my take on the calculation is. I'd like you to look  
10      at this," that would be useful. I think if we stray  
11      from that too far, we're not going to get through  
12      your additional information for the Board to  
13      consider.

14              MR. BLANCH: I respectfully disagree,  
15      and there are some absolutely vital questions that I  
16      need responses to to determine whether Entergy is  
17      making accurate statements, and whether the NRC is  
18      making accurate statements. There's a question I  
19      tried to ask before. Could you tell me who from OI,  
20      Office of Investigation, is there, and who from the  
21      Inspector General's office is there?

22              MR. THOMPSON: This is Will Thompson from  
23      the Office of Investigations.

24              MR. BLANCH: Thanks, Will.

25              MS. SPICHER: And Terri Spicher from IG.

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1 MR. BLANCH: Hi, Terri. Nice to talk to  
2 you again. My understanding is I cannot ask any  
3 questions. Is that a good portrayal?

4 CHAIR MILLER: I think you just asked  
5 some questions. As they help you provide us  
6 information, and we'll ask you if we need clarifying  
7 information, but the purpose of the call is for you  
8 to give us information, so that we have more to make  
9 our decision on.

10 MR. BLANCH: This is why I wanted a  
11 dialogue. Let me just -- Rick, I'll introduce you  
12 in one second, if you can bear with me.

13 MR. KUPREWICZ: No problem.

14 MR. BLANCH: Here's my first statement,  
15 ladies and gentlemen. My petition alleged that  
16 Entergy provided inaccurate and incomplete  
17 information to the NRC. Not only was the information  
18 provided inaccurate, it was materially false with  
19 respect to the three-minute closure time. Material  
20 in that first place approval of the AIM [Algonquin  
21 Incremental Market] project on this false information  
22 supplied by Entergy and its consultants.

23 This alone should be a firm basis for  
24 granting my petition. These facts are discussed in  
25 the NRC's internal email dated April 27, 2015. The

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1 NRC, in defense of Entergy, recalculated the impact  
2 of prolonged gas discharge by modifying its equations  
3 for the PIR [potential impact radius]. This is the  
4 second time Entergy has been exposed for making false  
5 statements to a regulatory agency.

6 I have further follow-up questions on  
7 that. My second statement, and then Rick can take  
8 over. The NRC has threatened the safety of more than  
9 20 million residents and the infrastructure of the  
10 greater New York metropolitan area, and is risking  
11 trillions of dollars of damage, and possibly the U.S.  
12 economy, by basing its safety assessment on a  
13 calculation that was recently obtained from the NRC  
14 under FOIA. This new information confirms that this  
15 NRC "calculation", which was partially handwritten,  
16 unapproved, undated, unsigned, used fictitious,  
17 false, and unsupported assumptions. This NRC  
18 calculation supported the FERC [Federal Energy  
19 Regulatory Commission] approval of the AIM project in  
20 the transportation of thousands of pounds of TNT  
21 equivalent across and in the vicinity of the nuclear  
22 power plant.

23 This back-of-the-envelope  
24 calculation -- as I say, handwritten -- which misled  
25 congressional representatives, misled FERC, and that

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1 misled the general public, must be invalidated, and  
2 an independent, transparent, structured risk  
3 assessment, as outlined in OSHA [Occupational Safety  
4 and Health Administration] 29 CFR, methodology must  
5 be undertaken. With that, I will -- I have a long,  
6 long list of questions which the NRC won't respond  
7 to, and I'm going to turn it over to Mr. Kuprewicz.  
8 Rick.

9 MR. KUPREWICZ: Thank you. You can't  
10 see me, and I can't see you, so that may sometimes  
11 cause for pauses in our discussion while someone's  
12 trying to transcribe here. I'm going to focus my  
13 comments on the analysis related to the gas  
14 transmission pipeline rupture and the possible  
15 resulting impact associated with that. I want to  
16 first say that I'm going to honor the CEII [critical  
17 energy infrastructure information] non-disclosure  
18 agreement I signed under the FERC providence, so  
19 please, all parties, respect my obligation to not  
20 disclose certain critical energy information covered  
21 by these agreements. Those agreements, however, I  
22 must state categorically, do not prevent me from  
23 commenting on information readily in the public  
24 domain. Based on that and information that I studied  
25 that is public, my filing observations regarding the

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1 analysis concerning the 42-inch gas pipeline rupture  
2 in proximity or close proximity to the Indian Point  
3 nuclear power plant are as follows.

4 I reviewed a series of rupture analysis  
5 statements concerning the AIM 42-inch transient  
6 pipeline rupture near the Indian point plant. These  
7 analyses include the most recent FOIA study that Paul  
8 just recently mentioned. I've got to come to the  
9 conclusion that they do not represent the transient  
10 dynamics associated with a 42-inch gas transmission  
11 rupture should it fail near the Indian Point nuke  
12 plant.

13 For example, based on extensive  
14 experience, pipe fracture mechanics will demonstrate  
15 that gas transmission pipeline ruptures are always  
16 full-bore ruptures, even buried. Pressure drop will  
17 not be a timely indicator of pipe rupture, even for  
18 a 42-inch pipeline. Assumptions about closure within  
19 three minutes to cut off gas flow near the plant are  
20 unrealistic and unscientific. A further recent  
21 analysis conclusion that a rupture release of one  
22 hour on the 42 inch pipeline does not impact the nuke  
23 plant needs further explanations, as it makes no  
24 sense for this system. The above key assumptions,  
25 as stated in agency studies, ignore proximity to a

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1 compressor station upstream and ignore system  
2 dynamics associated with a gas transmission pipeline  
3 rupture that increases gas releases well above  
4 pipeline flow before the rupture.

5 Quite simply, agency studies are  
6 violating the basic laws of science concerning gas  
7 pipeline rupture and associated forces that result in  
8 massive cratering, pipe shrapneling, and violate the  
9 science associated with such releases, especially a  
10 42-inch pipeline. It is not that hard to set up a  
11 base case for transient rupture analysis near the  
12 nuke facility for this gas transmission system.

13 It appears that various agencies are  
14 attempting to dismiss risk as low when gas pipeline  
15 rupture may drive the nuke facility to non-safe  
16 shutdown in a highly sensitive area. Agency studies  
17 create the appearance of risk management tampering to  
18 favor a project agency decision and raise the  
19 question, Are involved agencies capable of performing  
20 a scientifically neutral study for such a sensitive  
21 issue? This just isn't that hard near the plant.  
22 Lastly, I must comment that a truly independent  
23 safety analysis should be performed, subject to a  
24 reasonable open peer review. Security claims should  
25 not be permitted to shelter malfeasance in a

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1 scientific method involving incomplete risk analysis  
2 for such a highly sensitive infrastructure. Again,  
3 I thank you for your patience in introducing my  
4 comments today.

