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RE H.B. Robinson Plant

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

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10 CFR 2.206 PETITION REVIEW BOARD (PRB)

CONFERENCE CALL

RESPONDENT

H.B. ROBINSON PLANT

+ + + + +

THURSDAY

JULY 28, 2011

The conference call was held, John Lubinski,
Chairperson of the Petition Review Board, presiding.

PETITIONER: THOMAS SAPORITO

PETITION REVIEW BOARD MEMBERS

JOHN LUBINSKI, Chair, Deputy Director

Division of Component Integrity, NRR

NRC HEADQUARTERS STAFF

TRACY ORF, Petition Manager

TANYA MENSAH, PRB Coordinator

SEAN CURRIE, Operator Licensing and Training

Branch, NRR

JIM DODSON, Division of Reactor Projects,

Region II

DOUG BROADDUS, NRR

BRENDA MOZAFARI, NRR

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

1:05 P.M.

MR. ORF: Okay. I'd like to thank everyone for attending this meeting. Again, my name is Tracy Orf, and I'm the St. Lucie Project Manager.

We're here today to allow the petitioner, Mr. Thomas Saporito, to address the Petition Review Board regarding his 10 CFR 2.206 petition that he had submitted earlier and was received by the NRC on May 12th, 2011.

I am the Petition Manager for this petition, and the Petition Review Board Chairman is Mr. John Lubinski. As part of the Petition Review Board, our PRB has reviewed the petition. Thomas Saporito has requested this opportunity to address the PRB.

This meeting is scheduled from 1:00 o'clock P.M., Eastern Time. The meeting is being recorded by the NRC operations center, and will be transcribed by a Court Reporter. The transcript will become supplement to the petition, and the transcript will also remain publically available.

I'd like to open this meeting with introductions. As we go around the room, please be

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1 sure to clearly state your name, your position, and
2 the office that you work for within the NRC, for the
3 record. I'll start it off.

4 My name is Tracy Orf. I am the Project
5 Manager for St. Lucie in the Office of Nuclear
6 Reactor Regulation.

7 MR. CURRIE: I'm Sean Currie, I'm from the
8 Operator Licensing and Training Branch, in the
9 Division of Inspection and Regional Support.

10 MS. MENSAH: I'm Tanya Mensah, I'm from
11 the Division of Policy and Rulemaking in the Office of
12 NRR and I'm the 2.206 Coordinator.

13 CHAIRMAN LUBINSKI: John Lubinski, I'm the
14 Deputy Director, Division of Component Integrity, NRR,
15 and I'm the Petition Review Board Chair.

16 MR. BROADDUS: Doug Broaddus, I'm the
17 Branch Chief in the Division of Operating Reactor
18 Licensing and NRR, with responsibility over HB
19 Robinson.

20 MS. MOZAFARI: I'm Brenda Mozafari, I'm
21 the Project Manager, Robinson, in the Office of
22 Nuclear Reactor Regulation.

23 MR. ORF: Okay. We've completed
24 introductions at the NRC headquarters. At this time,
25 are there any NRC participants from headquarters,

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1 other than those mentioned before? Are there any NRC
2 participants form the regional office on the phone?

3 MR. DODSON: Yes, this is Jim Dodson, the
4 Senior Project Engineer for Reactor Projects Branch 4
5 in Region II.

6 MR. ORF: Are there any representatives
7 for the licensee on the phone? Hearing none, Mr.
8 Saporito, would you please introduce yourself for the
9 record?

10 MR. SAPORITO: Yes, my name is Thomas
11 Saporito. I'm a senior consultant with Saprodani
12 Associates. I'm based in Jupiter, Florida.

13 MR. ORF: Okay. It is not required for
14 members of the public to introduce themselves for this
15 call. However, if there are any members of the public
16 on the phone who wish to do so at this time, please
17 state your name for the record.

18 I'd like to emphasize that we each need to
19 speak clearly and loudly to ensure that the Court
20 Reporter can accurately transcribe this meeting. If
21 you do have something that you would like to say,
22 please first state your name for the record.

23 For those dialing into the meeting, please
24 remember to mute your phones to minimize any
25 background noise or distractions. If you do not have

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1 a mute button, this can be done by pressing the keys
2 star, six.

