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Pilgrim Nuclear Power Plant

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Edited by Rich Guzman, NRC Petition Manager

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1 UNITED STATES OF AMERICA

2 NUCLEAR REGULATORY COMMISSION

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4 10 CFR 2.206 PETITION REVIEW BOARD (PRB)

5 CONFERENCE CALL

6 RE

7 PILGRIM NUCLEAR POWER PLANT

8 + + + + +

9 MONDAY

10 AUGUST 9, 2010

11 + + + + +

12 The conference call was held, Theodore
13 Quay, Chairperson of the Petition Review Board,
14 presiding.

15 PETITIONER: MARY ELIZABETH LAMPERT

16 PETITION REVIEW BOARD MEMBERS:

17 THEODORE QUAY, Deputy Director

18 Office of Nuclear Reactor Regulation

19 RICHARD GUZMAN, Petition Manager for 2.206 petition

20 TANYA MENSAH, Petition Review Board Coordinator

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23
24
25 NRC HEADQUARTERS STAFF:

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8 Counsel.

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P R O C E E D I N G S

(2:01:57 p.m.)

MR. GUZMAN: I'm going to kickoff the discussion for today. And I guess before we get into introductions, I'll just say a couple of introductory remarks.

My name is Rich Guzman, Project Manager in the Office of Nuclear Reactor Regulation, or NRR. I'd like to thank everybody for their coordination efforts, and attending this meeting.

The purpose of today's conference call is to allow the Petitioner, Mary Lampert, to address the Petition Review Board regarding the 2.206 Petition dated July 19th, 2010, which is titled "Pilgrim Watch 2.206 Petition Regarding Inadequacy of Entergy's Management of Non-Environmentally Qualified Inaccessible Cables and Wiring at Pilgrim Station." I am the Petition Manager for the Petition.

MS. LAMPERT: And, also, you'll be discussing the Supplement, I presume.

MR. GUZMAN: We did receive the Supplement, Mary Elizabeth. We have distributed it amongst the group here. The Petition Review Board, or PRB Chairman is Ted Quay. And before I briefly go over the agenda, if we can go through introductions.

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1 So, I'd like to open this meeting, we'll start at our
2 end of the room of the bridge line. I ask that you
3 clearly state your name, your position, and your
4 office or organization for the record. So, I'll start
5 off. Again, it's Rich Guzman, Project Manager in the
6 Office of NRR.

7 MR. McCONNELL: I am Matthew McConnell.
8 I'm a Senior Electrical Engineer in NRR.

9 MR. STUCHELL: I'm Sheldon Stuchell,
10 Senior Project Manager in the Office of NRR.

11 MS. UTTAL: Susan Uttal, Senior Attorney,
12 OGC. I'm observing.

13 MS. GOLDEN: Laura Golden, Attorney, OGC.

14 CHAIR QUAY: Ted Quay, Office of Nuclear
15 Reactor Regulation.

16 MS. REGNER: Lisa Regner, Senior Project
17 Manager.

18 MS. POPOVA: I'm Alex Popova, and I'm from
19 NRR, just observing.

20 MR. GUZMAN: And that's introductions here
21 at NRC Headquarters. And, at the time, are there any
22 NRC participants from Headquarters on the Bridge Line?

23 MS. MENSAH: This is Tanya Mensah. I'm
24 the 2.206 Coordinator. And before I pass it on, I
25 just wanted to clarify that the meeting is being

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1 recorded by the NRC Operations Center, and it will be
2 transcribed, and the transcript will become a
3 supplement to the Petition. And the transcript will
4 also be made publicly available.

5 MS. LAMPERT: How long will it take to get
6 on ADAMS?

7 MS. MENSAH: As soon as Rich Guzman is
8 provided with the transcript by the court reporter.
9 He sends it out for comment so everyone can clarify
10 any - if there are any errors, or anything, as far as
11 typos for names. Generally, he can put it in ADAMS
12 immediately, it just depends on how fast everyone can
13 review it. You'll receive a copy of the transcript,
14 as well, but it will be public.

15 MR. GUZMAN: Mary, I expect it to be
16 within the week, but I'll certainly notify you once we
17 get it through the transcription service. Is there
18 anyone else, Tanya? I guess that -- well, actually,
19 from the Region, you can go through.

20 MR. DODSON: Hi, Doug Dodson, Project
21 Engineer, Region I.

22 MR. GUZMAN: All right. Are there any
23 representatives for the licensee on the phone?

24 MR. LYNCH: This is Joe Lynch, Licensing
25 Manager, Entergy/Pilgrim.

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1 MS. CHOE: And this is Jeannie Choe from
2 Entergy Legal.