5 MR. BLANCH: This is Paul Blanch. Rick,  
6 thank you so much for your valued statements. Just  
7 following up, Rick has considerable experience in  
8 pipeline dynamics, pipeline explosions,  
9 investigations, national transportation board, all  
10 kinds of credentials. The Nuclear Regulatory  
11 Commission has no one whose name I have seen that has  
12 any credentials, published documentation, national  
13 committees, related to gas dynamics and pipeline  
14 transportation.

15 We know that a Mr. Tammara did a  
16 paperwork study on Calvert Cliffs, Cove Point, but  
17 this was a study, no real experience. Entergy's  
18 consultant, Mr. David Allen, conducted a paperwork  
19 study, no documented experience. The NRC has  
20 considerable expertise in nuclear safety; however,  
21 has no expertise in gas line investigations,  
22 ruptures, dynamics, and response times and emergency  
23 response to such. Given a vote, I would put my money  
24 on Mr. Kuprewicz's opinions, rather than the opinions  
25 of a paid consultant by Entergy, who was told to come

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1 up with an outcome, and from a consultant or from an  
2 engineer with Entergy, who used to work for another  
3 contractor, who has no documented experience on  
4 pipeline dynamics.

5 We have a significant risk here, and we  
6 desperately need an independent risk assessment,  
7 using established OSHA procedures. I have 20  
8 questions. Is it even worth discussing the  
9 questions, or are you just going to say, "No comment"?  
10 I will be submitting these questions to the NRC in  
11 writing anyway, but I expect some type of non-answer  
12 to the questions, as has happened before.

13 MR. PICKETT: Paul, this is Doug Pickett  
14 here. I would appreciate you sending those questions  
15 to me.

16 MR. BLANCH: Okay, I am going to ask the  
17 questions. My first question is what justification  
18 does the NRC have for modifying the equation for the  
19 distance in Reg Guide 1.97 by throwing in a factor  
20 that is undefined?

21 CHAIR MILLER: Paul, this is Chris  
22 Miller. Those kinds of questions we don't  
23 necessarily have the people here to discuss it or to  
24 weigh in to the merits of it. I don't think that's  
25 going to get us through the commentary -- or the

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1 questioning and information period. I think it might  
2 be more productive if we ask the questions of what is  
3 represented so that we can get more information based  
4 on what, for example, Mr. Kuprewicz said and what you  
5 said. But yes, that question wouldn't be one that  
6 we'd entertain in this forum.

7 MR. BLANCH: Okay, according to the NRC,  
8 we, the public, are your customers. As a customer,  
9 if I go into a store or go to buy something, or an  
10 auto dealer, if I want to ask a question, I expect an  
11 answer. Again, I have 20-some questions. Do you  
12 want me to read off -- I'll just read off the  
13 questions. If you think they --

14 CHAIR MILLER: What would be useful is  
15 if you would send those questions in to us  
16 (Simultaneous speaking).

17 MR. BLANCH: I'd like to read the  
18 questions.

19 CHAIR MILLER: (Simultaneous speaking)  
20 with the right people, so that the right people could  
21 get the answers. Then you could get accurate answers  
22 to your questions.

23 MR. BLANCH: I'd like to ask the  
24 questions, such as the members of the public can hear  
25 what my concerns are with respect to nuclear safety.

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1 If you choose to answer them, fine. If you choose  
2 to ignore them, let us know. No. 1, NRC's  
3 conclusions on isolation times and blast radius are  
4 contradicted by its own document references and  
5 historical experience documents by the National  
6 Transportation Safety Board.

7 The NRC has ignored the requirements of  
8 10 CFR 192.935 for risk analysis. The NRC and  
9 Entergy have misrepresented closure times -- what I'm  
10 talking about, from the time of the accident to the  
11 time the gas flow terminates. This is a major, major  
12 concern stated in a proposed rejection letter. The  
13 NRC has totally relinquished its exclusive  
14 responsibility for nuclear safety to the Department  
15 of Transportation.

16 How can they do that? The Atomic Energy  
17 Act forbids that. For example, they trust the  
18 Department of Transportation to ensure those valves  
19 will close, that there's proper redundancy, that the  
20 condition of the 63-year-old pipe is not degraded,  
21 such that it's going to rupture within the next year  
22 or next day. We just don't know. I don't think the  
23 NRC knows. So in essence, the NRC has turned over  
24 its responsibility for nuclear safety and protecting  
25 the public to the Department of Transportation, and

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1 we know the recent history of the Department of  
2 Transportation. A gas line rupture in one of  
3 Spectra's pipelines in Arkansas, crossing the  
4 Arkansas River, recently required more than 24 hours  
5 to detect, which totally contradicts the reference by  
6 the NRC to Spectra's Resource Report No. 11.

7 The NRC employed unauthorized computer  
8 programs to calculate risk, flow, vapor gas  
9 explosion, jet fire explosion. They used ALOHA,  
10 which is prohibited for the use in this type of event.  
11 The NRC, and I'm referring to Reg Guide 1.91, has  
12 changed and misused its own calculations.  
13 Calculations have been conducted by inexperienced NRC  
14 and Entergy persons. The NRC failed to consider  
15 historic ruptures in its time to isolate and  
16 terminate gas flow.

17 The NRC continues to ignore the potential  
18 impact of vapor clouds. The NRC fails to consider  
19 the possibility of flammable gasses entering the  
20 plant and control rooms, the same type of events that  
21 contributed to the explosions of the secondary  
22 containment at Fukushima. Whether that's a  
23 possibility or not, I'm not sure. I'm just saying  
24 it was not considered. The NRC provides misleading  
25 responses to direct questions on the content of a

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1 fuel oil tank. That's a significant issue. I've  
2 asked three times, from Neal Sheehan to Doug Pickett  
3 to Scott [Stewart], senior resident inspector, do  
4 those large, multi-million-gallon tanks contain any  
5 flammable materials which are inside the impact zone?  
6 All I get is statements, "To the best of my knowledge,  
7 we don't think so."