3 To unmute, press the star six keys again.

4 Thank you. At this time, I'll turn it over to the
5 PRB Chairman, John Lubinski.

6 CHAIRMAN LUBINSKI: Good afternoon. I
7 appreciate everyone attending this meeting regarding
8 the 2.206 petition presented by Mr. Saporito. I'd
9 like to first share some background in our process.

10 Section 2.206 of 10 CFR describes the
11 petition process, the primary mechanism for the public
12 to request enforcement action by the NRC and a public
13 process.

14 This process permits anyone to petition
15 NRC to take enforcement-type action related to NRC
16 licensees or licensed activity. Depending on the
17 result of this evaluation, NRC could modify, suspend,
18 or revoke an NRC issued license, or take other
19 appropriate enforcement action to resolve the problem.

20 The NRC staff guidance for the disposition
21 of 2.206 petition request is in Management Directive
22 8.11, which is publically available.

23 The purpose of today's meeting is to give
24 the petitioner an opportunity to provide additional

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1 explanation or support for the petition following the
2 Petition Review Board's initial recommendation.

3 This meeting is not a hearing, nor is it
4 an opportunity for the petitioner to question or
5 examine the PRB on merit or the issues presented in
6 the petition request. No decision regarding the
7 merits of the petition will be made at this meeting.

8 Following this meeting, the Petition
9 Review Board will conduct its internal deliberations,
10 and the outcome of this internal meeting will be
11 discussed with the petitioner. The Petition Review
12 Board specifically consists of a Chairman, usually a
13 manager at the senior executive service level at the
14 NRC.

15 It has a petition manager, and a PRB
16 coordinator. Other members of the board are
17 determined by the NRC staff based on the content of
18 the information in the petition request. At this
19 time, I would like to introduce the board.

20 I am John Lubinski, the Petition Review
21 Board Chairman. Tracy Orf is petition manager for the
22 petition under discussion today. Tanya Mensah is the
23 Office PRB coordinator. Our technical staff includes
24 Sean Currie, from the Office of Nuclear Reactor
25 Regulation Operator Licensing and Training Branch, and

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1 Jim Dodson from our Region II Office Division of
2 Reactor Projects.

3 As described in our process, the NRC staff
4 may ask clarifying questions in order to better
5 understand the petitioner's presentation. I would
6 like to summarize the scope of the petition under
7 consideration and the NRC activities to date.

8 On May 12th, 2011, Mr. Saporito submitted
9 to the NRC a petition under 2.206 regarding the H. B.
10 Robinson plant. In this petition request, Mr.
11 Saporito's concern was that the risk of reactor core
12 damage during the event was high.

13 Mr. Saporito requested that the NRC
14 suspend or revoke the operating license for the H. B.
15 Robinson plant, issue a notice of violation and a
16 proposed civil penalty against the licensee for the H.
17 B. Robinson plant, and issue a notice of violation
18 with a proposed civil penalty against William Johnson,
19 Chairman and the Chief Executive Officer of Progress
20 Energy, Incorporated.

21 Allow me to discuss the NRC activities to
22 date. On May 25th, the petition manager contacted Mr.
23 Saporito to discuss the 2.206 petition process, and to
24 offer an opportunity to address the PRB by phone or in
25 person.

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1 On June 14th, you addressed the PRB to
2 present additional information regarding the petition.

3 On June 27th, the PRB met and determined that in
4 accordance with Management Directive 8.1, your
5 petition meets the criteria for rejection because the
6 petition raises issues that have already been the
7 subject of NRC review and evaluation, for which a
8 resolution has been achieved.

9 The issues have been resolved, and the
10 resolution is applicable to the facility in question.

11 Specifically, a special inspection team began their
12 inspection of the March 28th, 2010, event on March
13 30th, 2010, and the inspection was upgraded to an
14 augmented inspection team on April 19th, 2010.

15 The team developed a sequence of events,
16 reviewed related events, interviewed operators and
17 individuals involved with the fire and plant response,
18 and conducted a walkdown of affected areas.