3 MR. GUZMAN: Okay. Ms. Lampert, if you
4 could just introduce yourself, and also your
5 colleagues or associates that plan on supporting the
6 presentation today.

7 MS. LAMPERT: Mary Lampert, Pilgrim Watch
8 Director, and why doesn't everybody who's on introduce
9 themselves? I think that would be easier.

10 MR. BLANCH: Yes. My name is Paul Blanch.
11 I'm an energy consultant, I'm an electrical engineer.

12 MS. LAMPERT: Serving as an expert witness
13 for us.

14 MR. GUNTER: This is Paul Gunter, Beyond
15 Nuclear in Tacoma Park, Maryland. I'm just listening
16 in, and I will be on mute.

17 MS. CHIN: This is Rebecca Chin. I Co-
18 Chair the Duxbury Nuclear Advisory Committee, and we
19 join the Petitioner in this case. And I will mostly
20 be observing and listening.

21 MR. GUZMAN: Okay. Is there anyone else
22 for the public on the bridge line?

23 Okay. I'll go ahead and provide a brief
24 overview of the agenda. Again, the meeting is
25 scheduled from 2:00 to 3:00 p.m. Eastern Time. And as

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1 Ms. Mensah mentioned, it is recorded by the NRC
2 Operations Center, and will be transcribed by a court
3 reporter.

4 Following my introduction, I'll turn it
5 over to the PRB Chairman for his introduction. And
6 then followed by Ms. Lampert's presentation, which is
7 scheduled to be about 30-35 minutes, and finally hand
8 it back over to the PRB Chairman, who will conclude
9 the meeting with closing remarks.

10 I'd like to emphasize that we each need to
11 speak clearly and loudly to make sure that the court
12 reporter can accurately transcribe this meeting. And
13 if you do have something that you would like to say,
14 please first state your name for the record. And, Mr.
15 Gunter, you mentioned you were going to mute. For
16 those dialing into the meeting, if you could remember
17 to mute your phones to minimize any background noise.

18 If you do not have a mute button, this can be done by
19 pressing the keys *6, and then to unmute press *6 keys
20 again. Thanks.

21 So, at this time, I'll turn it over to the
22 PRB Chairman, Ted Quay.

23 CHAIR QUAY: Good afternoon. Welcome to
24 this meeting regarding the 2.206 petition submitted by
25 Mary Lampert. I'd like to share, first, some

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1 background information on our process.

2 Section 2.206 of Title 10 of the Code of
3 Federal Regulations describes the petition process,
4 the primary mechanism for the public to request
5 enforcement action by the NRC in a public process.
6 This process permits anyone to petition NRC to take
7 enforcement-type action related to NRC licensees, or
8 licensed activities.

9 Depending on the results of its
10 evaluation, NRC could modify, suspend, or revoke an
11 NRC-issued license, or take any other appropriate
12 enforcement action to resolve a problem. The NRC
13 staff's guidance for the disposition of 2.206 petition
14 requests is in Management Directive 8.11, which is
15 publicly available.

16 The purpose of today's meeting is to give
17 the Petitioner an opportunity to provide any
18 additional explanation or support for the petition
19 before the Petition Review Board's initial
20 consideration and recommendation. This meeting is not
21 a hearing, nor is it an opportunity for the Petitioner
22 to question or examine the Petition Review Board on
23 the merits, or the issues presented in the petition
24 request. No decision regarding the merits of this
25 petition will be made at this meeting.

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1 Following this meeting, the Petition
2 Review Board will conduct its internal deliberations.

3 The outcome of this internal meeting will be
4 discussed with the Petitioner. The Petition Review
5 Board typically consists of a Chairman, usually a
6 Manager at the Senior Executive Service Level at the
7 NRC, and has a Petition Manager, and a Petition Review
8 Board Coordinator. Other members of the Board are
9 determined by the NRC staff based on the content of
10 the information in the petition request.

11 At this time, I would like to introduce
12 the Board. I am Ted Quay, the Petition Review Board
13 Chairman. Rich Guzman is the Petition Manager for the
14 petition under discussion today. Tanya Mensah is the
15 Office Petition Review Board Coordinator. Our
16 technical staff includes Sheldon Stuchell from the
17 Office of Nuclear Reactor Regulations, Licensing
18 Process Branch; Matt McConnell from the Office of
19 Nuclear Reactor Regulations, Electrical Engineering
20 Branch; Douglas Dodson from NRC Region I, Division of
21 Reactor Projects. We also obtain advice from our
22 Office of General Counsel, represented by Laura
23 Golden.

24 As described in our process, the NRC staff
25 may ask clarifying questions in order to better

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1 understand the Petitioner's presentation, and to reach
2 a reasoned decision whether to accept or reject the
3 Petitioner's request for review under the 2.206
4 process.

