

November 21, 2016

Reference: Docket ID NRC-2016-0187

Docket Nos. 50-387, 50-388 & 72-28-LT-2

In the Matter of:

Susquehanna Nuclear, LLC

Susquehanna Steam Electric Station, Units 1 and 2

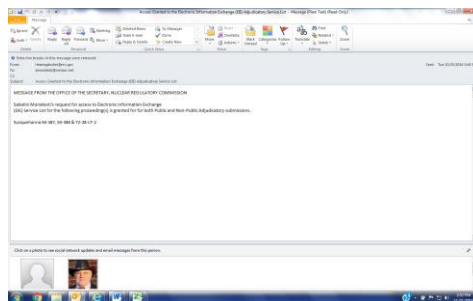
To: Jeremy L. Wachutka
Counsel for the NRC Staff
U.S. Nuclear Regulatory Commission
Mail Stop o14-A44
Washington, D. C. 20555-0001
Telephone: (301) 287-9188
Email: Jeremy.Wachutka@nrc.gov

Cc: Attachment 1

Reference: I provide with attachments a finding's of fact document regarding my analysis, and a response to denial of my request for release of SUNSI. Mr. Wachutka's response and the response to date of the NRC to my request fail to address these issues:

- (1) My attempts to file electronically, via Vista operating system, until notified that it was not compatible with EIE (Reference Attachment 2),
- (2) Numerous contacts with help desk, to obtain navigation aide and my attempts to obtain a local copy of Windows 7, finally enabling me to access EIE (October 25, 2016);
- (3) Delay between request for access and when information access to EIE was enabled;
- (4) my prompt response once I was able to file; and finally,
- (5) NRC procedures were unfamiliar to me hence contributing to additional delay.

Access Granted:



From: Sabatini Monatesti
President, ES Enterprises Inc.
919 Belair Drive
Berwick, PA 18603

Introduction:

Mr. Wachutka notes and requests the Board deny my request for additional information. He believes that I improperly filed my request, that I do not require additional time; that I have been unresponsive to the matter at hand, that I have no standing regarding the proceedings dealing with SSES indirect license transfer, and that I have no justification for any late filing. I disagree totally, and request that the Atomic Safety and Licensing Board ignore Mr. Wachutka's position. I believe the circumstances surrounding my request (original request via FAX October 11, 2016), the difficulties surrounding the system and procedural complexity for the citizen (required Windows 7 to establish a viable CERT), and the potential Riverstone Holdings LLC business failure, I outline below, require that the Board extend its consideration and grant me clemency and leniency regarding this matter.

Situation:

- Denial of access to SUNSI data prohibits the citizen from completing due diligence regarding the viability of Riverstone Holdings LLC ability to mitigate risk. The data contends that Riverstone Holdings LLC mitigation strategy is suspect, thus without thorough investigation implies that lack thereof would influence their ability to effectively manage the SSES license over a 20 year life span.
- NRC action to withhold SUNSI data and the secrecy surrounding its release, and the complexity regarding access to EIE contributes to suspicion of wrongdoing and potential cover up of potential business failure.
- The NRC action does not take into consideration the bias supporting established entities, i.e., contributed to by procedural/regulatory system impediments, further perpetrating the "Trump's ism, that the system is rigged against the citizen."

Problem:

- My multiple attempts to comply with NRC procedures and system undermined, due to lack of citizen understanding of IT system requirements.
- My modeling work awaits validation; i.e., to access risk impact on revenue stream and cost of operations, using my vulnerability-threat matrix Risk Assessment Model, reference Attachment 3. The average impact without a viable risk strategy estimated to be \$700 Million per year. This risk adjusted dollar estimate severely affects my original Net Present Value (NPV) calculation, putting this business proposition and SSES subsequent license transfer at significant risk.
- This operating environment could potentially contribute to a cost to the citizen, given site becomes a super fund site, or the site is unable to produce power effectively or efficiently.
- Further, if site is unable to sustain 3,000 metric tons of waste, or local fire and police are unable to secure the site or provide for a mandated evacuation of the Ingestion Pathway Zone, Reference Talen Energy – NRC Ethics Example and Talen Energy ethics complaint TALN-16-04-0004, we find ourselves placed at significant risk.

