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**NUCLEAR REGULATORY COMMISSION**

Title: 10 CFR 2.206 Petition Review Board  
RE Palisades Nuclear Plant

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

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10 CFR 2.206 PETITION REVIEW BOARD (PRB)

CONFERENCE CALL

RE:

PALISADES NUCLEAR GENERATING STATION

+ + + + +

TUESDAY

JANUARY 31, 2012

+ + + + +

The conference call was held, Michael Cheok, Chairperson of the Petition Review Board, presiding.

PETITIONER: MICHAEL MULLIGAN

PETITION REVIEW BOARD MEMBERS:

MICHAEL CHEOK, Chairman, Petition Review Board

MAC CHAWLA, Petition Manager, Palisades Project Manager

NRC HEADQUARTERS STAFF:

DAVID ALLEY, NRR

MERRILEE BANIC, NRR, Petition Coordinator

BRETT KLUKAN, OGC

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1 TONY McMURTRAY, NRR

2 KERBY SCALES, NRR

3 TOM WENGERT, NRR

4 SHAWN WILLIAMS, Acting Branch Chief, NRR

5 ROBERT WOLFGANG, NRR

6 NRC REGIONAL STAFF:

7 JACK GIESSNER, Region III, DRP

8 MEL HOLMBERG, Region III

9 ALSO PRESENT:

10 BARB JACKSON [DOTSON], Palisades Licensing

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

(1:11:59 p.m.)

MR. CHAWLA: I'd like to thank everybody for attending this meeting. My name is Mac Chawla, and I'm the NRC Project Manager for the Palisades Nuclear Plant.

We are here today to allow the Petitioner, Mike Mulligan, to address the Petition Review Board regarding the 2.206 Petition dated January 10, 2012.

I'm also the Petition Manager for the Petition. The Petition Review Board Chairman is Mike Cheok.

As part of the Petition Review Board, or PRB's review of this petition, Mike Mulligan has requested this opportunity to address the PRB.

This meeting is scheduled from 1:00 to 2:00. I guess with the delay here, we will go 10 minutes extra.

The meeting is being recorded by the NRC Operations Center and will be transcribed by a court reporter. The transcript will become a supplement to the petition. The transcript will also be made publicly available.

I would like to open this meeting with introductions. As we go around the room please be sure

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1 to clearly state your name, your position and the  
2 office that you work for within the NRC for the  
3 record. I'll start off. Again, my name is Mac Chawla  
4 and I'm the Petitioner Manager and the Project Manager  
5 for Palisades. I'll go around the room here.

6 MS. BANIC: Merrilee Banic, NRR, Petition  
7 Coordinator.

8 MR. WENGERT: Tom Wengert the backup  
9 Project Manager for Palisades in NRR.

10 MR. WILLIAMS: Shawn Williams, Acting  
11 Branch Chief, NRR.

12 MR. KLUKAN: Brett Klukan. I am the Office  
13 of General Counsel attorney representative.

14 CHAIRMAN CHEOK: Mike Cheok. I'm the Deputy  
15 Director in the Division of Engineering in NRR.

16 MR. McMURTRAY: Tony McMurtray. I'm Branch  
17 Chief, Component Performance and Testing Branch in  
18 NRR.

19 MR. ALLEY: Dave Alley, Senior Materials  
20 Engineer with NRR.

21 MR. SCALES: Kerby Scales, Electrical  
22 Engineer, NRR.

23 MR. WOLFGANG: Bob Wolfgang, Senior  
24 Mechanical Engineer, NRR.

25 MR. CHAWLA: That completes the

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1 introductions here in this room. Are there any  
2 participants from headquarters on the phone?

3 (No response.)

4 MR. CHAWLA: Hearing none, are there any  
5 NRC participants from the regional office on the  
6 phone? Please introduce yourself.

7 MR. GIESSNER: Yes, I'm Jack Geissner  
8 [Giessner], Branch Chief Region III, responsible for  
9 Palisades inspections.

10 MR. HOLMBERG: Mel Holmberg, I'm Region III  
11 Senior Reactor Inspector with the Division of Reactor  
12 Safety.

13 MR. CHAWLA: Are there representatives from  
14 the licensee on the phone?

15 MS. JACKSON [DOTSON]: Barb Jackson  
16 [Dotson], Palisades Licensing.

17 MR. CHAWLA: Mr. Mulligan, would you please  
18 introduce yourself for the record.

19 MR. MULLIGAN: Mike Mulligan. I'm a whistle  
20 blower, and I live in Hinsdale, New Hampshire.

21 MR. CHAWLA: I guess we have everybody now.  
22 It is -- I don't see any members of the public here  
23 other than Mr. Mulligan. It's not required for members  
24 of public to introduce themselves for this call;  
25 however, if there are any members of the public on the

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1 phone that wish to do so at this time please state  
2 your name for the record.

3 (No response.)

4 MR. CHAWLA: Hearing none I don't recognize  
5 any members of public here.

6 I would like to emphasize that we each  
7 need to speak clearly and loudly to make sure that the  
8 court reporter can accurately transcribe this meeting.  
9 If you do have something that you would like to say,  
10 please first state your name for the record.

11 For those dialing into the meeting, please  
12 remember to mute your phones to minimize any  
13 background noise or distractions. If you do not have a  
14 mute button this can be done by pressing the key \*6.  
15 To unmute press the \*6 key again. Thank you.

16 At this time, I will turn it over to the  
17 PRB Chairman, Mike Cheok.

18 CHAIRMAN CHEOK: Thank you and good  
19 afternoon. Welcome to this meeting regarding the 2.206  
20 Petition submitted by Mr. Mulligan.