5 I would like to summarize the scope of the
6 petition under consideration, and the NRC activities
7 to-date. On July 19th, 2010, Ms. Lampert submitted to
8 the NRC a petition under 2.206 regarding Entergy's
9 management of non-environmentally qualified
10 inaccessible cables and wirings in the Pilgrim
11 Station. In this request, Ms. Lampert requested the
12 NRC to issue a demand for information and order for
13 Entergy to demonstrate that all inaccessible cables at
14 Pilgrim Nuclear Power Station, referred to
15 subsequently as Pilgrim, are capable of performing
16 their intended function, be it safety or non-safety
17 related, certify that all cables inaccessible or
18 accessible have been identified as to their location,
19 age, repair history to both the NRC and public at
20 Pilgrim. And (B), monitored by the licensee prior to
21 continued operation to demonstrate that the cables can
22 perform their designed functions. And (C), includes a
23 monitoring program that incorporates various DOE and
24 EPRI guidelines, and NRC generic communications.
25 Also, asked that commits to verifying the licensee

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1 renewal period that Entergy's implementation through
2 the routine baseline inspections and commits to a
3 timely upgrade of regulatory guidance to provide
4 guidance for maintaining the cable qualification and
5 verification that the cables can perform their design
6 functions.

7 As the basis for this request, Ms. Lampert
8 states that Pilgrim, like all other nuclear power
9 plants, have thousands of submerged/underground
10 internal electric wiring and cables throughout the
11 plant that support safety and non-safety systems.
12 These systems are dependent upon electrical power to
13 perform its function to prevent major accidents.

14 The Petitioner is also concerned that the
15 loss of electrical power will increase the likelihood
16 of major radioactive releases to the environment.
17 Also, the Petitioner states that Pilgrim has a long
18 history of cables being submerged and/or wedged with
19 no verification of long-term operability of these
20 cables.

21 In addition, the Petitioner states that
22 Entergy and the NRC have ignored regulations that
23 provide reasonable assurance that these wires/cables
24 will function when required during reactor
25 emergencies.

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1 As a reminder for the phone participants,
2 please identify yourself if you make any remarks, as
3 this will help us in the preparation of the meeting
4 transcript that will be made publicly available.
5 Thank you.

6 At this point, I'm going to turn it over
7 to Ms. Lampert.

8 MS. LAMPERT: Yes. Good afternoon.
9 Number one, at this time, does NRC see any
10 shortcomings in the petition that would provide a
11 basis for its rejection? And, if so, could you please
12 enumerate shortcomings you see at this point. That's
13 a procedural question.

14 CHAIR QUAY: We're not going to do that,
15 because we're here to gather information from you
16 today.

17 MS. LAMPERT: Okay. Next point is, you
18 did a good job outlining the scope, and what we are
19 saying is that Pilgrim is currently in violation of
20 regulations today. And that the Aging Management
21 Program for the license renewal period does not
22 provide reasonable assurance. And, as importantly,
23 neither NRC or Entergy know the extent of violations,
24 because the necessary information that we requested is
25 not there. In particular, we understand that non-EQ

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1 inaccessible cables, and when we said cables and
2 wiring, we were including, and I want to make that
3 clear, cable splices and connectors in the package, so
4 it's the cable, cable splice, and connectors that is
5 the focus of this petition. That they are potentially
6 exposed to submergence or moisture; therefore, it's
7 very important for NRC and the public to know the
8 location of every single component under scope to
9 determine the probability of moisture.

10 This is particularly important at Pilgrim
11 because they have not performed an updated hydro geo
12 study using -- investigating the subsurface since the
13 pre-operational Dames & Moore study in 1967. This is
14 a concern of the Massachusetts Department of Public
15 Health, a concern in a contention brought forward for
16 license renewal on buried components, and a large
17 concern here.

18 There has been a change in climate
19 affecting tidal surges, and it's very important, as
20 the Brookhaven report pointed out at 4-18, that there
21 be real specific information on water table depth, and
22 how the water table is affected by tides, by the Bay,
23 by storms, by rain, by snow. Pilgrim is adjacent to
24 Cape Cod Bay, and moisture is a clear and present
25 issue.

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1 Also, we would like to know and the age
2 provided of all of these components, because the
3 Brookhaven report pointed out that they are
4 experiencing problems short of their 40-year license,
5 as early as 11 to 20 years, and so we want to know are
6 these original cables, how much has been replaced or
7 added, what the material is of these components, are
8 they qualified for submerged operation. Brookhaven
9 said they should be specifically procured as submarine
10 cables, and we would like to know a detailed
11 assessment of what the monitoring and testing
12 inspection history has been, and exactly what is
13 projected for the future.