8 I cannot get a definitive answer whether  
9 those large multi-million-gallon tanks contain  
10 flammable material? No direct answer. Spectra  
11 proposes to enhance new pipelines while ignoring  
12 63-year-old existing pipelines within the Indian  
13 Point property. Neither the Licensee, nor the NRC  
14 as Indian Point operations -- personnel are not  
15 aware or have any procedure to combat and -- yes,  
16 combat and impose any requirements on the piping or  
17 the gas transmission line system within the  
18 protected -- I shouldn't say protected area, but  
19 owner-controlled area of Indian Point.

20 The NRC refused to issue an informal  
21 letter to me proposing to reject my petition. The  
22 NRC issued to the Licensee and the world a letter  
23 specifically addressed to me, dated June 29, 2015,  
24 but for some reason -- and this still holds true  
25 today, unless it's in the mail -- the NRC has ignored

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1 even sending that letter to me. I got it from a  
2 friend. What kind of game is the NRC playing here  
3 that they won't sign letters, they'll address letters  
4 to me, but they won't send them either by email or by  
5 snail mail? My bottom line is we desperately need  
6 congressional and public support and demand the NRC  
7 sanction or require an independent -- and I do mean  
8 independent -- risk assessment of the gas line at  
9 Indian Point. I think those are the majority of the  
10 questions. There could be more.

11 MR. BEASLEY: Mr. Blanch, this is Ben  
12 Beasley of the NRC. It would be very helpful for us,  
13 when you send us your questions, that you send as  
14 much specific information as you can. I didn't take  
15 a lot of notes, but on things like you identified  
16 contradictions at that point, 191. If you could give  
17 us some specific information on where you see the  
18 contradictions, that would be very helpful for us to  
19 give you a fuller response.

20 MR. BLANCH: I sent that information to  
21 Doug Pickett today. It outlines exactly the equation  
22 that for some reason the NRC decided to modify to get  
23 its desired outcome.

24 MR. BEASLEY: Okay, thank you.

25 MR. BLANCH: Without any justification,

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1           whatsoever.

2                       MR. BEASLEY:   Thank you.   The request  
3           was the more information you give us, the better we'll  
4           be able to give you a faster response.

5                       MR. BLANCH:   I'm just talking about your  
6           own documents, not my documents.   You've got them  
7           all.   Take a look at all the FOIAs that I filed and  
8           the responses to the FOIAs.   Some of them are  
9           different.   I haven't seen any communication where  
10          the Federal Energy Regulatory Commission has even  
11          given you any flow diagrams to perform an independent  
12          risk assessment of the pipeline system.   We don't  
13          know what valves have to be closed, whether there are  
14          multiple valves.   I assume there have to be multiple  
15          valves.   We, in the nuclear industry, require  
16          redundancy.   We require inspections.   We require  
17          quality assurance.   How can you delegate this  
18          responsibility to the Department of Transportation  
19          and rely on them to protect the health and safety of  
20          millions of residents?   This is inexcusable to me.

21                      CHAIR MILLER:   Okay, Mr. Blanch, we have  
22          those questions and statements that you just  
23          provided.   Is there other material you want to  
24          provide the Board?   I know that there's some  
25          questions that the Board would want to ask you and

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1 Mr. Kuprewicz, but before we do that, I wanted to see  
2 if there's any other information that you have, that  
3 you'd like to provide?

4 MR. BLANCH: That's the primary  
5 information that I have, but I'd like to have you  
6 ladies and gentlemen ask Mr. Kuprewicz, with his  
7 numerous years of recognized gas line investigations  
8 and studies -- if you have any questions for him.

9 CHAIR MILLER: We will do that. If I  
10 could just ask you one question related -- this is  
11 Chris Miller. I want to ask you one question related  
12 to your -- in your list of questions and statements  
13 about your June 29th letter. Do you want us to send  
14 you an email -- I'm assuming that the hard copy did  
15 not come to you. Would you like an email of  
16 the -- with an attachment of that letter? We can  
17 provide that?

18 MR. BLANCH: No, I don't need it. I  
19 obviously got it from a friend. It's just very  
20 upsetting to me that you have a signed letter, dated  
21 letter, and I'll give you the benefit of the doubt  
22 that maybe it was a mistake, but given all the other  
23 evasive statements I've received from the NRC, it  
24 just seems to be a pattern. That question about do  
25 the tanks contain flammable material, I can't get a

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1 straight answer from the NRC. When I get an answer,  
2 to the best of my knowledge. I'm not a politician.  
3 I'm an engineer. I don't take kindly to political  
4 answers. This is from your Office of Public Affairs.  
5 I really, really -- I've said it 100 times.  
6 Everyone's saying it. We need an independent risk  
7 assessment. We need to sit down.

8 I've asked Senator Gillibrand's office to  
9 see if her office could arrange a meeting between  
10 myself and Entergy to try to resolve our differences  
11 of opinion. I haven't heard back yet. I don't have  
12 any questions. I'd certainly like answers sometime.  
13 I could restate these questions, but I read them as  
14 I had written them. They were very brief. I'm  
15 pretty much done. I'm not overly pleased at what I'm  
16 hearing, especially on the question answering.

17 CHAIR MILLER: On that one issue with the  
18 letter, we'll go ahead and send an attached letter,  
19 assuming that's the mail that hasn't arrived there  
20 yet or something. I don't know what happened. It  
21 certainly was inadvertent. If the June 29th letter  
22 didn't arrive by July 14th, I don't know what  
23 happened, but we'll send you an electronic version.  
24 You should be able to get that shortly.

25 (Simultaneous speaking.)

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1 CHAIR MILLER: If you had any  
2 more -- before we go on to Mr. Kuprewicz -- and I'll  
3 ask the rest of the team -- you made an initial  
4 statement about false statements that were made  
5 to -- fictitious false assumptions. I'm wondering  
6 is that something that we can get from you the  
7 specifics of that, or is that something you can  
8 provide us when you provide your list of questions,  
9 or is that something that Mr. Kuprewicz can provide  
10 your beliefs on those? That would help us out a lot,  
11 as well.

12 MR. BLANCH: I had, last Friday, a very  
13 long conversation, very cordial and professional  
14 conversation with Mr. Art Burritt, who I think is a  
15 senior NRC person on here. I think we will both  
16 agree it was a very good conversation. We got into  
17 some of these questions last week about probability  
18 assumptions and the basis for that.