19 On July 2nd, 2010, the AIT issued their
20 inspection report. All items identified in the
21 inspection were closed, including enforcement in
22 accordance with NRC's processes and policies. There
23 are no remaining open items from the AIT inspection,
24 and in accordance with Management Directive 8.11, the
25 petitioner has not provided any significant new

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1 information to justify the NRC varying from its
2 enforcement policies.

3 On July 8th, the petition manager
4 contacted you, Mr. Saporito, and provided you with
5 the PRB's initial recommendation. Subsequently, you
6 requested to address the PRB to provided additional
7 information to support your petition.

8 As a reminder for phone participants,
9 please identify yourself if you make any remarks, as
10 this will help us in preparation of the meeting
11 transcripts that will be made available to the public
12 after the call.

13 Mr. Saporito, I'd now like to turn to you
14 to allow you to provide additional information you
15 believe the PRB should consider as part of its
16 petition.

17 MR. SAPORITO: All right. Thank you, Mr.
18 Chairman. For the record, my name's Thomas Saporito.
19 I'm a senior consultant for Saproani Associates.
20 We're located in Jupiter, Florida, and we maintain a
21 website at Saproani-associates.com, S-A-P-R-O-D-A-N-
22 I, hyphen, associates, dot, com.

23 First of all, let me correct the record
24 here, because someone from the NRC, they stated in
25 this proceeding that the petition was dated May of

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1 this year. But, actually, the petition was filed on
2 April 17th, 2011.

3 I don't know why the NRC's documents have
4 a different date, but the petition that's subject to
5 this proceeding is dated April 17th, 2011. As was
6 previously discussed here was a subsequent--an initial
7 meeting between myself and the NRC Petition Review
8 Board on June 14th this year, which I provided
9 additional information and a background of license
10 activities at the HP Robinson plant, which were the
11 subject of the initiating events of the enforcement
12 petition filed here.

13 Since that time, since that meeting of
14 June 14th, I attended via teleconference call another
15 meeting between the NRC and the licensee for the H. B.
16 Robinson plant that took place on July 20th of this
17 year.

18 And, during that enforcement conference,
19 the licensee averred to the NRC that there had been
20 significant changes at the facility, establishment of
21 a leadership team. And, there was new maintenance
22 manager, and operations manager, recovery support
23 manager, and a leadership delegator.

24 There's a new team alignment, where they
25 meet, you know, team alignment meets every morning to

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1 discuss issues. Tailgate meetings held on Tuesdays.
2 There's a--since the reactor trip of October 2010, the
3 licensee considered that a watershed event and, to the
4 extent that they were wanting to make these changes,
5 to bring the plant back into conformance with NRC
6 requirements and regulations.

7 There was a discussion about the safety
8 culture at the H. B. Robinson plant, and limited
9 discussion of what the licensee believes the causes
10 were and the completion of the corrective actions in
11 that area and discovery of corrective action.

12 They talked about hiring an outside entity
13 to do an evaluation. The culture at the plant, work
14 environment at the plant, and they talked about a
15 backlog of work orders and talked a little bit about
16 ALARA at the plant and what efforts they're making in
17 that area. Issues to drive the attitudes of the
18 nuclear workers, improvement of the plant, and in the
19 culture survey, I believe they termed it to be an
20 industrial culture surveyed and taken by an outside
21 entity.

22 Before I get into the specifics here, I
23 first want to make certain that this public record
24 documents as a fact the amazing fact that the licensee
25 is not represented at this important meeting. The NRC

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1 should take that as an adverse inference from this
2 licensee that any statement or contentions made on the
3 part of the licensee take corrective action, may not
4 necessarily be true.

5 Because, you know, if the licensee were
6 sincere about protecting public health and safety by
7 taking corrective actions in addressing root cause
8 determinations involving this October 2010 event, then
9 someone would have been here at this meeting.

10 So, they can learn from this meeting about
11 what the public is concerned about, and be able to
12 respond to questions, if need be, from the public.
13 But, the fact that they're not even here, they haven't
14 even bothered to attend this meeting in person or by
15 simply by picking up a telephone and making a call, is
16 just incredible and the NRC should see that as a
17 reflection of the attitude that exists at the H. B.
18 Robinson plant at the executive management level.

19 And, I also want to note for the record,
20 during the enforcement conference held between the NRC
21 and the licensee on July 20th of this year, at the end
22 of that meeting the public was given an opportunity to
23 engage the NRC at that time.