14 For example, in the inspection report
15 which was provided in the supplement, we saw that
16 there are three samples of manholes, period. We would
17 like to know in that, for example, what percent that
18 is of the number of manholes that would be applicable.

19 Are there 30, are there 40, are there five? How many
20 are there? So, to understand how representative that
21 sample was.

22 We were told -- we read in that report
23 that one of the manholes was periodically found
24 submerged or partially submerged, and the other two
25 were always found submerged. And, more important,

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1 they identified that this was an ongoing problem, and
2 that Entergy has not been following the protocol. So,
3 I could go on, but I'd like to turn this over at this
4 point to Paul Blanch, who has recently retired from
5 the Millstone, a Nuclear Engineer specializing in
6 electrical engineering. So, Paul, why don't you
7 carry, and then I'll chime in, as others might also
8 want to do.

9 MR. BLANCH: Thank you, Mary. This is
10 Paul Blanch, again. Ted, it's been a few years since
11 we've had any conversations, I think, and Sheldon, we
12 talked last week about the submerging topic.

13 What I'd first like to do is, I wasn't
14 totally pleased about one of the responses the NRC
15 staff provided. And my concern is, did we meet the
16 legal threshold, or did we omit anything from the
17 requirements on the 2.206 petition. Now, I've read
18 Management Directive 8.11, I've read 2.206, and I just
19 wanted to make sure that there's not a shortcoming
20 within the verbiage of the petition and the
21 supplements that will say well, you forgot to do this.

22 I want to make sure that from your perspective,
23 there's not a legal shortcoming in the submission
24 that's just going to throw it out because every I is
25 not dotted, and T crossed. And I think that's a

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1 reasonable request at this time.

2 MS. MENSAH: This is Tanya Mensah. I'm
3 the 2.206 Coordinator. I think your question is fair,
4 and you're actually ahead of us. There are two
5 opportunities that are offered for the Petitioner to
6 address the PRB. The first is before the Petition
7 Review Board even meets internally to address that
8 question. So, at this point we're gathering
9 information from the Petitioner. We have the actual
10 petition, the supplement, and when we meet internally,
11 we're going to be looking at the criteria to determine
12 that, as well as if it meets the criteria for review,
13 or the criteria for rejection. So, at this point, I
14 don't think we can answer that question, because Ms.
15 Lampert indicated that she wanted to address the
16 Petition Review Board before we met internally to
17 address that.

18 MR. BLANCH: Okay. I was just wondering
19 whether there were any clear shortcomings, and from my
20 review in dealing with this Agency for many years, it
21 seems to be complete.

22 But, anyway, I would like to just start o
23 page 1 of the July 19th petition. I assume everyone's
24 got a copy. And it starts out in Paragraph 1,
25 "Inaccessible Cables." And I want to make sure that

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1 inaccessible cables is understood to mean the same
2 thing. It's those cables that are not readily
3 viewable by a normal person on his normal rounds.
4 This does not only mean buried cables, but it could be
5 cables within conduit, within buildings, and so and so
6 forth. So, it goes beyond just those cables that are
7 buried underground. It's inaccessible cable, and
8 these are cables that are, again, primarily covered
9 under 10 CFR Part 54, and 10 CFR 50.65, which is the
10 Maintenance Rule. And I want to make sure it's very
11 clear, because the Gall report is not very clear that
12 it covers high voltage, medium, low voltage, power
13 cables, control cables, and instrumentation cables,
14 and indicating cables for those systems that are
15 covered either under Part 54 or the Maintenance Rule.

16 And the second -- the first line of the
17 second paragraph, that "The NRC certifies," I'm not
18 sure certifies is the right word here, but I think the
19 intent here was to demonstrate that the plant is in
20 compliance with the Federal Regulations stated in 10
21 CFR.

22 Third line up from the bottom, there's
23 reference to "Regulatory Guidance." The intent there,
24 Mary, correct me if I'm wrong, it says, "Timely
25 upgrade to Regulatory Guidance." It's really meant to

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1 mean upgrades to demonstrate compliance with
2 Regulatory Requirements. We're talking requirements
3 here, not guidance.

4 MS. LAMPERT: Yes, that's correct.

5 MR. BLANCH: Guidance is not enforceable,
6 only regulations are enforceable.

7 Switching over to page 3, the bottom of
8 page 3 under "Degradation of conduits and submerged
9 cables," I want to make sure where it says "moist or
10 submerged environment," that the Staff takes into
11 consideration that it's not only moist and/or
12 submerged, that it could contain very, very high
13 concentration of salts, which is different from a lot
14 of plants that are located inland, Pilgrim, Seabrook,
15 Millstone, we all know that they're in a very
16 chemically corrosive environment, which makes them
17 different from somewhere like Palo Verde, or Wolfe
18 Creek.