19 Again, I told Mr. Burritt last week that  
20 there were errors where Indian Point is operating  
21 outside of their design basis with respect to the  
22 existing gas lines because your gas expert said that  
23 a failure of these 63-year-old gas lines is not  
24 feasible, which is, to me, a false statement. That's  
25 one example. There's many examples throughout these

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1 documentations that I got within FOIA. Another false  
2 statement is that the gas rupture, if it pursues,  
3 will not significantly increase the blast radius,  
4 inconsistent with the equation in Reg Guide 1.91. I  
5 don't know how one comes to that and how one can make  
6 these statements that, on the surface, appear to be  
7 inaccurate and false.

8 CHAIR MILLER: Okay, I've got those two  
9 listed. If you have any more, it would be useful if  
10 you provide them with the other questions you're  
11 providing. That would be useful to us.

12 MR. BLANCH: I've got 100 people in the  
13 room here. With respect to that June 29th letter,  
14 don't bother sending it. I have it obviously. I've  
15 gotten it from numerous people. I don't care. It's  
16 just an example of how the NRC is treating us and  
17 ignoring us and not giving us direct answers to direct  
18 questions and not signing documents, not dating  
19 documents. It seems like they're almost playing a  
20 game with me, and nuclear safety is not a game to me.

21 CHAIR MILLER: It's not a game with us  
22 either, and we have a very thorough process for  
23 putting things in our ADAMS [Agencywide Documents  
24 Access and Management System] system, so they're made  
25 publicly available. I take concern when somebody

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1 says that something is not appropriately sent or  
2 documented or whatever, so we'll make sure you get  
3 another copy of that letter, and that the information  
4 is available when it's able to be put in the public  
5 space.

6 MR. BLANCH: I tend to disagree with you  
7 that you have procedures in place to assure safety  
8 when the NRC doesn't even have a procedure for doing  
9 safety-related calculations and does not have a  
10 quality assurance procedure that it imposes on  
11 licensees. When I see a calculation, which I call a  
12 back-of-the-envelope calculation, with handwriting  
13 in it, I would be put in jail if I submitted that to  
14 the NRC if I were working for a licensee. I disagree  
15 with your statement that we are concerned about  
16 safety. I believe more concerned about the  
17 continuance of the nuclear industry. I'm done.

18 CHAIR MILLER: Thank you. Let me ask  
19 the Board, is there any more questions for Mr. Blanch  
20 before we move on to questions for Mr. Kuprewicz?  
21 No? Okay, anything from the regional people or other  
22 headquarters people that want to ask a question of  
23 Mr. Blanch?

24 PARTICIPANT: No thank you, Chris.

25 CHAIR MILLER: Okay, we'll move on to

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1 questions for Mr. Kuprewicz.

2 MR. BEASLEY: I did have one. This is  
3 Ben Beasley. Mr. Kuprewicz, you said that it makes  
4 no sense that a release from the gas lines -- release  
5 and explosion would not affect the plant. I just was  
6 curious if you have some test data or some examples  
7 of where there was a blast and how far the one psi  
8 pressure wave extended from that blast? If you have  
9 some data like that that you could send to us that  
10 would be informative, it would be helpful just to  
11 back up your statement that it makes no sense there.

12 MR. KUPREWICZ: Let me clarify here.  
13 What I think I said -- maybe I'll have to go back and  
14 look at the transcript -- is that the analysis had  
15 indicated that a one-hour gas release is just going  
16 to be as effective as the early gas release. That  
17 makes no sense because the mass releases are  
18 substantially different. As to whether or not it  
19 affects the plant, I don't know that. That's an  
20 issue -- and I want everybody to be clearly  
21 understood -- I can't make that analysis because I  
22 don't know the details of the plant.

23 All I can tell you is the statements I'm  
24 hearing and reading in the analysis and studies  
25 related to gas pipeline rupture, on a 42-inch

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1 pipeline that ruptures at this point, in this  
2 proximity to the nuke facility, has no justification  
3 in the scientific method. There's the difference.  
4 What I would clarify is you need to get a hold of  
5 somebody who really understands gas transmission  
6 pipeline rupture. They can do a transient  
7 analysis -- okay, the pipeline ruptured at Second 0.  
8 It's now Minute 2, Minute 3, Minute 4, Minute 60.  
9 This is a mass release, and you need to decide when  
10 does it -- will it ignite or not? Will it detonate  
11 or not? Then assign probabilities to those, if you  
12 wish.

13 But regardless of the probability, if you  
14 have a significant, large enough gas release, and it  
15 does detonate, will it affect the plant, and more  
16 importantly, not so much affect the plant, but will  
17 it affect the plant's ability to shut down in a  
18 failsafe mode? That's always been the question I've  
19 had. I'm not trying to answer that. Am I clear?

20 MR. BEASLEY: Yes, I guess I was just  
21 interested -- the way you said it, I thought you might  
22 have some specific information about a blast radius  
23 that was larger than was calculated by our analysis,  
24 but it sounds like you don't have anything specific.

25 MR. KUPREWICZ: No, you're correct. My

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1 analysis, based on what I see of the plant  
2 structures -- again, I'm not the detailed expert on  
3 your structures at Indian Point -- is my suspicion  
4 would be while blast radius would do a lot of damage,  
5 it may not affect the plant's ability to failsafe  
6 shutdown. Blast is probably not the controlling  
7 factor in this analysis. It's heat radiation.

8 MR. BEASLEY: Yes, our analysis did  
9 calculate the heat flux, also. Again, I just was  
10 interested if you had something specific that you  
11 were thinking about.

12 MR. KUPREWICZ: No. To be fair to you,  
13 I would have to do a specific calculation for a  
14 specific site, and I have not done that, just looking  
15 at the general maps. I haven't reached that  
16 conclusion. My suspicion would be -- your nuclear  
17 reactors, they'll survive blast, no big deal, but  
18 it's the auxiliary failsafe equipment that you have  
19 to be sure someone's performed an analysis on. My  
20 experience would tell me most likely heat radiation  
21 is your biggest risk.

22 MR. BEASLEY: Okay, thank you.

23 CHAIR MILLER: Yes, appreciate that.

24 MR. PICKETT: This is Doug Pickett and  
25 I'd like to ask Mr. Blanch if you could provide as

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1 much detail in your concerns, that would be  
2 appreciate, of course. One thing I wrote down that  
3 you said --

4 MR. BLANCH: Could you speak up a little  
5 louder please?

6 MR. PICKETT: Okay, I was asking Mr.  
7 Kuprewicz if he could provide as much detail as you  
8 could on the individual concerns that he mentioned in  
9 his statement. That would be beneficial to the  
10 Board. One of the things I wrote down for Mr.  
11 Kuprewicz, I wrote down risk management tampering.  
12 That certainly sounds like an impropriety by the  
13 staff, if you could talk a little bit more about that.