Implication:

- The probability for concurrent risk is real, reference Talen Energy SEC filing
- Cost to operations and continued support for health and safety, as well as, continued investment in technology, given significant concurrent risk is high, my estimate \$700 Million per year, is in doubt.
- NPV calculation, modified by risk impact, demonstrates that the 20 year life cycle for SSES Units 1 and 2 could not be sustained

Needs:

- As requested October 11, via FAX, a thorough review of this business proposition, a suggested open hearing, in the Plume Exposure Zone, would be appropriate; i.e., where these issues could be reviewed
- NRC releases SUNSI data for citizen to complete analysis and validate Assessment Risk model

Regards,

Sabatini J. Monatesti

Jeremy L. Wachutka Response – Counsel for the NRC Staff – Reference Letter:
November 7, 2016

ATTACHMENT 1

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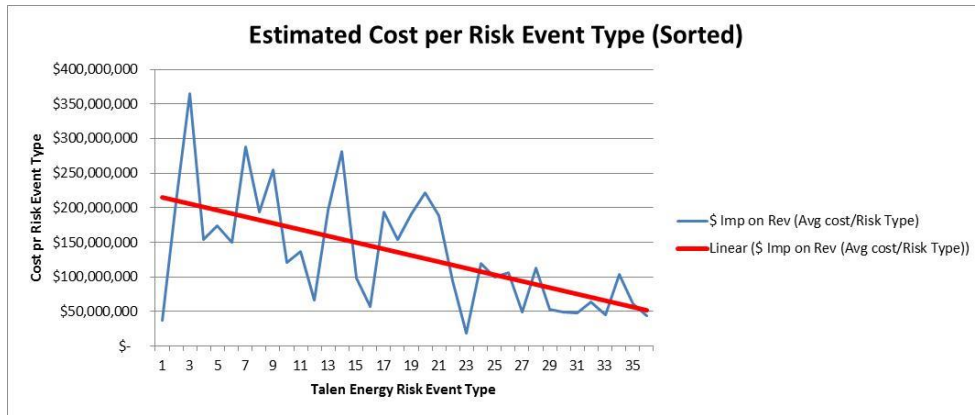
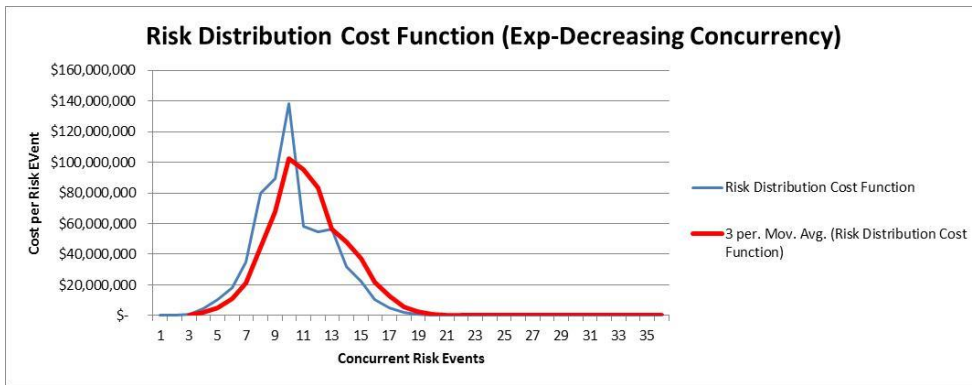
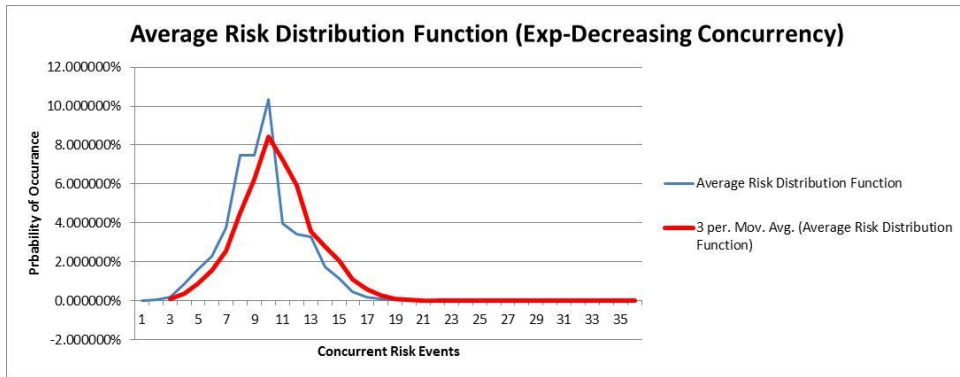
Jeremy L. Wachutka Response – Counsel for the NRC Staff – Reference Letter:
November 7, 2016