19 Footnote Five at the end of page 3, where
20 it says, "General Design Criteria 4 within Appendix A
21 and 10 CFR 50." Now, Appendix B has to be included in
22 there, and it's intended to be included. Now, it says
23 in here, "General Design Criterion 4," and I know the
24 NRC has switched around the criterion, and I know it
25 normally refers to Criterion 4, but the NRC has this

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1 interpretation that some plants prior to July 17th of
2 1971. But whatever General Design Criteria it is, is
3 the one that's intended here. It's General Design
4 Criteria now as stated in Appendix A to 10 CFR 50.

5 The applicability of 50.49 is in question.
6 I believe that is covered by Environmental
7 Qualification, but I don't think that we're
8 questioning, Mary, correct me if I'm wrong, 50.49,
9 which is the Environmental Qualification Rule. We're
10 talking about non-environmentally qualified cables.

11 I'm just going through this. Again, as
12 Mary said before, we said wires, cables, but
13 connections, splices, and any other sealant material
14 that is used in connection of cables that are
15 inaccessible.

16 I'm on page 5 now. At the top of page 5,
17 the first full paragraph, it starts out, "The age and
18 degradation of wires is commonly the result of
19 deterioration of wiring insulation." There are
20 different aging mechanisms here, and one of the aging
21 mechanisms is just environmental exposure of the
22 insulation to the environment, whether it be just
23 normal environment, or moist, or wet, or salt. But
24 there's also another aspect of this that has to be
25 considered, that there's another aging mechanism, and

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1 I Sheldon and I discussed this in a conference call
2 last week, and that is when cables are energized and
3 carrying large amounts of current, there's a heating
4 factor that actually accelerates aging, sometimes
5 referred to as Ohmic Heating, O-H-M-I-C, or I Square R
6 Losses. Heating due to the current passing through
7 the wire, which is a different mechanism.

8 Let me see. I'm going through this.
9 Okay. The NRC typically responds -- I'm on page 6 now
10 under Item 14. And this is what I find totally
11 unsatisfactory, as far as a resolution to a regulatory
12 problem. If we look at number 14 it says, "The NRC
13 made its Information Notice 2002, 12 submerged
14 electrical cables they identified at Oyster Creek,
15 Pilgrim, Brunswick, Davis-Besse." Sheldon and I
16 discussed this at a conference call last week. I have
17 problem with the issuance of Regulatory Guides,
18 Information Notices, and any other transmissions of
19 NRC documents that don't require compliance, or
20 demonstrate incompliance with regulations.

21 We've living with regulations, and I just
22 found out today that the NRC issued an Information
23 Notice, and I think it was Information Notice 2010-12
24 that had to do with a containment. And it's an
25 Information Notice, like they put out on electrical

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1 cables, "This Information Notice is for information
2 purposes only, requires no response, and requires no
3 action." An Information or a Regulatory Guide to
4 solve a regulatory problem is unsatisfactory. These
5 plants need to be in compliance with the regulations,
6 with all the regulations that are applicable. And if
7 they're not in compliance, they specifically need an
8 exemption under 50.12 to that particular requirement.

9 Information Notices, Regulatory Guides, Bulletins
10 unless they require compliance, or specify compliance
11 with a particular regulation may not, necessarily, do
12 the trick.

13 So, the key here -- the key of all these
14 issues is the NRC has a job to do, and its job is to
15 assure that these plants are compliant with
16 regulations. And for the NRC to state that the risk
17 of these cables, or any other system is low because
18 its probability of being needed is, essentially, not
19 regulatory-based, we don't have risk-based regulations
20 at this time. Maybe in the future, we will. But when
21 the NRC cites in a non-cited violation like at
22 Vermont, where their non-compliance for the
23 regulation, they cannot -- they don't have, as far as
24 I'm concerned that I'm aware of, any regulatory basis
25 without an exemption to allow that plant to continue

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1 to operate without compliance with the regulations.

2 MS. LAMPERT: And there's also a fine that
3 should be kicked in. When they're not -- when they're
4 found not in compliance with the regulations, then
5 there's a clause for a fine, so many dollars a day
6 until they get into compliance. And that certainly is
7 an incentive for the licensee to provide the safety
8 that the public deserves, and that the regulations aim
9 to assure. Go on, Paul.