14 MR. KUPREWICZ: That's a general  
15 observation I've seen in too many criminal  
16 investigations lately that I've had to assist in. I  
17 don't like using that word in public very often, nor  
18 am I implying that's the situation here. But we tend  
19 to find, in the application of risk management  
20 techniques, which have become a more favorable effort  
21 in regulatory processes, that sometimes we see  
22 processes where the science is either ignored or not  
23 applied appropriately, such that it drives to a  
24 pre-ordained conclusion.

25 So I make that statement with my

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1 impression is -- I get the impression that someone's  
2 driving towards a decision to site the facility. I  
3 can't reach that conclusion, whether that's fair or  
4 not. All I can look at is the scientific principles  
5 related to gas pipeline ruptures and say holy crying  
6 out loud, they're not capturing the scientific  
7 principles here. Again, these are transient  
8 releases. They're a little more complex, but they're  
9 not that hard to do if someone knows what they're  
10 doing.

11 MR. PICKETT: Okay, thank you.

12 MR. BLANCH: This is Paul Blanch again.  
13 Another one of the documents that I got under FOIA  
14 actually shocked me when it said that there's 376,000  
15 kilograms of natural gas released during the first  
16 minute, and then a couple hundred thousand for the  
17 next hour. That's a phenomenal amount of gas. When  
18 I look at 376,000 kilograms of gas in a minute, that's  
19 close to a nuclear weapon. Within about three  
20 minutes, the energy released would be close to that  
21 of a nuclear weapon.

22 Natural gas on a per-pound or  
23 per-kilogram basis contains ten times more energy  
24 than TNT. We're not talking about a small break  
25 here, with a small amount of energy being released.

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1 This is not -- and I realize that TNT versus natural  
2 gas is quite a bit different because of the time  
3 involved, but we're not talking a small amount of  
4 gas. This is a very serious safety issue. If the  
5 NRC wants to reject my position and think this is the  
6 end of it, it will not be the end of it. I'm done.

7 CHAIR MILLER: Thank you. Hang on one  
8 second. Let me just -- one more question for Mr.  
9 Kuprewicz. This is Chris Miller with the NRC. You  
10 looked at our analysis, and I realize you didn't  
11 do -- calculate the blast radius and that and the  
12 heat flux that came -- similar to what we did. My  
13 question was I thought I heard in your discussion  
14 that you did question the amount of gas that we -- the  
15 gas flow that we used in our calculation.

16 I was wondering if you had any numbers  
17 that you used, or you think were more appropriate  
18 than the numbers we used to calculate the gas flow  
19 that leads to the mass -- the kilograms and the energy  
20 potential that we're talking about here?

21 MR. KUPREWICZ: To answer your question,  
22 the answer is no, but based on a wealth of  
23 investigation and other calculations on other  
24 pipelines, I've got to tell you a 42-inch, when it  
25 ruptures, is going to release -- I'm not going to

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1 jump to Paul's numbers, but there are going to be a  
2 lot of numbers. They're going to be big numbers.  
3 When I hear things like we can cut off the gas flow  
4 within three minutes, that's clearly a violation of  
5 the laws of thermodynamics. Even if you close the  
6 valves within three minutes, it's not going to cut  
7 off the gas flow. But, and that -- my experience  
8 would say this: the credibility tends to go out the  
9 window when I start seeing statements on key  
10 assumptions, and it just may kind of get back to that  
11 earlier question that was raised, where gee, it looks  
12 like these are kind of lining up to give a  
13 pre-ordained answer. Look, just run the transient  
14 analysis, make your statements for what they are, and  
15 then let them be what they are. Then they'll take  
16 you where you need to be.

17 You're going to find that a 42-inch gas  
18 line is going to release a lot of gas for a long time,  
19 and you won't -- by the time you see pressure drop,  
20 the damage is already done. It won't be a few  
21 minutes. That's just a qualification statement.  
22 The details -- run a transient analysis on a 42-inch  
23 gas pipeline rupture a few miles from a gas  
24 compression station. They're not going to see  
25 pressure drop, not for a while.

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1 CHAIR MILLER: So we did do the numbers  
2 on the flow. I hear you think they may not be  
3 accurate (Simultaneous speaking).

4 MR. KUPREWICZ: I'm not here to punish  
5 you guys or challenge everything you guys do or make  
6 you the bad guys. My function is to be neutral. I'm  
7 just saying this. If your calculations didn't look  
8 at gas flow going up significantly in the first couple  
9 minutes after a pipeline rupture, your approach is  
10 probably in error.

11 CHAIR MILLER: Okay, thank you for that.  
12 Any other questions for Mr. Kuprewicz? Any more  
13 questions from the region or from other headquarters  
14 offices?

15 MR. BEASLEY: No, Chris, thank you.

16 CHAIR MILLER: Is there any questions  
17 from the pipeline -- from Entergy, let's put it that  
18 way?

19 MR. WALPOLE: No comments from Entergy,  
20 Chris.

21 CHAIR MILLER: Okay. We know that there  
22 are members -- that's all that we have for the  
23 questions back and forth for the Board, the  
24 information the Board would need. We know that there  
25 are members of the public invited. I guess I would

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1 like to include them by saying, are there any members  
2 of the public that would like to make a comment or  
3 question regarding the process we're using? If you  
4 do, again, I'll remind you, back to the beginning,  
5 that you need to press star-1, so that the moderator  
6 can get you off of mute and into the call. Let's go  
7 to that portion of our meeting.

8 MR. BLANCH: I have Linda Puglisi, who's  
9 the town supervisor for the Town of Cortlandt, who  
10 would like to ask another question. Linda, thank  
11 you.

12 MS. PUGLISI: Thank you so much for  
13 allowing me to make a statement, and I want to ask a  
14 question. I'm the supervisor of the Town of  
15 Cortlandt, and Indian Point has been in our town and  
16 our Village of Buchanan. The mayor of Buchanan is  
17 also here. We've been partnering for two and a half  
18 years to fight this Spectra-Algonquin expanded  
19 pipeline, from 26 inches to 42 inches, and even more  
20 importantly, a point to make, it's a 25 percent  
21 increase in pressure.