21 I'd like to first share some background on  
22 our process. Section 2.206 of Title 10 of the Code of  
23 Federal Regulations describes the Petition process.  
24 This is the primary mechanism for the public to  
25 request enforcement action by the NRC in a public

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1 process. The process permits anyone to petition the  
2 NRC to take enforcement-type action related to the NRC  
3 licensees or licensed activities.

4 Depending on the results of this  
5 evaluation, NRC could modify, suspend, or revoke an  
6 NRC issued license, or take any other appropriate  
7 enforcement action to resolve the problem.

8 The NRC Staff's guidance for the  
9 disposition of 2.206 petition requests is in  
10 Management Directive 8.11, which is publicly  
11 available.

12 The purpose of today's meeting is to give  
13 the Petitioner an opportunity to provide any  
14 additional explanation or support for the petition  
15 before the Petition Review Board's initial  
16 consideration and recommendation.

17 This meeting is not a hearing, nor is it  
18 an opportunity for the Petitioner to question or  
19 examine the PRB on the merits or the issues presented  
20 in the petition request. No decisions regarding the  
21 merits of this petition will be made at this meeting.

22 Following this meeting, the Petition  
23 Review Board will conduct its internal deliberations.  
24 The outcome of this internal meeting will be discussed  
25 with the Petitioner.

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1           The Petition Review Board typically  
2 consists of a Chairman, usually a Manager at the  
3 Senior Executive Service level at the NRC. It has a  
4 Petition Manager and a PRB Coordinator. Other members  
5 of the Board are determined by the NRC Staff based on  
6 the content of the information in the petition  
7 request.

8           At this time, I would like to introduce  
9 the Board. I am Mike Cheok, the Petition Review Board  
10 Chairman. Mac Chawla is the Petition Manager for the  
11 petition under discussion today. Lee Banic is the  
12 Office PRB Coordinator. Our technical staff includes  
13 Kerby Scales from the Electrical Engineering Branch,  
14 Bob Wolfgang from the Component Performance and  
15 Testing Branch, David Alley from the Piping NDE  
16 Branch, Jack Geissner [Giessner], Branch Chief Branch  
17 Four from Region III, Division of Reactor Projects,  
18 Robert Lerch, Project Engineer, Branch Four from  
19 Region III, Division of Reactor Projects, Melvin  
20 Holmberg, Senior Reactor Inspector, Engineering Branch  
21 One from the Region III Division of Reactor Safety. We  
22 also obtained advice from our Office of the General  
23 Counsel represented by Brett Klukan.

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

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

5 I would like to summarize the scope of the  
6 petition under consideration and the NRC activities to  
7 date. First, on January 10<sup>th</sup>, 2012 Mr. Mulligan  
8 submitted to the NRC a petition under 2.206 regarding  
9 the Palisades Nuclear Power Plant.

10 In this petition request, Mr. Mulligan is  
11 requesting immediate shutdown of the Palisades Nuclear  
12 Power Plant, also known as PNP, and all Entergy  
13 Nuclear Power Plants. In addition, he requested the  
14 following actions, some of which were repeated from  
15 his previous petitions.

16 Number one, replacement of the Palisades  
17 management and Entergy Corporate Nuclear Senior Staff  
18 prior to plant startup. Number two, assignment of  
19 additional NRC inspectors at PNP and other Entergy  
20 plants. Number three, formation of a local public  
21 oversight panel around every plant site. Number four,  
22 forming an emergency NRC Senior Official Oversight  
23 Panel with the aims of reforming the Reactor Oversight  
24 Process, or the ROP. Number five, forming a public  
25 national oversight panel to report on NRC activities.

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1 Number six, performing an analysis of the cause of the  
2 numerous inspection findings at Entergy plants. Number  
3 seven, evaluation of NRC Region III personnel  
4 resources. Number eight, a request that PNP remain  
5 shut down until replacement of the three service water  
6 pumps. Number nine, a request that Entergy plants  
7 remain shut down until completion of all cleaning  
8 procedures, including the Fukushima emergency power  
9 system procedures and records. Number ten, a request  
10 for a report of the failure of the NRC to prevent the  
11 Palisades DC bus event. Number eleven, that NRC create  
12 a system for reporting of coupling failures,  
13 degradations, and near misses. Number twelve, the  
14 replacement of the present NRC Commission, including  
15 the Chairman by the U.S. President. Number thirteen,  
16 an independent outside investigation over the  
17 insufficient process outcome of the 2008 and 2009  
18 Palisades security falsification.

19 Next, allow me to discuss the NRC  
20 activities to date. On January 19<sup>th</sup>, 2012, the PRB met  
21 internally to discuss Mr. Mulligan's request for  
22 immediate action. The PRB denied your request for  
23 immediate action on the basis that there was no  
24 immediate safety concern at the plant, or to the  
25 public health and safety.

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1           Your request for the immediate action to  
2 shut down Palisades and other Entergy plants did not  
3 have adequate basis. You have cited numerous equipment  
4 failures and made statements of falsification of  
5 records, and you have made the ROP process to be  
6 inadequate. However, you did not provide additional  
7 information for the NRC to consider.

8           The Staff is aware of information you have  
9 provided in the petition, and these issues and events  
10 are being reviewed through other NRC processes. You  
11 were informed on January 24<sup>th</sup>, 2012 of the PRB's  
12 decision to deny your request for immediate action.

13           On January 24<sup>th</sup>, 2012 the Petition Manager  
14 contacted you to discuss the 10 CFR 2.206 process, and  
15 to offer you an opportunity to address the PRB by  
16 phone or in person. You requested to address the PRB  
17 by phone prior to its internal meeting to make our  
18 initial recommendation to accept or reject the  
19 petition for review.