24 There was myself and one or two other
25 individuals of the public that attended that meeting.

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1 Since I began to make comments and inquiry of the NRC
2 at that meeting, the licensee decided to get up and
3 leave.

4 But, they didn't even have the
5 professional courtesy and decency to sit through an
6 enforcement conference to the extent that they could
7 learn from public inquires at that time, either, and I
8 just find their attitudes very disdainful towards the
9 public, and the representation to the NRC in these
10 circumstances to be disingenuous to the extent that
11 they were trying to make believe that they care about
12 public health and safety and want to improve plant
13 conditions.

14 We have an enforcement conference and you
15 fail to attend, 2.206 petition where your plant could
16 be ordered to shut down, there's something extremely
17 wrong with the executive level management. It's just
18 not common sense. There's something wrong there, the
19 NRC should look into it.

20 Alright, having said that, now, going back
21 again to the enforcement conference on July 20th,
22 2011, I made a specific inquiry about the backlog of
23 work orders. The licensee had contended at that time
24 that their efforts to reduce the backlog of work

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1 orders, they qualified it as they having established
2 1/3, they completed, eliminated 1/3 of the backlog.

3 When I pressed the issue, the licensee
4 admitted that there were 615 open work orders,
5 corrective action work orders at that facility. 615,
6 and that's an unjustified number in my opinion, an
7 unjustified number of open maintenance corrective
8 actions at any nuclear plant.

9 This nuclear plant is a troubled nuclear
10 plant. They repetitively violate NRC safety
11 requirements under 10 CFR 50. They violate station
12 procedures, they violate technical specifications,
13 they fail to follow procedures. It goes on and on and
14 on.

15 The nuclear safety concern centered around
16 having 615 open maintenance work orders is of
17 paramount importance to public health and safety, and
18 the NRC should be gravely concerned about that number
19 of open work orders. Because, when you have that many
20 work orders, what that means is, for the licensee to
21 maintain license activities in having a nuclear
22 reactor operation at 100% power, or at any level of
23 power, the licensee has to create what's known in the
24 industry as workarounds.

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1 So, when a plant is licensed by the NRC to
2 bring these nuclear reactors to power, the NRC granted
3 that license with the understanding and review of the
4 licensee's final safety analysis report, reviewed the
5 licensee's technical specifications, which included
6 plant procedures, wiring diagrams, P & I diagrams, the
7 NSS system, et cetera.

8 Now, because of this extensive amount of
9 backlog work orders, there's numerous workarounds
10 implemented at that nuclear plant, the H. B. Robinson
11 nuclear plant. So, what you have going on, you have
12 one circuit after another circuit which have been
13 altered and modified in one way or another so that the
14 licensee can keep the reactor operating under power.

15 The trouble with that is, when you have
16 615 open corrective maintenance work orders, that's
17 such a huge number that these workarounds can become
18 an entity of their own, take on a life of their own,
19 and become a nuclear safety issue.

20 Because, you can have safety related
21 systems that are workaround in such a manner that they
22 misalign the proper configuration of the plant, so
23 that in event of an emergency, if the operator takes
24 certain corrective actions to mitigate consequences of

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1 a nuclear accident, and when he takes those actions
2 per procedure, they may not happen.

3 Valves may not open, valves may not close,
4 pumps may not start, pumps that were intended to
5 start--other pumps may start. Because, it may be a
6 misconfiguration of the plant because of these
7 workarounds. And, that's a significant safety issue,
8 nuclear safety issue, which could cause core damage,
9 could result in a Fukushima event here in the United
10 States.

11 It's certainly something--you know, I hope
12 the NRC takes seriously and looks into. Another issue
13 that was brought to light during the enforcement
14 conference on July 20th when I listened to the
15 licensee speak, you know, this watershed event that
16 happened in October 2010, when you come right down to
17 it, the root cause of that event was a failure of the
18 licensee to follow station procedures, which is a
19 violation of NRC requirements under 10 CFR part 50.