ATTACHMENT 2	
March 2, 2016	Annual Assessment Letter for Susquehanna Steam Electric Stations, Units 1 and 2 (Report 05000397/2015006 and 05000388/2015006 – NRC issued one Severity Level IV traditional enforcement violation to SSES
April 19, 2016	Note, SJM, NRC list ML 15078A458, Talen Energy Susquehanna Steam Generation, request to build additional storage capacity on site for spent fuel rods
April 20, 2016	Salem Twp. Zoning board grants appeal to nuke plant owner
April 27, 2016	Letter, SJM to Dan Schroeder, NRC, Talen Energy Ethical Misconduct
April 28, 2016	SJM, submission of Talen Ethics Violation, TALN-16-04-0004
April 29, 2016	Talen Energy Acknowledgement
May 16, 2016	http://www.Pennlive.com ,Power failure triggers emergency shutdown at PA nuclear reactor
May 18, 2016	SJM, Health and Safety review –Susquehanna Site, Open House, NRC list ML 15078A458, NUC position problem statement
May 19, 2016	SJM, complaint filed with U.S. Rep. Lou Barletta PA-11
May 25, 2016	SJM, post Talen Energy – NRC Ethics Example, https://www.linkedin.com/pulse/talen-energy-nrc-ethics-example-sabatini-monatesti?trk=mp-reader-card
May 28, 2016	SJM, Outline concerns regarding Talen Energy ethics, NRC list ML 15078A458
July 28, 2016	NRC Victor M. McCree, Executive Director For Operations to United States Representative, L. Barletta
August 14, 2016	Berwick-area plant secure despite cuts
October 11, 2016	SJM, ES Enterprises Inc. FAX, Secretary USNRC, Associate General Counsel, Request for Hearing and Information request - License Transfer
October 11, 2016	Hearingdocket@nrc.gov acknowledges request for hearing and information
October 17, 2016	SJM, email to Hearing.Docket@nrc.gov , Talen Energy License Transfer, SUNSI request under review, instructions for cert., access http://www.nrc.gov , Electronic Submittals, Attachment 4
October 20, 2016	Tanya Hood, denying SUNSI access
October 24, 2016	SJM email to Hearing.Docket@nrc.gov concerns outlined
October 24, 2016	Shareholders sue to block Talen’s sale to Riverstone, Morning Call, Scott Kraus
October 24, 2016	Shareholders vote to approve Riverstone takeover
October 24, 2016	SJM, RE: Susquehanna – Challenge to Access to SUNSI Denial, hearing.docket@nrc.gov
October 25, 2016	I attempted to access site using VISTA, learned later Metasystems Help Desk that VISTA was not a compatible operating system, Ivan Venezuela was very helpful
October 25, 2016	Access Granted to the Electronic Information Exchange Adjudicatory Service List
October 25, 2016	E. Roy Hawkens, Chief Admin. Judge, posts my request, dated October 11, for hearing
October 27, 2016	Top Executives at Riverstone Holdings Face Prospect of Returning More Than \$300 Million, http://www.wsj.com
October 27, 2016	Establishment of Atomic Safety and Licensing Board, ASLBP No. 16-949-01-LT-BD01
October 30, 2016	SJM electronic filing, Talen Energy Corp Riverstone Holdings LLC Transfer Order 10 CFR 5080