22 A couple of months ago, there was a fire  
23 at a transformer on the Indian Point grounds. I  
24 received a phone call on a Saturday night regarding  
25 that incident. If this pipeline, 100 feet from

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1 Indian Point, was under construction or constructed,  
2 God forbid that there was an impact to that gas line.

3 Bottom line here, I will be very simple  
4 and clear in my comment and my request. We need your  
5 help, NRC, to go to FERC, Federal Energy Regulatory  
6 Commission, that has the authority to render a  
7 decision on the expense of this pipeline, and  
8 unfortunately they did on March 3, 2015. We got  
9 together with State, with our task force, with our  
10 assemblywoman, Sandy Galef, with many other people in  
11 our community and elected officials, and we asked  
12 for -- to revisit this, and to hear our many, many  
13 concerns and issues. This is one of the most  
14 important issues, the close proximity to Indian  
15 Point. We need your help to go to FERC to ask them  
16 to re-open that premature decision that they made on  
17 March 3rd. Please help us. Thank you.

18 (Simultaneous speaking.)

19 CHAIR MILLER: Paul, do you have other  
20 folks?

21 MR. BLANCH: Is there anyone else that  
22 would like to make a brief statement to the Nuclear  
23 Regulatory Commission? I hate to single people out.  
24 There's one lady that would like to make a statement.  
25 I'll let her do her own introduction.

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1                   MAYOR KNICKERBOCKER:     Thank you for  
2     taking this call.   Thank you Paul Blanch.   Thank you  
3     Sandy Galef.   Thank you Linda Puglisi.   Thank you  
4     everyone in this room.   You can hear the questions.  
5     We need answers.   Oh, I'm Theresa Knickerbocker,  
6     mayor of Village of Buchanan.   Can you hear me?  
7     Hello?

8                   CHAIR MILLER:   Yes, we can hear you.

9                   MAYOR KNICKERBOCKER:   Okay, good, just  
10    wanted to check.   There's a bunch of people in this  
11    room.   You can hear the concern.   I believe Mr.  
12    Blanch had a lot of good questions, a lot of good  
13    questions, also Dave had excellent questions and  
14    comments.   We have concerns.   We want this to be  
15    safe.   This is our community.   We have to have  
16    answers to these questions.   I would really, really  
17    appreciate -- this is very difficult, this phone  
18    calling thing.   I'm more of a person one on one.   I  
19    need to communicate directly.

20                   I would really like to ask that when you  
21    answer these questions that you come into our  
22    community to answer these questions.   If you want me  
23    to facilitate it at the Village of Buchanan, or I'm  
24    sure that Supervisor Puglisi would love to do it in  
25    the Town of Cortlandt, but we really need to have

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1 these questions answered. We need to be assured that  
2 this pipeline is safe.

3 We have a nuclear power plant. You guys  
4 are in charge of making sure these nuclear power  
5 plants are safe, so please, please answer these  
6 questions, get answers to these questions, get back  
7 to this community and assure us that this is safe.  
8 Thank you.

9 MR. BLANCH: Okay at this time, we've  
10 probably run over a little bit of time, but I  
11 appreciate everyone's concern here and at the NRC.  
12 I think we've accomplished what we needed to  
13 accomplish during this conversation. Again, the  
14 bottom line is we still have a lot of questions about  
15 nuclear safety, and we desperately need that risk  
16 assessment. With that, I'm going to end mine, unless  
17 the NRC has something they want to finally say.

18 CHAIR MILLER: Yes, just a couple of  
19 quick points. First of all, thank you to the  
20 commenters who just presented and to Mr. Kuprewicz  
21 and to you, Mr. Blanch. Appreciate the discussion  
22 and the information. We will make a Board decision  
23 on whether to accept or reject the 2.206 petition and  
24 to further discuss, and we'll provide information,  
25 and we'll provide answers back, and we'll provide the

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1 court reporting of this -- transcripts of this call.

2 With that in mind, let me ask the court  
3 reporter if there's any additional need for  
4 information for the meeting transcript? You may have  
5 to do \*1, court reporter.

6 MS. SHAPIRO: Hi, this is Geri Shapiro  
7 from Senator Gillibrand's office. -- give me some  
8 kind of a time line, in terms of now that you've heard  
9 the questions raised, when they will be answered --

10 (Telephonic interference.)

11 -- time line. The other two is several elected  
12 offices on this phone call. We would like to be able  
13 to get copies of the responses, so that we can get  
14 the material directly, also.

15 CHAIR MILLER: Thank you. This is Chris  
16 Miller. We certainly will provide that information  
17 if you can identify the other offices that are on  
18 (Simultaneous speaking).

19 MS. SHAPIRO: I would tell you to send  
20 them to the entire congressional delegation. I don't  
21 know whether they're all on or not. I know we have  
22 two of us on from Senator Gillibrand's office. I  
23 know that Congresswoman Lowey's office is on. The  
24 thing is I guess I wanted the time line and equally  
25 important, what do you see as the time line here?

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1 MR. PICKETT: This is Doug Pickett. We  
2 need to see the questions from Mr. Blanch and Mr.  
3 Kuprewicz. I really can't give you a good estimate  
4 right now. We'll have to have an internal meeting  
5 with PRB after this, I think in the next few weeks.  
6 Then we're going to have to discuss what the time and  
7 the questions are. We're probably talking a good six  
8 weeks.

9 CHAIR MILLER: This is Chris Miller.  
10 The process, as Doug was laying it out, we have a  
11 couple other things that we have to get. When we get  
12 the questions from Mr. Blanch and additional  
13 information that we need to consider, then  
14 we'll -- and we need to get the transcribed report.  
15 We'll get the transcribed report out to all parties,  
16 and that includes the Board members. Then we'll meet  
17 as a Board. I would expect that's going to be two  
18 to three weeks out, if not more. Then the Board will  
19 make a recommendation. And there's two ways that  
20 could go. the Board could say we should accept this  
21 petition and look at the merits of it and do further  
22 information, or the Board could say there's no  
23 additional information than what was already  
24 provided, and then we provide a final report on that.  
25 But yes, we can't give you an exact time line, but

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1 it's a number of weeks out.