20 And, to that extent, you know, the
21 licensee's corrective action can't even come close,
22 from my perspective, to resolving the issue because
23 their corrective actions did not, from what I
24 understood at that meeting, and can tell, retraining
25 of the plant staff, across the board. Operations,

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1 health physics, electrical maintenance, instrument
2 control maintenance, security, et cetera.

3 Everybody needs to be trained to follow
4 procedure, step by step, verbatim compliance. And had
5 that attitude and culture been instilled in October
6 2010, you wouldn't have had the chain of events that
7 almost resulted in core damage at that time.

8 So, that's one area of concern, where the
9 licensee's proposed corrective action didn't even come
10 close to resolving the root cause in my view. Also,
11 there is no corrective actions taken by the licensee
12 to ensure that this type of violation will not be
13 repeated in the future.

14 Of course, this is already a repetitive
15 violation. We could go on and on about how many times
16 the licensee has failed to follow procedures at the H.
17 B. Robinson plant. But, to the extent that the root
18 cause of this problem can be traced directly back to,
19 again, failure of the licensee to follow station
20 procedures.

21 You would--the NRC, as the Government
22 regulator, would be wise to require the licensee to
23 make certain that their corrective actions include
24 intervention by the quality assurance and quality
25 control Department that's supposed to be operating at

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1 that H. B. Robinson nuclear plant, under their
2 license.

3 Because, that's part of their license, is
4 having an operating and efficient and an effective
5 quality assurance quality control program. And the
6 way that that is supposed to be implemented, and it
7 certainly was implemented during my tenure in the
8 nuclear industry as an instrument control technician,
9 when you have a corrective maintenance action,
10 especially one that involves safety related or quality
11 related systems, the procedure itself that the actual
12 nuclear workers or technicians take with them in the
13 field to do the task at hand incorporates work stop
14 points, or work hold points for quality control
15 quality assurance inspection personnel who actually
16 have to come off of the job and inspect what the
17 maintenance technicians and maintenance personnel have
18 done to that point in the procedure and initial and
19 date acceptance of the work up to that point.

20 Before, the technicians could continue.
21 Now, because of the serious nature of this particular
22 watershed event that occurred in October 2010, it
23 would be incumbent upon the NRC to require the
24 licensee to upgrade its procedures to this extent
25 where quality control quality assurance hold points,

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1 or check points, or sign up points, however you want
2 to term them, are incorporated into these procedures
3 as needed to make certain these types of events aren't
4 repeated.

5 I can't overstate how important that is.
6 I mean, the NRC may have one or two resident
7 inspectors, some 104 licensed nuclear reactors across
8 the United States, so the NRC can't be everywhere all
9 the time. And, the NRC should take advantage of the
10 quality control quality assurance programs and
11 personnel which are required under the NRC licenses
12 granted to the H. B. Robinson nuclear power plant.

13 And, you know, that's part of the NRC's
14 reactor oversight programs, and the NRC should be
15 using that as a tool, for their benefit, protecting
16 public health and safety so that all these areas the
17 NRC may or may not be able to get to, especially if
18 you're under refueling hours, the NRC can rely on the
19 station procedures holding the quality control quality
20 assurance personnel accountable for these work stop
21 points and inspection points in these critical
22 procedures.

23 You know--recently, I'd say it was in the
24 last 18 months, two years, there was a significant
25 event at the Turkey Point Nuclear Plant here in South

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1 Miami, Florida, and it involved a senior licensed
2 nuclear reactor operator, an individual who had his
3 own license issued by the NRC, in addition to the
4 FPL's license to operate the Turkey Point nuclear
5 reactor.

6 This individual kept bringing safety
7 concerns to the licensee, and they kept initiating
8 these workarounds because of the incredible number of
9 backlogs active and open maintenance work orders down
10 at the station facility at that time.

11 Up to the point where the senior operator
12 just became frustrated. It was one workaround after
13 another workaround, then they had an initiating event
14 where substation mentioned nearby violated procedure,
15 and they caused a variance in the transmission lines,
16 which automatically scrambled both Turkey Point nuclear
17 reactors while this individual was on duty, and that
18 was kind of like the icing on the cake.

19 This individual, he resigned, he was
20 forced resignation because he couldn't get his safety
21 concerns resolved by executive management, and it was
22 all due to the extensive number of backlog maintenance
23 work orders and the extreme amount of workarounds that
24 this individual had to keep on top of.