10 MR. BLANCH: Yes. And, again, I'm still
11 on page 6 of the original petition, and I look at the
12 next paragraph where it starts out, "The NRC
13 inspection reports for the last 10 years identified
14 cable performance." Now here's the NRC, itself,
15 identifying violation of regulations, and they're
16 doing nothing. They give them a slap on the wrist,
17 and say you're a bad boy. We're going to give you a
18 green non-cited violation like they did at Vermont.
19 They've done it at Pilgrim, they've done it at every
20 plant. There is no incentive for a licensee to take
21 any action to fix any problem if all it receives is a
22 green non-cited violate.

23 The NRC has to do its job and enforce
24 those regulations, or change the regulations.
25 Actually, you said -

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1 MS. LAMPERT: Yes. I said in our
2 supplement there was a prime example that they were
3 given a green, and some gobbledygook on -- to justify
4 the green.

5 MR. BLANCH: Yes. I'm switching over now
6 to page 7. And under number 17, it's non-EEQ
7 inaccessible medium voltage cable." Now, here's an
8 example. This is probably the grossest example I've
9 seen of NRC accepting NEI proposed systems.

10 It says at the bottom of 17, or the first
11 paragraph of 17, "Significant voltage exposure is
12 defined as being subject to a system voltage for more
13 than 25 percent of the time." This is the most
14 ludicrous statement that has been accepted by the NRC
15 as I've ever seen in my life. We have emergency
16 motors, valves, pumps, generators that are all
17 operating less than 25 percent of the time. So, what
18 this paragraph is saying is, we are only going to test
19 those cables that are energized more than 25 percent
20 of the time. What this paragraph is saying is, I
21 don't have to ever test any of the emergency cables
22 that are only used in an emergency. This is
23 incredible that I see that in a license renewal
24 application, and then it gets accepted by the NRC that
25 it's okay. It's like saying I don't have to test my

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1 brake lines, or visually inspect them because they're
2 only used 1 percent of the time; therefore, they're
3 exempt. So, when the NRC can accept a program where
4 you don't have to test cables because they're used
5 less than 25 percent of the time is not -- the NRC is
6 not performing its proper regulatory function.

7 Also, in the LRA for Pilgrim, there are no
8 programs for low-voltage cables. This is anything
9 under, I'm not sure how low-voltage is defined, but
10 it's either under 2,000 or 1,000 volts, so this
11 excludes all those safety-related cables that are less
12 than either 1,000 or 2,000. And this is most of the
13 motor-operated valves, and it may be some of the
14 pumps, and control systems. That needs to be
15 resolved.

16 On the top of page 8, it says, "A
17 representative sample of accessible insulated cables."

18 That is, to me, a meaningless statement. How do we
19 assure that it's a representative sample? Again, the
20 LRA is referring to Section -- to an EPRI document, TR
21 109619, not totally familiar with that. I'm not
22 totally assured that it will detect degraded cables.
23 It's the NRC's responsibility to assure that these
24 cables can be detected.

25 I mean, I can go on, and on. I think the

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1 petition was put together very well. The Sandia
2 Report 960344 is a reasonable program. On page 10,
3 again, I just -- it stated that Pilgrim has no program
4 whatsoever for low-voltage cables, however they're
5 defined. A lot of this -- let's see.

6 Again, I've got a comment, it just
7 reinforces a comment I made before. Again, accessible
8 has got to mean everything that is not visible. Okay.

9 Well, again, Mary says there's no reason to believe
10 that accessible cables were representative of
11 inaccessible cables. That is an absolute true
12 statement, because accessible cables will not be
13 submerged in water, so evaluating accessible cables,
14 which are not involved, submerged in water or
15 moisture, is not representative.

16 Again, Paragraph 21, "Pilgrim should
17 operate in compliance with Federal Regulations, or not
18 at all." That is a stronger statement there. We have
19 regulations that were approved by Congress, they're
20 approved through a Rulemaking process, and the plants
21 have to operate within regulations.

22 Paragraph 22 says, "Therefore, we
23 respectfully request that the NRC certifies,"
24 certifies is not really something I think that the NRC
25 does, but that it identifies and issues some type of

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1 SER that says these cables are capable of performing
2 their function during an accident.

3 MS. LAMPERT: Yes. Well, let me just add
4 right there, this is Mary on the telephone, that as
5 far as monitoring, inspecting, testing, let's remember
6 we're focusing on two parties, focusing on the
7 licensee doing that, and being required to, and
8 demonstrating they have, and that the NRC also
9 monitors, inspects, tests, so there is oversight, and
10 we cannot have a situation where the NRC, essentially,
11 takes the word of, or reads some report, and that's
12 the end of the game. Go ahead, Paul.