20           As a reminder for all phone participants  
21 please identify yourself if you make any remarks as  
22 this will help us in the preparation of the meeting  
23 transcript, and this will be made publicly available.  
24 Thank you.

25           Mr. Mulligan, I'll turn it over to you to

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1 allow you the opportunity to provide any information  
2 you believe the PRB should consider as part of this  
3 petition.

4 MR. MULLIGAN: Thank you. Mike Mulligan. As  
5 far as the security event back in 2008 or 2007, you  
6 know, essentially what I was getting at is that out of  
7 that -- through ADR process, and I don't like ADR  
8 process because a lot of that stuff is behind closed  
9 doors, Entergy agreed to do a culture survey fleet-  
10 wide. And we have a host of problems with Entergy  
11 plants across the nation and stuff, and they've had  
12 fleet training on integrity, procedures, and a whole  
13 bunch of stuff, on and on, and on many times in the  
14 last three or four years and stuff like that.

15 And we know that out of the security  
16 event, Entergy was required to do a bunch of security  
17 -- culture surveys at Palisades. And everything comes  
18 out smelling pretty good through these cultural  
19 surveys and stuff. And the employees always tell  
20 Palisades and Entergy that everything is smelling  
21 sweet.

22 We know by listening to the NRC at the  
23 beginning of this month, Palisades is in terrible  
24 trouble with their culture and stuff like that, so  
25 what is the worth of these cultural surveys to us, to

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1 the communities and stuff? I mean, how honest are  
2 they?

3 And when they accept these things over and  
4 over again without question, and everybody always says  
5 we ain't got no problems, and then all of a sudden the  
6 plant has a terrible accident like the DC accident.  
7 And then all of a sudden we find a bunch of cultural -  
8 - deep cultural problems.

9 You know, I don't think it's all of a  
10 sudden -- a month before the DC event everything was  
11 sweet with Palisades. I had one 2.206 after another,  
12 and it indicates to me that Palisades was always in  
13 deep trouble, and the NRC failed to help Entergy  
14 correct their problems.

15 Here's February 22<sup>nd</sup>, 2011, my second  
16 2.206. "We know from the study of the past there is" -  
17 - this is a year ago. "We know from the study of the  
18 past there are huge problems spinning unseen right now  
19 at Palisades that the NRC doesn't document. It is  
20 going to boggle the mind with what the NRC discovers  
21 next year or two at Palisades," just like the last two  
22 years. I say there are going to be bigger and more  
23 repetitive problems.

24 You know, this didn't come out of nowhere.  
25 It's a failure of the NRC to act. I think the biggest

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1 risk is not from the threat of a bad act. This is a  
2 year ago. I think the biggest risk is not from the  
3 threat of a bad act from direct engineering  
4 falsification of components, but the threat comes from  
5 killing the spirit of their employees.

6 And what do we hear, less than a month ago  
7 at the meeting about Palisades -- I want to -- as an  
8 example, President Obama just got done talking about  
9 pulling the trigger on Osama bin Laden. He basically  
10 had to act on incomplete information. They got a lot  
11 of information, but there wasn't a lot of -- there was  
12 a lot of missing information, and he had to take a  
13 chance. And the outcome was that we ended that threat  
14 acting on incomplete information.

15 I think people ought to think about that  
16 in this. A lot of times we don't have complete  
17 information, and we can't wait for all the information  
18 to come in on these complex systems. We've got to act  
19 beforehand. And once you get into the big plans and  
20 tens of thousands of components and thousands of  
21 employees, you know, by the time we show big problems  
22 in the ROP it's too late. It's like turning around a  
23 battleship. It takes too much time to turn them  
24 around.

25 And like I said, you know, we can -- all

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1 this survey -- cultural survey stuff, you know, words  
2 have meaning, and results having meaning and stuff.  
3 And that was inaccurate, that survey stuff was  
4 inaccurate. And it's a con job because, essentially,  
5 Entergy gets to hire their own people. And they  
6 probably tell the companies beforehand this is what we  
7 want, can you do it for us? And that's what they get.

8 You know, I don't know. Maybe the NRC  
9 ought to hire somebody independent or something like -  
10 - I don't know what the question is but, you know,  
11 that was -- we could have -- Entergy should have found  
12 the problem two years ago and they didn't.

13 The problem is they go through another ADR  
14 process. It began in 2010. It just came out as an  
15 enforcement finding with the employee that stormed out  
16 of the control room. Basically, the same thing is --  
17 another agreement. This thing isn't, you know --  
18 Entergy, you do it or stay shut down. This is another  
19 -- you know, a gentleman agreement, essentially -- I  
20 can't even say the word, confirmaturnity [confirmatory  
21 action] letter, whatever you call it.

22 How many has Entergy had in the last --  
23 two or three at Palisades, and who knows what they've  
24 gotten over the -- I mean, how well does that work and  
25 stuff? So, you know, so another survey is going to be

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1 done fleet-wide, more fleet training. These poor guys  
2 they're getting overwhelmed with all the fleet  
3 training on integrity and stuff. You know, it just  
4 bothers me that this thing wasn't prevented.

5 You know, the NRC is -- you know, it's  
6 like playing football. They're supposed to call a  
7 foul or an improper interception and stuff. That's  
8 the job of the Agency, to call a foul and make a  
9 utility pay a price, you know. And keep the game  
10 within bounds and stuff, and I don't -- you know,  
11 that's missing here with controlling these utilities.

12 You know, Wolf Creek with their loop is a  
13 very serious accident, and Byron today or yesterday  
14 and stuff like that. That's a natural result of the  
15 system the NRC sets up. You know, that's the system  
16 that the NRC allows. And we've got all sorts of  
17 emergencies all throughout the national with nuclear  
18 plants historic. And we've got the weather problems  
19 and stuff in -- you know, it worries me.