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1 You know, his license, his own, personal
2 NRC license was in jeopardy, a nuclear action had
3 occurred under his watch. That's how important it is
4 that the H. B. Robinson nuclear plant, that this
5 backlog get addressed in a meaningful and timely
6 fashion.

7 And, quite frankly, listening to the
8 licensee at that enforcement conference on the 20th of
9 July, left big questions in my mind. They appeared to
10 be overwhelmed in many areas. Just look at the
11 actions they're taking--changing out management,
12 they're bringing in outside contractors to do culture
13 surveys.

14 They're upgrading their procedures at
15 cost--this is a nuclear plant that's been operating
16 for the better part of 30, 35 years, and procedures
17 they've been using all this time, now, all of a sudden
18 they've got to correct them all? They've got to
19 enhance them all?

20 Well, how the hell they didn't--how have
21 they been operating this plant for all this time if
22 these procedures were so poor to begin with? It's
23 such a broad base, pervasive action on the part of the
24 NRC that it's not reasonably mindful that, or
25 conceivable that they can make all these corrections

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1 and all these improvements and turn that plant around
2 and address the 615 outstanding maintenance work
3 orders--probably more, by now, because that was back
4 in July--and still operate the nuclear plant under
5 power.

6 And that brings me back to the enforcement
7 petition. It's being requested that the NRC order the
8 licensee to shut the plant down, and only by shutting
9 this plant down will the licensee have sufficient time
10 where they can step back and fully assess the problems
11 with that nuclear plant. These problems aren't new
12 problems, or special problems. These problems are
13 repetitive violations of NRC safety margins under 10
14 CFR part 50, over and over again.

15 It's now to the point where it's out of
16 control, it's beyond the control of the licensee.
17 And, you can see that by the responses at these
18 enforcement conferences. You can see that by their
19 refusal to even attend the 2.206 petition process for
20 their license to be suspended or revoked.

21 It's just a piss-poor attitude from the
22 executive level management all the way down, and these
23 so-called surveys, done by third party, outsourced
24 entities, are useless. The NRC needs to get in there
25 with their augmented inspection teams and conduct

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1 independent employee interviews, one on one, where the
2 employee doesn't have to be afraid that someone's
3 going to over hear him and what he says to the NRC.

4 And, that's the only way you're going to
5 get a true picture of what the work environment is
6 like at the H. B. Robinson plant. And also, NRC
7 should be looking at the corrective action program and
8 how many of these corrective maintenance work orders
9 have been submitted.

10 When were they submitted, who submitted
11 them, and how long did it take for them to get
12 resolved, and did the root cause get identified and
13 corrected? And, did the employee who initiated the
14 condition report through the corrective action
15 program, did that employee get feedback from anybody
16 that their problem was acknowledged, that their
17 problem was taken seriously, and that their problem
18 was corrected?

19 And, did any of these employees who
20 submitted nuclear safety concerns or concerns on a
21 quality or safety related system, can be deemed to be
22 nuclear safety concerns, did they ever get recognized
23 in front of their peer group in a positive manner with
24 some kind of reward or some kind of point system where
25 they get credit towards their next performance review,

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1 could result in a pay increase, they get a letter of
2 commendation presented to them in a public manner in
3 front of their coworkers?

4 All these types of actions serve to
5 enhance a positive safety conscious work environment
6 at a nuclear power plant like the H. B. Robinson
7 plant. If you see your coworker getting rewarded in
8 front of other people that he works with or she works
9 with, for raising nuclear safety issues, that
10 encourages that employee's coworkers to do the same.

11 It's only when the management fails to
12 recognize, acknowledge, and positively commend the
13 performance of an individual who raises these safety
14 concerns, does the environment grow in a positive
15 direction.

16 When you don't have that recognition--when
17 an employee puts a concern in and gets no feedback at
18 all that anybody even took them seriously or her
19 seriously, corrective action, they don't know the
20 problem was ever corrected.

21 And all they keep getting is more work
22 orders. Go fix this, go fix that, hurry up, we've got
23 to do this. Hurry up, we've got too many of these.
24 And, either work environment becomes more and more

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1 negative, more and work hostile and the attitude goes
2 down the toilet very quickly.