2 MS. SHAPIRO: Thank you.

3 MS. WARREN: Good afternoon. My name is  
4 Barbara Warren. I'm with Citizens' Environmental  
5 Coalition. I guess I'd like to understand did NRC  
6 just accept the Entergy evaluation, or did you do an  
7 independent evaluation yourselves? Also, did you  
8 include real-world information, such as the  
9 experience that happened in San Bruno, California  
10 with the exploding pipeline?

11 MR. BEASLEY: This is Ben Beasley. Yes,  
12 ma'am, we did a confirmatory analysis. We did our  
13 own analysis. We did not just accept the Entergy  
14 numbers. That is our practice. When a licensee  
15 sends us information, we confirm it. So we did do a  
16 complete confirmatory analysis.

17 CHAIR MILLER: This is Chris Miller, and  
18 I'll add on to that. In Region 1, you can let me  
19 know if you have additional, but what our part in the  
20 process for this pipeline is, the NRC part, is to  
21 evaluate the Licensee's calculations for whether  
22 there's any impact to equipment that's relied upon to  
23 safely shut down the plant. They do what is called  
24 a 50.59 evaluation. The Licensee did that  
25 evaluation. They weren't required to submit to us,

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1 but we reviewed that in a separate inspection and  
2 provided that input in an inspection report. I think  
3 that inspection report was issued sometime in  
4 November. Is that right, Region 1?

5 MR. SETZER: Yes, Chris. Hi, this is  
6 Tom Setzer. November 7th, in the third-quarter  
7 inspection report, that's the integrated report  
8 that's the residents' right. That's probably  
9 available in there. In a modification sample that  
10 we did, we did document the inspection of what you  
11 just discussed.

12 MS. WARREN: You did consider the San  
13 Bruno situation in your evaluation, where they had  
14 trouble finding the valve to shut off the gas?

15 MR. SETZER: No, ma'am, we didn't --

16 (Telephonic interference.)

17 -- specific event. The analysis we did  
18 was a conservative analysis that assumes a release.  
19 We did do two evaluations, the three-minute release,  
20 but it wasn't just three minutes. It assumed a  
21 three-minute closure, but the release was longer than  
22 that. Then we did a one-hour release, so it was a  
23 bounding analysis that we prepared.

24 MR. MCCOPPIN: This is Mike McCoppin.  
25 In addition, we also had an independent

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1 (Telephonic interference.)

2 -- there's a peer review to the original  
3 reviewer, to confirm his conclusion.

4 MR. BLANCH: Okay, this is Paul Blanch  
5 again. I'd just like to make a couple more  
6 statements. The intent of my petition was not to  
7 take a --

8 (Telephonic interference.)

9 -- against Entergy or the Licensee of  
10 Indian Point. The intent of my petition, while it  
11 was couched that way, was really intended to assure  
12 nuclear safety. I'm not looking for retribution  
13 against Indian Point.

14 I think I've made a fairly convincing  
15 argument, supported by the NRC documents, that  
16 inaccurate, incomplete information was sent to the  
17 NRC on a couple of occasions because I believe that  
18 to be the case. I think that FERC needs to be  
19 informed by the NRC that the NRC's analysis may have  
20 been faulty. I would like to know if the NRC will  
21 contact FERC and say there's a question related to  
22 our analysis, or is it a foregone conclusion the  
23 pipeline's going to go ahead?

24 CHAIR MILLER: Yes, this is Chris Miller.  
25 Mr. Blanch, the question I believe you have is are we

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1 going to contact FERC and tell them that they need to  
2 reverse their decision? Is that an accurate  
3 restatement?

4 MR. BLANCH: That's pretty accurate.

5 CHAIR MILLER: That's going to be up to  
6 what the Board determines once they evaluate the  
7 additional information that's provided --

8 MR. BLANCH: This could be a year from  
9 now?

10 CHAIR MILLER: That's not our time line.  
11 That's not our scheduled time line, but it will take  
12 some time.

13 MR. BLANCH: Paula Claire has one more  
14 question.

15 CHAIR MILLER: Okay.

16 MS. CLAIRE: Hi. My question is -- oh,  
17 Paula Claire. I'm a resident of Garrison, and also  
18 a co-founder of the Stop The Algonquin Pipeline  
19 Expansion. My question is you talk about the safe  
20 shutdown of Indian Point in the event of a pipeline  
21 rupture. I'm concerned about -- what about the  
22 containers of spent fuel that are stored there? Are  
23 you also considering that as a part of the safe  
24 shutdown of the nuclear facility? Because they're  
25 highly radioactive. If a rupture occurred, it would

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1        seem to me that they would be in jeopardy, especially  
2        the ones in the spent fuel pools, which are the  
3        majority. So that's my question.

4                MR. PICKETT: Hold on, we're going to  
5        pause for just for a second before we respond. This  
6        is Doug Pickett speaking. We just got a chance to  
7        talk to our reviewer. The residual location is the  
8        entity -- the spent fuel storage canisters. They are  
9        rather far away from the pipeline. We have drawings  
10       in front of us, and we looked at where we anticipate  
11       the one-pound over pressure and the critical heat  
12       flux to occur, and it would not approach the entity's  
13       canisters. We do not believe it would impact the  
14       spent fuel pool -- spent fuel storage facility at  
15       all.

16               MS. CLAIRE: If it affected the switch  
17       yard, that affects the cooling of the spent fuel  
18       pools.

19               MR. PICKETT: The idea is that the switch  
20       yard, if that were taken out, there are emergency  
21       diesel generators on site to provide you on-site  
22       emergency AC power. That will supply you the cooling  
23       to the spent fuel pools.

24               MS. CLAIRE: Okay, so are you saying that  
25       the spent fuel would be safe in the event of a

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1 rupture?

2 MR. PICKETT: That is correct. That's  
3 assuming you lose the switch yard, and you would lose  
4 off-site power, but it has emergency on-site AC power  
5 supplies, in the way of diesel generators, to supply  
6 you the critical cooling that you would need for the  
7 spent fuel pools.

8 MS. CLAIRE: What about the heat blast  
9 that Rick Kuprewicz had mentioned? Wouldn't that be  
10 a factor?

11 CHAIR MILLER: This is Chris Miller.  
12 The NRC did a look, and I've got the reviewer sitting  
13 here with me, so pipe up if I say the wrong thing,  
14 but we did a look a couple of times by different  
15 people looking at two key things. One is the blast  
16 and the pressure wave from any expected blast. That  
17 was done by a computer modeling program that we use,  
18 and we have used it for our nuclear facility. We've  
19 used it for the new reactors that are being built.  
20 We used this model to predict gas explosions and heat  
21 flux. That model was run and found that it did not  
22 affect these related structures needed to cool the  
23 reactor itself or the fuel in the spent fuel pools.  
24 That was the pressure wave. For the heat flux, the  
25 same thing. We could determine those calculations

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1 using that computer model that was run on several  
2 different occasions found that the heat flux would  
3 not be a factor to damage those safety-related  
4 components.