20 The issue with the coupling. I mean, this  
21 is a six-inch piece of metal -- a rod of metal with a  
22 hole cut through it. It's basically about a little  
23 more than half an inch thick. This thing isn't  
24 complicated and stuff.

25 And you look at all the activities with

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1 Entergy and hiring people, and this is consuming  
2 resources at Entergy. This is consuming resources at  
3 the Entergy and stuff. And there's a limited amount  
4 of resources, and there's tens of thousands of  
5 components at a plant like Palisades. What if each one  
6 of these components had to have the same intensity of  
7 care as what was shown with the coupling, you know?  
8 Where's the point of you get too overwhelmed with  
9 these issues, and you make these -- you don't want to  
10 enforce anything but you want to make another report,  
11 make another hundred rules that they don't follow.

12 When does this thing get overwhelmed, you  
13 know? The ability of humans -- I mean, it's a  
14 wonderful ability of humans is to discriminate. They  
15 go through lives and they pick out the important stuff  
16 from the least important stuff. That's a wonderful  
17 ability of our brains to do, but as you start getting  
18 into more complex things, you start getting  
19 overwhelmed. And the next thing you know, you start  
20 numbing, you know. It's dysfunctional. It's an  
21 adaption.

22 Discrimination is really an adaption to a  
23 poor system, two complex things going around in the  
24 environment. And the result of depending upon it too  
25 much is you start numbing out, and becoming numb and

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1 stuff, killing the spirit. And that's what I worry is  
2 happening with this.

3 We don't want to make a plant behave. We  
4 want to drive up the complexity until everybody goes  
5 crazy. I worry about that and stuff.

6 Let's see, Fitzpatrick. They had their  
7 falsification of RAD procedures and training.  
8 Palisades RO running out of the control room. We know  
9 that's a good one. Pilgrim, failure to perform a  
10 control room startup safely. How about the Grand Gulf  
11 \$140,000 issue with the control room employees going  
12 on the internet against procedures.

13 I mean, how many -- what's going on here?  
14 Why are these guys running -- getting away with not  
15 following procedures and not, you know -- why are you  
16 needing a procedure to say that -- I mean, you really  
17 shouldn't be on the internet in the control room of a  
18 nuclear power plant. I mean, why are we so fixated on  
19 -- you know, as we ramp up these procedures and we  
20 ramp up the ROP, you know, it just -- we're going to  
21 get into big trouble.

22 River Bend, you know, they intimidated an  
23 engineer, and the big problems with quality control  
24 fleet-wide. Did you have a cultural survey on River  
25 Bend? I think you did. I think fleet-wide you had

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1 another cultural survey, so how many times are we  
2 going to swallow this culture survey down, you know,  
3 that failed before? And another one of these false  
4 images up in front of us, you know, as well, it should  
5 make you feel better.

6 And don't get me going on -- this thing in  
7 2010, this thing happened, and we're having surveys  
8 now. How is that helping the United States, when it --  
9 - if there's such a delay of wrongdoing being punished  
10 or being fixed, or whatever you call it. That's going  
11 on all over the United States.

12 You know, I don't have a degree or a  
13 scientific degree, or an engineering degree, but can I  
14 talk science? Can I talk engineering? At times I can,  
15 you know. These scientists and these engineers, can  
16 they talk junk science and junk engineering? Are they  
17 allowed to do this? How do we tell the difference  
18 between real science and phony science?

19 You know, I think a lot of it is if you  
20 can prove it, if it's provable. If you do it once and  
21 then you do another experiment and you see the same  
22 results -- that, to me, is science. And, you know, I  
23 question a lot of the science that goes -- especially  
24 goes on with this coupling issue and stuff, and what  
25 the -- you know, I have issues on how the Agency

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1 determines what science is. Is a likely contributor in  
2 my 206 [2.206], what does that mean, a likely  
3 contributor? If these guys are talking to the NRC  
4 they're supposed to you know, to me they're supposed  
5 to have proof that something is wrong or we've got  
6 some sort of corrosion process going on and stuff like  
7 that. You know, there's supposed to be proof and not a  
8 big story of theories, and suited -- people with  
9 expensive suits telling stories.

10           Entergy's root cause analysis, you know,  
11 they say there's three service water pumps in they're  
12 modified Bowler pumps. The Lucas Pinken Corporation,  
13 the guys that did the metallurgical studies and stuff  
14 like that, they say they got to Bowler -- Layne and  
15 Bowler model pumps and one Johnson pump. You know,  
16 little things like that when Entergy can't get the  
17 paperwork should start raising signals.

18           One of these guys is wrong and stuff. You  
19 know, it's a 300 horsepower motor, 350 horsepower  
20 motor and stuff like that, but these little things  
21 where -- in these big reports and people aren't  
22 accurate, you know.

23           You know, I don't know. You need a  
24 procedure to tell you that that's some -- hey,  
25 something is wrong here and stuff like that when the

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1 spotlight is on Entergy, and somebody's got this  
2 information wrong. What does it take?

3 You know, they got a 72-hour LCO in three  
4 pumps and stuff like that. They're always rushing  
5 into these LCOs, you know, they got these short-term  
6 LCOs, and forces these guys to pen it because they're  
7 going to lose \$2 million a day in money and stuff like  
8 that. You know, why do we put these guys under that  
9 kind of pressure and stuff like that? Maybe they need  
10 four pumps, you know, so that they have a little bit  
11 more time to think these things out when a pump breaks  
12 down and stuff.