3 And, I surmise that's what's going on at
4 the H. B. Robinson plant, where management is pushing
5 everybody. We've got to get this backlog done, you
6 know, we've got to keep running but we've got to get
7 the backlog done.

8 We got to keep the reactor operating,
9 we've got to keep making money but we've got to get
10 this backlog done, so with the overtime situation,
11 stressed out nuclear workers, operators biting their
12 nails because they've got, I don't know, numerous
13 workarounds that they got to remember how everything
14 is configured, and they throw this switch, they got to
15 know what's going to happen.

16 And, it just gets worse and worse. And
17 now, you're bringing in new management which no one
18 knows, you know, these new managers don't know the
19 crew, the crews don't know the new managers, there's
20 going to be an intermingling of attitudes and
21 performance issues.

22 It's just not a good situation, and it
23 brings me back right to the point for the enforcement
24 petition where the NRC should require the licensee to
25 confirm and shut the plant down for a specific amount

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1 of time and NRC's a better judge of that than I am,
2 how long it could reasonably be expected to turn the
3 plant around keeping in mind the work environment, and
4 to have a safety conscious work environment you've got
5 to start by encouraging employees to raise safety
6 concerns.

7 You've got to have some kind of an
8 acknowledgment or a reward system, posting system.
9 Jobs are posted so people can track, Department by
10 Department, where the hell their concern is, what's
11 the status, et cetera.

12 So, to allow the plant to continue
13 operation while you have all these numerous areas up
14 in the air, being evaluated, re-evaluated, changed,
15 modified, the scope, the magnitude of the procedure,
16 upgrade program is huge. And that could cause
17 problems all by itself, you know? Boys could be out
18 there with the wrong procedure because there's an
19 upgrade to that procedure, they don't even know about
20 it.

21 The training, people need to be--we talked
22 about retraining these people to follow procedures.
23 But it goes beyond that, it goes into operator
24 training. You know, there's an operator involved in
25 this watershed event, October 2010. They re-energized

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1 an electrical circuit without following procedures and
2 checking to see if it was even fixed.

3 Of course, it wasn't, it started a couple
4 fires. Could have had a meltdown. So, in summary,
5 it's not good enough with the licensee's presented to
6 the NRC to date is not good enough. Enforcement
7 action taken by the NRC to date is not satisfactory
8 and needs to be escalated enforcement action.

9 The NRC's actions over the years have been
10 evidenced through a recent Associated Press
11 investigative report, which reviewed tens of thousands
12 of NRC documents, showed complacency on the part of
13 the NRC in regulating 104 nuclear power plants.

14 Now, you've got a situation where the
15 Government has a dysfunctional Congress and they can't
16 even raise the debt level of this country so the
17 Government can pay its bills on time, and the
18 constraints, the financial constraints on various
19 Departments, including the NRC, where the NRC budget
20 most likely being affected because of the fiscal
21 problems going on in Washington, you know, the public
22 is concerned about the NRC's ability to protect them.

23 And, certainly, when you've got a nuclear
24 power plant, the H. B. Robinson nuclear plant, which
25 is repetitively, time and time again, violated serious

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1 safety margins the NRC has laid out under 10 CFR part
2 50, and the corrective actions over the years have
3 failed to correct these actions because they're doing
4 it again and again and again.

5 All the way through October 2010, where
6 they could have melted the nuclear reactor down, and,
7 you know, if we have a Fukushima event over here, it's
8 going to be worse than it was in Japan because there's
9 so many more people now that are living near these
10 reactors.

11 Tens of thousands of people are now
12 clustered around these nuclear reactors, especially
13 the H. B. Robinson plant, there weren't that--the
14 population wasn't nearly as great when that plant was
15 initially licensed, 30, 40 years ago by the NRC.

16 So, there's going to be a lot more people
17 affected if we get a Fukushima event here at H. B.
18 Robinson plant, and, you know, that containment
19 building explodes from a release of hydrogen, fuel
20 damage event, then you know, those radionuclides come
21 over here to Florida and affect my family and my
22 friends and my property, and I sure as hell don't want
23 that to happen.