Jeremy L. Wachutka Response – Counsel for the NRC Staff – Reference Letter:
November 7, 2016

November 1, 2016	Notice of Appearance T. J. V. Walsh, following outreach from Mr. Lewis, I deferred to NRC review
November 2, 2016	Receipt of my submission acknowledged, Talen Energy Corp Riverstone Holdings LLC Transfer Order 10 CFR 5080
November 3, 2016	Receipt of my submission acknowledged, Talen Energy Riverside Holdings LLC Vulnerability Threat Matrix
November 3, 2016	Susquehanna Nuclear’s Motion for Leave to Respond to Mr. Sabatini Monatesti’s Challenge, David R. Lewis & Timothy J. V. Walsh, PWSP LLP
November 3, 2016	SSES plant pump failure
November 4, 2016	Notice of EIE post – My response to Walsh Request for Leave to Respond
November 7, 2016	81 FR 76974 Sunshine Act Meeting Notice
November 7, 2016	Jeremy L. Wachutka, Counsel to NRC Staff, reflections on my request
November 21, 2016	My response

ATTACHMENT 3



Jeremy L. Wachutka Response – Counsel for the NRC Staff – Reference Letter: November 7, 2016

ATTACHMENT 4

This screenshot shows the 'Digital Credential Request - Confirmation' page on the NRC's external credentialing service. The page features the NRC logo and navigation tabs for 'ENROLLMENT' and 'LOGIN'. The main heading is 'Digital Credential Request - Confirmation', followed by a prompt to click the 'Submit' button. Below this is a 'Registration Information' section containing a form with the following details: Full Name: Sabatini J Monatesti; Company Name: ES Enterprises Inc.; Business Email: smonatesti@verizon.net; Company Phone Number: 570-752-8484. Security questions include 'What street did you live on in third grade?' (Answer: First Avenue) and 'What was your childhood nickname?' (Answer: Hawk). An 'Applicant Note' states: 'I am interested in investigating the following: • ROI and impact deal will have on the unit price for energy?'. At the bottom are buttons for 'Back', 'Submit', 'Cancel', and 'Print'.

This screenshot shows the 'Please enter the following information and then click Continue to go to next screen.' page. It contains several input fields: First Name (Sabatini), Middle (J), Last (Monatesti), Suffix, Company Name (ES Enterprises Inc.), Business Email (smonatesti@verizon.net), Company Phone Number (570-752-8484), and Extention. There are also fields for 'Create Password' and 'Confirm Password'. Below these are 'Authentication Questions' with dropdown menus for 'Security Question 1' (What street did you live on in third grade?) and 'Security Question 2' (What was your childhood nickname?). The 'Applicant Notes' section contains a text area with the note: 'I am interested in investigating the following: • ROI and impact deal will have on the unit price for energy?'. 'Continue' and 'Cancel' buttons are at the bottom.

This screenshot shows the 'Request Submission Acknowledgement' page. It features the NRC logo and navigation tabs for 'ENROLLMENT' and 'LOGIN'. The heading is 'Request Submission Acknowledgement', followed by a message: 'Your request for a NRC Software Digital Certificate credential was successfully submitted. The request has been forwarded for additional processing and you will be notified via email of its progress.' Below this is contact information for the Support Center: 'If you have any questions, please contact the Support Center for your NRC application: EMail - AdvisoryForms; Email - Meta_System_Help_Desk.Resource@nrc.gov; Telephone - 1-866-672-7640'. The page concludes with 'Thank you.', 'NRC Identity, Credential, and Access Management Services', and a prompt to 'Please press Done to finish.'.