13 You know, Layne and Bowler Pump,  
14 Incorporated is domiciled in Ankara, Turkey. It's a  
15 Turkish company, it's from Turkey as far as I see on  
16 the internet and stuff. You know, and that raises  
17 questions to me on how do -- do they have a repair  
18 part system here? You know, is there adequate repair  
19 parts? Then you start thinking about what is a  
20 provider of big components for nuclear plants, you  
21 know. What are some of the attributes you want to  
22 see? You want to see -- you know, Entergy can't  
23 provide these engineering -- the basic engineering  
24 services for these components like hardness and all  
25 that sort of stuff. You know, you're supposed to be

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1 able to trust -- a reputable company to do all that  
2 sort of stuff, and do the safety testing. And they  
3 know what their couplings and what they're doing, and  
4 what they can do. They have the studies to prove it  
5 and stuff like that, so what is this company from  
6 Turkey? You know, it bothers me that they're -- that  
7 the corporation is in Turkey.

8 HydroAir was the company that was -- you  
9 know what they specialize? Everybody knows that. They  
10 specialize in reverse engineering. Whoa, whoa, whoa,  
11 what's reverse engineering in a nuclear plant? How  
12 widespread is reverse engineering?

13 You know, China stole all our jobs from us  
14 by reverse engineering, or a lot of our components,  
15 and a lot of our equipment and stuff like that. And  
16 we're reverse engineering high-tech couplings from  
17 Turkey? You know, we ought to think about that --  
18 these things.

19 You know, insufficient spare parts on a  
20 national level is a problem. A lot of times, you know,  
21 they give you one with the gasket issue, and they  
22 didn't have the right Flexitallic gasket, and they  
23 stuck another type of gasket in there, and it was the  
24 wrong kind and stuff. So, it gets you to -- you know,  
25 what is the adequate amount of spare parts on site?

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1 And what does it mean if they don't have an adequate  
2 set of spare parts, and it always forces them to call  
3 over to California and wait for the spare part to come  
4 on board. And they've got these short LCOs and stuff.  
5 And it forces people -- you know, it forces people to  
6 do inhuman activities because everybody is so rushed  
7 and stuff. What does that mean?

8           You know, like I said, it's a 40-pound --  
9       it's a 40-foot shaft, and I think -- you know, like I  
10      said, it's six inches of metal, three inches thick in  
11      diameter, and about a half an inch, a little bit more  
12      than half an inch thick. I think -- a 350 horsepower  
13      engine, I think that those are too small.

14           You know, I'm not an engineer but you look  
15      at that stuff and -- how about the -- you know, that  
16      contractor that did the study, they talked about  
17      tensile -- tension causes that IGCSS whatever. And,  
18      you know, and Entergy bumps those pumps with the --  
19      torquing those couplings. The shafts abut each other  
20      in the middle of the coupling and stuff, but they  
21      don't use any torquing device. I mean, it's science.  
22      You have measurements and limits, and you know the  
23      limits of material and stuff like that. And you're  
24      spinning up a pump to torque a coupling? Something is  
25      wrong there doing that kind of stuff and not using

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1 instrumentations.

2           You know, the coupling was split right in  
3 the middle. You know, that sounds like a -- right  
4 where the weep hole is. You know, to me that looks  
5 like a weakness in the system, you know, right in the  
6 crack between the two shafts. That sounds like the  
7 coupling itself was inherently weak and there was some  
8 sort of either tension or torquing thing bending the  
9 metal a little bit each time. And that led to cracking  
10 and -- stress cracking and that's actually the IGSCC  
11 and stuff, you know.

12           Then you start talking about this wetting  
13 and drying process that goes on. It's not a desert.  
14 I've seen inside a service water bay. There's a lot  
15 of flow, a lot of spray of water on the components and  
16 stuff. How does it dry out? How does the water get in  
17 that -- what is the model we use to explain how that  
18 water gets inside the coupling through that hole? You  
19 know, the shaft is spinning really fast at, I don't  
20 know, 3,000 rpms [rpm] or whatever. How does that  
21 water stay in there? How did the salt get in there? Is  
22 the salt in the water? How does it dry out in the  
23 threads and stuff? I see no science at all in here and  
24 stuff, you know, that -- it probably came by human  
25 hands how that salt got in there and stuff, you know,

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1 far as I know. Why isn't it, you know, the water  
2 getting -- you know, make a case of turbulence of the  
3 shaft spinning around and the flow coming up. You make  
4 cases, lot of flow in and out of that little hole. You  
5 can make a case there's no flow, and you can make a  
6 case there's a lot of flow out that little hole, and  
7 it's flushing the salt out of there. So, how does that  
8 flush -- how does that salt get in there and set this  
9 whole thing up?

10 Where's the science? Where's the  
11 repeatability? Where's people saying let's go put this  
12 thing in -- let's set it up like it's out there. Let's  
13 see if we can repeat the kind of corrosion mechanisms  
14 that are going on here. You've got some shafts having  
15 no coupling failures, and you got one shaft having two  
16 coupling failures.

17 You know, you've got a puzzle here, and  
18 you start putting half the puzzle together, and you  
19 get half the puzzle put together and you start looking  
20 around. You can't get any more pieces to fit together,  
21 and then you say to yourself, you know, we've got two  
22 puzzles here. We've got -- we don't have a whole  
23 puzzle. We've got two different puzzles and the pieces  
24 don't fit together.

25 Entergy -- 416 stainless steel Austin -- I

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1 used to be able to say that but I can't say it now,  
2 whatever, stainless steel. You know what it's noted  
3 for? It's cheap steel. It's cheap stainless steel.  
4 That's what it's noted for. You know, with all this  
5 going on in the service water systems and what they  
6 supply why aren't they using really good steel? Why  
7 are they taking the cheap steel?