24 So, that's why I write these 2.206
25 petitions. This is the only way that the public can

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1 engage the NRC to take escalated enforcement actions,
2 and why the public wants to make certain the NRC
3 understands the importance that licensees like the H.
4 B. Robinson nuclear power plant that everybody's on
5 board with a solid understanding and training that
6 they need to follow procedures.

7 And, that these people are trained and
8 qualified to do their jobs out there. They certainly
9 aren't, in this circumstance. We had a calamity of
10 events which led to the event on October 2010.

11 At that, I'll stay on the line to answer
12 any questions that the NRC or the public who may be
13 attending this meeting might have.

14 CHAIRMAN LUBINSKI: Mr. Saporito, thank
15 you. We appreciate that additional information. As
16 you said, at this time, we would like to turn to NRC
17 staff to see if they have any questions or any
18 clarifications. I'm going to start with the folks
19 that are here in the room with me at headquarters.

20 If there's any clarifying questions--

21 MS. MOZAFARI: I just wanted to--

22 CHAIRMAN LUBINSKI: Could you please
23 identify yourself?

24 MS. MOZAFARI: This is Brenda Mozafari,
25 and I just wanted to know where you got the

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1 misinformation that the July 20th meeting was an
2 enforcement conference. Could you identify your
3 source of information? Because it was not.

4 CHAIRMAN LUBINSKI: Mr. Saporito, could
5 you hear Ms. Mozafari?

6 MR. SAPORITO: I could hardly hear here.
7 Something about--

8 CHAIRMAN LUBINSKI: Okay. Let me restate
9 the question. You had identified that there was a
10 July 20th, 2011, enforcement conference. It was not
11 an enforcement conference on that day; it was a
12 different type of meeting apparently.

13 MS. MOZAFARI: It was a voluntary meeting
14 where the licensee wanted to present their strategic
15 plan for the future, but I was wondering where you got
16 the impression it was an enforcement conference.

17 MR. SAPORITO: Okay. Yes, I stand
18 corrected, it was not an enforcement conference. It
19 was a memorandum issued by the NRC on July 1st, 2011,
20 the purpose of the meeting was representatives of
21 Carolina Power management team, and to discuss the
22 strategic plan for the H. B. Robinson Steam Electric
23 Plant, Unit number 2. You're right, I stand
24 corrected. It was not an enforcement conference. It
25 was a discussion about their new management team.

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1 MS. MOZAFARI: Thank you.

2 CHAIRMAN LUBINSKI: Okay. And a clarifying
3 question slash comment, Mr. Saporito. You, on
4 numerous occasions during your discussion this
5 afternoon referred to the event as the October, 2010,
6 event. I assume you meant the March 2010 event. Is
7 that correct?

8 MR. SAPORITO: Yes.

9 CHAIRMAN LUBINSKI: Okay.

10 MR. SAPORITO: Yes, that's correct.

11 CHAIRMAN LUBINSKI: Okay. Are there other
12 questions here in the room or at headquarters? Okay,
13 I'm going to go to Jim Dodson, in our Region II
14 office. Jim, did you have any questions or
15 clarifications for Mr. Saporito?

16 MR. DODSON: No, I don't believe so. Not
17 at this time.

18 CHAIRMAN LUBINSKI: Okay, thanks, Jim. I'm
19 going to ask if anyone from the licensee joined the
20 call, and if so, do they have any questions?

21 Okay. Before I conclude the meeting, as
22 Trace stated earlier, members of the public may join
23 the call and do not need to identify themselves.
24 However, at this time, if there were any members of
25 the public that did join the call and would like to

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1 ask any questions, I would like to invite them to do
2 so now.

3 Okay. Hearing none, there is no questions
4 from the public. Mr. Saporito, again, I would like
5 to thank you for taking the time this afternoon to
6 provide the NRC staff with clarifying information on
7 the petition that you submitted.

8 Before we close, does the Court Reporter
9 need any additional information for the meeting
10 transcript?

11 COURT REPORTER: I have no questions.

12 CHAIRMAN LUBINSKI: Okay. With that, this
13 meeting is concluded, and we will be terminating the
14 phone connection. Thanks, everyone.

15 (Whereupon, the above-entitled matter
16 under discussion was taken off the record at 1:49
17 p.m.)
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