13 MR. BLANCH: Okay. I'd like to -- again,
14 I'm just going over -- I mean, I've got some editorial
15 comments, but if we go to the August 6, page 3, it
16 talks about the inspection report. And down at the
17 bottom it reads, "The NRC staff evaluated the findings
18 described in the foregoing with a green to indicate
19 low safety, despite describing a finding that it was
20 limiting the likelihood of those events." Likelihood,
21 probability has little play within the regulations.

22 Again, we don't have risk-based regulation
23 yet, and by the NRC knowing there is a violation of
24 the regulation, and not willing to bring the plant
25 into compliance with that regulation, and saying it's

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1 not significant, is not responsible regulation, as far
2 as I'm concerned.

3 And then on page 4, Paragraph 3, where
4 it's titled "Enforcement," the NRC gave four reasons
5 for not administering enforcement action. They said
6 that, "Traditional enforcement did not apply as the
7 issue did not have actual or potential safety
8 consequences." That I don't believe, unless I'm
9 wrong, my reading of the regulations, but it is not in
10 there as far as the potential consequences, but I've
11 been wrong before.

12 And then it goes on at the end of
13 Paragraph 3, "This finding did not involve enforcement
14 action because no regulatory requirement violation was
15 identified." You know, it's circular logic. And,
16 perhaps, they said it violates Appendix B, a violation
17 of General Design Criteria, but now they're saying no
18 regulatory violation. And, again, I want to make sure
19 it includes low-voltage cable, all the way down to
20 instrument, and indicating light cable. Again, it's
21 more repetitive.

22 Oh, the other thing I have. Because a
23 cable is operating in an environment that it is not
24 designed or specified for, and let's say I have a
25 cable that's in the conduit, and that conduit or

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1 manhole is full of water. And if that cable has not
2 been specified to operate in that environment, when I
3 say specified, I mean per the procurement
4 specification, and the Quality Assurance, then it is
5 my opinion, based on the technical specification,
6 based on the definition of operability that the
7 components that are powered, or energized by that
8 cable that is operating in an environment that it was
9 not designed for cannot be considered operable until
10 proper testing is done to ascertain that that cable
11 is, in fact, operable because of its design documents.

12 And simple testing, a 10-minute test once a month,
13 once a quarter is not sufficient, and that is for the
14 reason I stated before, that one of the major aging
15 factors is due to the heating of the current caused by
16 the energization of the connected components.

17 I'm not sure where I am on time. Again,
18 I've got to note that the salt environment must be
19 considered. During the construction of Millstone III,
20 and Millstone II, I actually witnessed the pulling of
21 cables. I have seen splices in cables, in conduits,
22 and those must be identified, whether they're
23 documented or not. We don't -- I'm not sure Pilgrim
24 is aware if there are splices in cables that are
25 buried and submerged within conduits.

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1 Let's see. Again -

2 MS. LAMPERT: That was one of the
3 questions -- this is Mary. That was one of the
4 questions that we asked to be answered, the repair
5 history. So, that should be answered, and that
6 question flows.

7 MR. BLANCH: Yes.

8 COURT REPORTER: Excuse me. This is the
9 court reporter. There's some sort of feedback coming
10 through, or sound coming from someone's phone.

11 MS. LAMPERT: It's static on the line.

12 COURT REPORTER: Okay. The static is
13 gone. Okay. You can continue.

14 MR. BLANCH: Well, I would just like --
15 again, on page 14 of the supplement. This is Paul
16 Blanch, again. Where it says under Paragraph 5.2 of
17 Mary's supplement, "Unless the installed cables have
18 been procured specifically for continuous submergence
19 or submarine operation," basically, they have not --
20 are not capable, or not have been demonstrated to be
21 operable; and, therefore, the components that they're
22 supplying power should be considered inoperable. And
23 it is, in my mind, a clear violation. We don't need
24 Regulatory Guides, we don't need Generic Letters, we
25 don't need Information Notices, we need the NRC to do

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1 its job; and that is to enforce the existing
2 regulations. We're not asking for a rule change.
3 We're asking for enforcement, and we're asking not
4 only for the identification that will explain the
5 degree of enforcement or non-compliance, but if after
6 that's identified then we're just going to see what
7 happens, as far as enforcement action. But the first
8 step is to identify the degree of non-compliance with
9 the regulations.

10 So, with that, I'll turn it over to anyone
11 else that has any questions. Thank you.

12 MS. LAMPERT: Paul, or Rebecca Chin, do
13 you have any comments?

14 MS. CHIN: I guess not at this time. I'm
15 taking notes, and perhaps later. Thank you.

16 MS. LAMPERT: Oh, Paul's on mute.

17 MR. GUNTER: This is Paul. I have no
18 comments at this time.

19 MR. BLANCH: That was Paul Gunter.

20 MS. LAMPERT: Right. Now, does the NRC
21 have any questions of the Petitioners?

22 MR. GUZMAN: Okay. I'm going to ask here,
23 does anybody in Headquarters have any questions for
24 the Petitioner? Seeing none.