8           You know what's another thing that bugs me  
9 is the shafts. The shafts were replaced in 2008 and  
10 stuff, you know. And they're replaced by 416 type  
11 stainless steel, the same stuff is the coupling and  
12 stuff, so why is -- what's going on here? Why isn't  
13 anybody giving the shafts a clean bill of health? How  
14 come there's not corrosion -- if there's corrosion on  
15 a 416 stainless steel on the coupling, how come  
16 there's none on the shafts? How come -- you know, if  
17 you changed in to a different kind of stainless steel,  
18 probably a more expensive stainless steel, how come  
19 the shafts aren't changed out? Because that's the same  
20 kind of steel that is noted for corrosion as the  
21 couplings. You know, science, this is all science kind  
22 of questions and stuff like that.

23           And like I say, you know, the puzzle  
24 doesn't fit together. There's all different pieces of  
25 different puzzles in here, and it's driving us crazy

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1 trying to fit them all together.

2 You know, I don't know, the IGSSC, it's  
3 just -- were the shafts reverse engineered, you know.  
4 You know, they -- you start talking about intellectual  
5 rights, and copyright laws. Can anybody just reverse  
6 engineer anything they want in the United States and  
7 stuff? Like I said, you know, did they get permission  
8 to reverse engineer from the Turkish company and stuff  
9 like that, you know.

10 Can you believe reverse engineering at a  
11 nuclear power plant? HydroAir specializes in reverse  
12 engineering in a domestic nuclear power plant. Does  
13 every -- you know, words have meaning. Does everybody  
14 kind of get what I'm trying to say? I hope you do,  
15 because, you know, reverse engineering. Again,  
16 HydroAir, you know -- Entergy itself said that they  
17 walked in to the HydroAir office and they weren't too  
18 happy with the way the place looked.

19 You know, why didn't somebody back off,  
20 say you know, something is wrong here. You know,  
21 something is just not right here. I don't have a  
22 procedure in my -- made for this type of thing, but I  
23 know right from wrong, and something is wrong here.  
24 And stop it, and let's back out of this and do it the  
25 right way, you know. How hard is that?

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1           Why do we have this fixation -- you know,  
2       it's the utility lawyers that drives [drive] the NRC  
3       into having a procedure for everything they do. And it  
4       makes it so complex that nobody can understand what's  
5       going on, including the NRC.

6           Risk analysis, they spend so much time at  
7       risk analysis. I call it hocus pocus absolution  
8       because it really doesn't make any sense to me.

9           As far as this coupling business, you  
10      know, it's not the coupling that's at fault, it's the  
11      organization. And when a -- you know, you say okay,  
12      how high up does this organization go? How high up  
13      does the organization problem go? And, certainly, it's  
14      in Palisades, and certainly it's in Entergy as a  
15      whole. And I'll tell you what, it's in the NRC, this  
16      organizational problem, because this shouldn't be  
17      here.     None of this stuff should have been at  
18      Palisades. It should have been corrected years ago and  
19      stuff, you know.

20           Same thing with Browns Ferry and a lot of  
21      other plants. And, like I said, with the two plants  
22      that are out today, or the ones that got --  
23      complexity. The insanity of too much complexity, you  
24      know. That's what I call it.

25           Again like I said, you know, with the

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1 coupling, is the -- is Entergy because of some fault  
2 with the component manufacturers, you know, what they  
3 don't have, is Entergy defaulting them to be a  
4 component engineer? You know, should he have -- you  
5 know, you've got to have special kind of specialized,  
6 you know -- for a company like the Bowler Company,  
7 whatever, you know, you've got to have specialized  
8 engineering education in order to do that. And, you  
9 know, should really Entergy be doing something like  
10 that?

11 I know they're forced into it and stuff  
12 like that, but the bigger picture, you know, are we  
13 going to force a lot of these big utilities to having  
14 that kind of expertise when they really should be  
15 watching what's going on in the control room.

16 You know, the question I have is -- so you  
17 got me there with the 416 type stainless steel on all  
18 the shafts and stuff like that. I hope everybody heard  
19 that, because that's really important. Why wasn't  
20 those changed out? Why isn't there -- why wasn't --  
21 better yet, why wasn't there corrosion on the shafts  
22 if that's the same type of metal as the couplings?

23 You know, let's move on to the DC trip.  
24 We'll start with the green status indication light for  
25 the containment and escape air lock MZ50 not working

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1 prior to October 2010 outage and stuff. We don't know  
2 how -- you don't know how much before the outage that  
3 this green light wasn't working. And when you start  
4 talking about DC, you know, anybody that has any  
5 experience in the nuclear industry, when you start  
6 talking about DC, that's -- the DC light, you know,  
7 the alarms are going off in your head that's got to be  
8 important if it's DC and stuff. It's got to be really  
9 important because they wouldn't waste DC on  
10 insignificant stuff.

11 And this DC light was out back in 2010 and  
12 stuff. I mean, it just drives me crazy thinking about  
13 it, you know. DC -- you know, maybe the public don't  
14 understand what DC is, DC power. This is -- Entergy  
15 explains it as the emergency power system. The NRC  
16 explains it as a euphemism of DC power system, because  
17 they don't want to tell the public really it's an  
18 emergency power system. They want to, you know, not  
19 be totally accurate. And DC is kind of less  
20 threatening. And that's the way I feel.

21 You know, DC system, you know, how do you  
22 explain a DC system, an emergency DC system at a power  
23 plant? You know, how do you explain its consistent --  
24 its attributes and what it's made up of? Is it made  
25 up with a certain set of qualities of components and

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1 procedures, and a pedigree? You know, is that how you  
2 explain this kind of a D [DC]-- emergency power system  
3 of a nuclear power plant?