5 MS. CLAIRE: I think I would like to see  
6 the analysis that was done to address the spent pools  
7 in the event of a rupture. Thank you.

8 MR. PORRECO: Hi. Good afternoon, this  
9 is Tony Porreco. I'm the court reporter. I have a  
10 few questions for Mr. Pickett.

11 CHAIR MILLER: Go right ahead.

12 MR. PORRECO: Mr. Pickett, at the  
13 conclusion of the hearing, would you be able to  
14 provide me with a list of the about 20 NRC staff  
15 members? I just was trying to get everyone's names.

16 MR. PICKETT: Sure, I just send it to  
17 court reporters?

18 MR. PORRECO: Yes, can I provide you with  
19 an email address?

20 MR. PICKETT: Sure.

21 MR. PORRECO: Sure. Okay, it's P, as in  
22 Paul, O-R-R-E-C-O-A at gmail.com.

23 MR. PICKETT: That's C-O-R-R-E-C-O-L?

24 MR. PORRECO: E-C-O-A. A, as in apple,  
25 and the first letter is P. P, as in Paul.

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1 MR. PICKETT: P-O-R-R-E-C-O-A?

2 MR. PORRECO: Yep, at Gmail.

3 MR. PICKETT: Gmail, okay.

4 MR. PORRECO: Thanks.

5 CHAIR MILLER: At Gmail.

6 MR. PORRECO: Appreciate it.

7 MR. PICKETT: Okay, thank you.

8 MS. BORGIA: It's Catherine Borgia,  
9 Westchester County legislator representing parts of  
10 Peekskill and Cortlandt. My question is a positive  
11 question. Since you are doing this, actually, a  
12 little bit, by Mr. Shapiro and Mr. Blanch, I was  
13 thinking of this since you are doing a re-look, given  
14 today's questions, will there be any level of  
15 communication to FERC that this is happening, as they  
16 are considering the possible recertification?

17 MR. PICKETT: This is Doug Pickett  
18 speaking. We are going to have to look at the  
19 questions from Mr. Blanch and Mr. Kuprewicz. We're  
20 going to have an internal meeting of the Petition  
21 Review Board. We will determine whether or not we  
22 need to redo our analysis, and we will not be  
23 contacting FERC unless we determine that we have a  
24 problem with our own conclusions. So right now, we  
25 do not plan on communicating with FERC. We will not

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1 do that until we make the determination that we are  
2 in error.

3 MR. BLANCH: Okay, we've got to end this,  
4 but I've gone one last question from a local resident  
5 who will introduce himself and ask the final  
6 question. Thank you.

7 MR. VAUGHEY: Yes, hello. My name is  
8 Vernard Vaughey, V, as in Victor, A-U-G-H-E-Y. My  
9 question hopefully is simple. Since it appears that  
10 the NRC will not send something to FERC to suspend  
11 the project, will the NRC consider, based upon all  
12 these questions and these unknowns, sending a request  
13 to FERC to not issue a notice to proceed for any of  
14 the work in Cortlandt until the NRC has their  
15 determination made, be it three weeks, three months,  
16 or three years?

17 CHAIR MILLER: This is Chris Miller.  
18 We're discussing -- I understand the gist of your  
19 question, and we're just discussing options of what  
20 we could do to discuss the situation with FERC so  
21 we could --

22 MR. KUPREWICZ: I don't mean to  
23 interrupt -- this is Rick Kuprewicz. I'm going to  
24 have to sign off because I've got another commitment.  
25 Paul, you'll fill me in later? Thank you.

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1 MR. BLANCH: Thank you very much, Rick.

2 MR. VAUGHEY: There's no sense in  
3 starting the work on this if the NRC has questions.  
4 There is not one rationale for FERC to allow work to  
5 commence if there's a possibility of there being any  
6 changes or revisions. That's my reason for asking  
7 that the NRC request FERC not issue a notice to  
8 proceed on the work in Cortlandt.

9 CHAIR MILLER: This is Chris Miller. We  
10 talked about it, and what we can do -- I will share  
11 information that -- we haven't been sharing all the  
12 parts. We've had a lot of discussions with a lot of  
13 people in agencies, etcetera. We've been in  
14 communication with FERC a number of times through  
15 this process, including talking about the blast  
16 analysis that we did.

17 They're aware of the blast analysis that  
18 we conducted. We've had those conversations on  
19 various levels. What we will do is we will send a  
20 note or contact our contacts at FERC and let them  
21 know that there's a concern, based on Mr. Blanch's  
22 2.206 petition. We'll take that action. We can't  
23 really request them to take additional action beyond  
24 that until we get more detail from our Board. That's  
25 what our plan is but we will let them know that this

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1 is in progress.

2 MR. VAUGHEY: That letter will be public,  
3 at least our elected representatives will have access  
4 to it?

5 CHAIR MILLER: I'm not sure that we're  
6 going to send them a letter. We were planning on a  
7 call or an email to our representatives. Like I  
8 said, we've been talking at different levels to FERC  
9 throughout this process, so I'm confident that FERC  
10 knows that there is a petition, and that there is a  
11 blast analysis that's been done, that there've been  
12 calculations that have been done using the ALOHA  
13 code.

14 I can say that with confidence that we've  
15 had those discussions with them, but we were planning  
16 on a phone call and/or email, however we can send  
17 that information to them.

18 MR. BLANCH: Okay, we're all getting a  
19 little bit tired here. I appreciate your time,  
20 ladies and gentlemen. I'm not sure where we go from  
21 here. I'll just reiterate we need an independent  
22 risk assessment. Again, thank you for your time, and  
23 we look forward to hearing from you. From our end,  
24 that's the end of this particular discussion. Thank  
25 you.

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1 CHAIR MILLER: Thank you, and for all  
2 those who participated, we appreciate it, and we look  
3 forward to receiving the additional information.

4 MR. BLANCH: Okay, thank you very much.

5 CHAIR MILLER: Thank you, bye bye.

6 (Whereupon, the above-entitled meeting  
7 went off the record at 4:04 p.m.)  
8  
9  
10

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