25 MS. LAMPERT: Okay. With that being the

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1 case -

2 MR. GUZMAN: Mary?

3 MS. LAMPERT: For clarification, we want
4 to be sure that it is understood what is meant by
5 "inaccessible," and that cables and wiring include the
6 splices and the connectors. And for aging, we also
7 add, in particular, the salt in our environment, and
8 we also add the issue of heating, because of the
9 amount of electricity being carried for analyzing
10 degradation. And low-voltage, it's stated in the
11 petition, but we wanted to emphasize its importance.
12 Is there anything else you want to sum up, Paul?

13 MR. BLANCH: Yes. I just wanted to say
14 that EPRI is a great organization. I worked with
15 them, I worked for them. However, I want everyone to
16 realize that EPRI is fully funded by the utilities.
17 Obviously, their independence is somewhat
18 questionable. I put more credence in the Brookhaven
19 document that has a little independence, because it is
20 sponsored by both the Department of Energy, and the
21 Nuclear Regulatory Commission. And, also, in Sandia,
22 these studies are not, necessarily, funded by the
23 utilities. And as far as the priority, believability
24 of documents, you know, I put Brookhaven and Sandia on
25 top, EPRI down, third-level, very credible,

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1 independent organization. And as far as NEI
2 documents, I won't even comment on the independence of
3 those documents, but their guidance is certainly
4 influenced by their motivation.

5 MR. GUZMAN: At this time, I'd like to ask
6 if the Region has any questions for the Petitioner?

7 MR. DODSON: No questions from the Region.

8 MR. GUZMAN: Okay. Does the licensee have
9 any questions?

10 MR. LYNCH: No questions.

11 MR. GUZMAN: Okay. Before I conclude the
12 meeting, members of the public may provide comments
13 regarding the petition, and ask questions about the
14 2.206 petition process. However, as stated at the
15 opening, the purpose of this meeting is not to provide
16 an opportunity for the Petitioner or public to
17 question or examine the PRB regarding the merits of
18 the petition requested. Does any member of the public
19 have any comments?

20 MS. LAMPERT: My only question would be, I
21 assume we do not have to put into writing the
22 clarifying statements or other statements made during
23 this teleconference, that they are automatically
24 included, or not?

25 MR. GUZMAN: This is Rich Guzman. That's

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1 correct. So, at the conclusion of this call, we'll
2 have a transcribed document that will be included as
3 part of your petition package. And that will -- I'll
4 provide you a copy of that, and will be publicly
5 available.

6 MS. LAMPERT: Okay. And here's just a
7 comment. I will not have any email capability for the
8 next probably 12 hours, because, ironically, an
9 electric fence was being put into our property because
10 my grand-dog is, of course, now my dog, and they -- in
11 putting in the electric fence for the dog, they
12 managed to cut the wire for the cable. So, I think
13 that was an example of what can happen.

14 MR. BLANCH: Was it buried, Mary?

15 MS. LAMPERT: Yes, it was buried.

16 MR. BLANCH: Inaccessible -

17 mS. LAMPERT: Do I believe this or not?

18 MR. GUZMAN: I don't have any clarifying
19 questions to that -

20 mS. LAMPERT: Neither do I.

21 MR. GUZMAN: Okay. Ms. Lampert, thank you
22 for your taking the time to provide the NRC staff with
23 clarifying information on the petition you've
24 submitted.

25 MS. LAMPERT: Well, look, thanks for the

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1 opportunity, and I've enjoyed your emails and efforts
2 to get it all together. Thank you.

3 MR. GUZMAN: Before we close, does the
4 court reporter need any additional information for the
5 meeting transcript? Is the court reporter on line?

6 COURT REPORTER: Yes, I'm here. Just give
7 me a second.

8 MS. LAMPERT: You don't really need to put
9 the grand-dog story in.

10 (Laughter.)

11 COURT REPORTER: There was someone named
12 Alex. I didn't get his last name.

13 MS. POPOVA: Oh, Popova, P-O-P-O-V-A.

14 COURT REPORTER: That's P-O-P -

15 MR. GUZMAN: O-V-A.

16 (Off the record comments.)

17 MR. GUZMAN: Okay. Is that it?

18 COURT REPORTER: Yes, I believe so.

19 MR. GUZMAN: Okay. With that, this
20 meeting is concluded, and we will be terminating the
21 phone connection. Thank you, everybody.

22 (Whereupon, the proceedings went off the
23 record at 2:51 p.m.)
24
25

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