4 You know, I think, again, you know, I  
5 think the way you do it is you kind of say, you know,  
6 it's kind of like a -- it's more important than what  
7 it's made up of. It's like a system of God, or a  
8 system of the spirit type of thing. It is so important  
9 that it's almost beyond explaining in the purely  
10 material or procedure realm and stuff like that. It's  
11 such an important system that you have to talk about  
12 it in a spiritual sense. It's bigger than what we can  
13 explain by the materials and stuff like that. That's  
14 how I'd explain this system.

15 You know, like I tell everybody, you know,  
16 if they lost both sides of the DC system, they'd be  
17 blind and they'd have a broken neck and not be able to  
18 move. And it would be very difficult recovering from  
19 that.

20 So, you know, there's a discontinuity  
21 between how the NRC explains it and how Entergy  
22 explains it. Entergy says that they were setting up  
23 for this DC light, setting up for surveillance,  
24 worrying about a surveillance. They had this thing not  
25 working since 2010, DC light really, you know, a

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1 spiritual kind of thing. And they're worrying about an  
2 upcoming surveillance and stuff like that. And the NRC  
3 just kind of blows by it. And, you know, with us we  
4 kind of look and say they had 2000 -- before October  
5 2010 and they must have gone through a whole bunch of  
6 these surveillance. I don't know what the surveillance  
7 period is on these things and stuff like that. They  
8 must have banged into the surveillance problems over  
9 and over again. So, how does it come up like all of a  
10 sudden out of nowhere we're worried about a  
11 surveillance thing, surveillance -- upcoming three or  
12 four days away surveillance thing. And now you're  
13 going to go check it and stuff.

14 I mean, it's mind boggling. I think that's  
15 an unexplored area as far as understanding what -- How  
16 this thing happened. And like I said, you know, it's  
17 the ability to be anticipatory, to have the big  
18 picture, to say to yourself, you know -- believe me, I  
19 know rules and laws are important, and I live by  
20 following most of the laws, maybe a few, you know, I  
21 might -- speeding, I might speed. But I believe in the  
22 laws but, you know, it's the idea of -- I think what's  
23 in our brains is more important than the laws and the  
24 procedures.

25 You know, the idea that we can look out

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1 and -- with our experience and see -- and pick out the  
2 small problems and say, you know, that's going to be a  
3 big problem. That has the potential of being a big  
4 problem. That's our humaneness, our humanity, our God-  
5 given intelligence to do that, to not need a procedure  
6 but kind of sit out there and say -- anticipate things  
7 and pick out the important stuff. And, you know, it  
8 boggles the mind to think you have to wait until, you  
9 know, DC accident to care about these things.

10 CHAIRMAN CHEOK: Hey, Mr. Mulligan, I just  
11 want to give you, I guess a time check. We have about  
12 five more minutes for you to complete your  
13 presentation.

14 MR. MULLIGAN: Well, you were 10 -- you  
15 were 15 minutes late. Right?

16 CHAIRMAN CHEOK: Well, we -- I guess we  
17 were 10 minutes and we were just going to give you  
18 five more minutes so we can go around the room and see  
19 if there are any questions for the remaining five  
20 minutes.

21 MR. MULLIGAN: Okay, that's fair.

22 So, that whole thing with the DC light I  
23 think is a big deal. On September 23<sup>rd</sup>, you know,  
24 again, you know, I think -- especially the NRC  
25 officials, you know, the inspectors really have a lot

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1 of information and they're aware of all the stuff  
2 that's going on at other plants, but the higher  
3 officials, you know, a lot of these guys are like  
4 shift supervisors, and old shift supervisors, or they  
5 have a lot of experience. And then to get the public  
6 to understand -- these officials, you know, they have  
7 a wide vision. People at the plant have -- maybe only  
8 be at one plant or a few plants, or a fleet of plants,  
9 but these NRC officials, they see a broad array of  
10 plant problems. And they know the human condition.  
11 They see the human condition and all these problems at  
12 these plants and stuff like that.

13 I've gotten in the past from NRC  
14 inspectors, you know, we don't have a license at the  
15 plant. We can't tell the plant what to do because we  
16 don't have a license. You know, I just want to -- you  
17 know, you -- I think, you know, with this vast  
18 experience -- I mean, you're the guys that -- in the  
19 plant that was running into problems, you know, as a  
20 shift supervisor, or somebody, an advisor. I'd want  
21 you guys -- I would want an NRC official in there, you  
22 know, maybe working -- I'd want him in there because  
23 he has broad experience. He has that invaluable  
24 experience above the procedures, that I'd want him in  
25 there as an advisor to tell us how things can go bad

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1 at other plants. And this is what you should do and  
2 stuff like that. So, I think sometimes an NRC official  
3 has more experience than a licensed operator at the  
4 plant. I think you should be held accountable. I think  
5 the NRC should be held accountable for making these  
6 plants operate in a certain way because of their  
7 experience.

8 These guys, you know, just have a lot of  
9 experience, more than anybody else, and they have a  
10 broad picture of what's going on out of here. And we  
11 shouldn't let them off the hook because they don't  
12 have an RO's license, or SRO license.

13 On September 23<sup>rd</sup>, two days -- a day or two  
14 before the accident, I mean, the NRC should have  
15 understood -- should have been watching Palisades a  
16 lot more closely. They should have called for maybe  
17 outside help if they didn't have enough people to help  
18 the inspectors. They should have said, you know, I  
19 know that Palisades is in trouble. We don't want to  
20 get them overly -- we don't want the public around  
21 them to get overly worried about troubles with  
22 Palisades. And we've got to really watch these guys  
23 carefully.

24 I think that the NRC should have had an  
25 awareness of the background of how serious Palisades

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1 culture was, and I think as they was walking into this  
2 before -- just before September 23<sup>rd</sup>, the NRC should  
3 have been very concerned about Palisades. And when  
4 they started getting their -- well, honestly, I think  
5 when they opened up that panel and said, you know --  
6 and then they should have asked what kind of work was  
7 going to go on in there, or as it got further down  
8 they should have asked what was kind of working. And  
9 they should have said, you know, this isn't  
10 appropriate for that kind of -- this kind of work is  
11 inappropriate for at-power operations, and we won't  
12 allow it type of thing.

13 And I think even worse, when they started  
14 getting flickering lights in the control room two days  
15 before the accident, and the components tripping and  
16 valves flip -- tripping shut and stuff like that,  
17 common sense tells you -- common sense. You don't need  
18 a procedure and stuff like that. Common sense, this  
19 spiritual DC power we talk about, should have tripped  
20 the NRC into saying this ain't going to happen. This  
21 kind of stuff is -- we're not going to allow you to do  
22 that at-power. And, matter of fact, they should have  
23 demand a stop work order, and they should have  
24 demanded Palisades shut down and fix that and stuff  
25 like that.

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1 I think that's a systematic -- a weak  
2 regulation nationwide with the NRC. The ability that  
3 they -- you've got every excuse in the book for not  
4 wanting to do it, President Obama did, and stepped in  
5 there without absolutely perfect proof. And do the  
6 right thing, and make these plants work.

7 You know, they need triplicate procedures  
8 in order to do the right things that they're never  
9 going to find anyway and stuff like that. I think the  
10 NRC -- you know, I blame this on the NRC. They should  
11 have controlled Palisades before this, and prevented  
12 this from happening. This is common. Skills that the  
13 NRC is supposed to have and they're trained for, and I  
14 think this is a huge failure with the NRC of  
15 controlling Palisades.

16 I find it most troubling the auxiliary  
17 feed pump tripped within a couple of weeks and stuff  
18 like that. I talked to the NRC inspector, and they  
19 didn't -- they let Palisades start up not knowing what  
20 would cause the recirc valve to trip. I find it  
21 astonishing that, you know, Palisades and Entergy can  
22 do whatever they want, as long as they've got some  
23 Archaean procedure that might back them up a little  
24 bit and stuff like that. But nobody forces them to do  
25 the right thing. Nobody forces them to pay a price.

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1 You know, the only thing that matters is that Entergy  
2 makes \$2 million a day revenues from Palisades plant  
3 and stuff like that.

4 And what changes behavior is people being  
5 punished. If they can't do it on their own, it's the  
6 punishment that, you know, kind of makes them sit back  
7 and think about what they're doing. So, I think that's  
8 a huge -- it shouldn't happen. The NRC shouldn't let  
9 Palisades do that, to be there with that DC system,  
10 especially as they started seeing that the breakers  
11 weren't put in there right, and they had -- again, had  
12 three to four hundred requests for updates on  
13 Fukushima emergency procedures.

14 Again, how widespread is that at  
15 Palisades? You know, how many procedures outside the  
16 emergency power procedures are bad at Palisades and  
17 stuff like that? That's another thing -- you know, I  
18 think Palisades needs to be shut down for six months  
19 in order to get their stuff together really when it  
20 comes down to it.

21 CHAIRMAN CHEOK: Okay, thanks.

22 MR. MULLIGAN: One more thing.

23 CHAIRMAN CHEOK: Okay.

24 MR. MULLIGAN: The auxiliary feed pump, the  
25 spurious -- Palisades talked about spurious -- the

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1 trip, and the NRC doesn't agree with that. I think  
2 that Entergy does that a lot. They don't just answer  
3 the violation at NRC. The idea is to flood them with  
4 all sorts of studies and -- they're trying to dilute  
5 resources at the NRC so they won't find more problems.  
6 I see that across the fleet with Entergy plants where  
7 they harass the NRC with paperwork, and phoney science  
8 and engineering, and stuff like that. And it's to  
9 consume the resources of the NRC and not deal with  
10 their problems. I think that's a big problem with  
11 Entergy plants. And I think that's it. Thank you very  
12 much.

13 CHAIRMAN CHEOK: Well, thank you. At this  
14 time, let me go around the room here in headquarters  
15 to see if there's any questions? Any questions here in  
16 headquarters? I see a lot of heads shaking, so no  
17 questions at headquarters. Are there any members of  
18 the public -- hang on, before I go there, any  
19 questions from the Regions?

20 MR. GIESSNER: No questions from Region  
21 III.

22 CHAIRMAN CHEOK: Thank you. Any -- does the  
23 licensee have any questions?

24 MS. JACKSON [DOTSON]: No questions from  
25 the licensee.

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1 CHAIRMAN CHEOK: Okay, thanks. Are there  
2 any members of the public that joined the bridge, all  
3 of your thoughts in the last hour or so. So, there  
4 would be no questions from the public.

5 So, Mr. Mulligan, thank you for taking the  
6 time to provide us with the information on the  
7 petition you have submitted. And thanks for your  
8 patience as we got set up earlier today.

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

12 COURT REPORTER: I'm all set, thanks.

13 CHAIRMAN CHEOK: All right, thank you.

14 MR. MULLIGAN: Thank you for this  
15 opportunity.

16 CHAIRMAN CHEOK: Thank you, again. And with  
17 that, this meeting is concluded, and we will be  
18 terminating the phone connection. Thanks.

19 (Whereupon, the proceedings went off the  
20 record at 12:49:00 a.m. [2:15 p.m.] )  
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