

1 excellent question.

2 MR. KARDATZKE: -- that we count on.

3 MR. GROBE: That's an excellent  
4 question. Did you want me to answer that?

5 MR. KARDATZKE: Go ahead.

6 MR. GROBE: And then we can go on  
7 with your other questions.

8 MR. KARDATZKE: Okay.

9 MR. GROBE: Just to give you a  
10 sense of what the reactor core -- reactor core looks  
11 like. There is well over a hundred fuel bundles and  
12 each of those bundles contain well over a hundred  
13 fuel pins, and as happens from time to time and this  
14 is not unique to Davis-Besse, some of those pins  
15 develop pin hole leaks and that did happen to  
16 Davis-Besse during the past year -- actually the year  
17 prior to them shutting down, so during the summer and  
18 fall of last year. As a result of these very tiny  
19 leaks in a few of the many fuel pins during the  
20 reactor, you get a very small concentration of fuel  
21 related radioactive materials. There's a number of  
22 different kinds of radioactive materials that are  
23 found in the reactor. Some of them are graded  
24 through what's called activation and those would  
25 normally be metals like cobalts and iron and things

1       like that. There's other radioactive materials that  
2       are inside the fuel pins that are either thinning  
3       products, it's the outcome of splitting ahead of them  
4       or actually with fuel itself through radiant material  
5       and when you have one of these leaks in the fuel pin,  
6       you can get some of these fission products or fuel  
7       materials into the coolant and that happened at  
8       Davis-Besse, and there's limits in the license on the  
9       amount of activity that can be in the coolant, and  
10      they did not exceed those limits. This is not unique  
11      to Davis-Besse. When the reactor shut down, there is  
12      some work that goes on inside the cooling system, and  
13      the specific work was going on that these fellows  
14      were involved in was inside the steam generators, and  
15      Doug showed a picture of where the steam generators  
16      are. There was some fuel related radionuclides  
17      inside the steam generators, and they got onto the  
18      clothing of those individuals, and through a variety  
19      of mistakes, on the part of the company, some of  
20      those particles got offsite. The radioactivity that  
21      got offsite was significantly below any regulatory  
22      limits, the -- significantly below anything that was  
23      any danger to the public, but it was detectable, and  
24      detectable radioactivity in the public because of  
25      operation in the nuclear power plant is not something

1 that is -- that should happen, so the Utility --  
2 FirstEnergy, after a number of discussions with us  
3 followed up on this and found all of the locations  
4 where radioactive materials was carried offsite and  
5 collected it and disposed of it properly.

6 We completed an inspection a number of weeks  
7 ago. Results of that inspection are still under  
8 review, and I expect that report to be issued in the  
9 next several weeks into this matter.

10 There were several violations of the  
11 requirements. The specific detector -- excuse me,  
12 that you were referring to is what's referred to as a  
13 whole body counter. It's not a detector to prevent  
14 the release of radioactivity. It's a specialized  
15 detector to evaluate whether an individual has  
16 radioactive materials inside them because there's the  
17 possibility if you're a radiation worker in the plant  
18 that you can inhale radioactive materials or ingest  
19 them, so there's a detector that's designed to tell  
20 whether or not that happened to evaluate the level.  
21 That detector is a fairly sophisticated device. It  
22 has a very complicated computer analysis and the  
23 specific isotopes, specific kinds of radioactive  
24 material that these individuals were exposed to were  
25 not the kinds of radioactive material that that

1 detector was set up to detect, which was another  
2 mistake on the part of the Licensee, so it's -- its'  
3 not a pretty picture. I mean, a number of mistakes,  
4 number of violations of the requirements and -- I  
5 think I answered all of yours questions.

6 Do you have any other questions regarding the  
7 particles?

8 MR. KARDATZKE: That was my question  
9 concerning the particles, of course, it does reveal  
10 the weakness of the -- with the clothes, but as far  
11 as general safety, I understand, and -- but because  
12 they left the site, it was revealed. It wouldn't  
13 have been made public no matter how much particles  
14 had occurred, had it been located on site, their  
15 clothes disposed of or whatever.

16 MR. GROBE: It's -- it would have  
17 only been revealed had we selected one of those  
18 activities to review during one of our routine  
19 inspections, but you're correct, had it not gotten  
20 offsite and been detected at another nuclear power  
21 plant, it may not have been detected.

22 MR. KARDATZKE: There was another  
23 question that I had on the simplified view of the  
24 containment building. It's -- it shows a missile  
25 shield. Now, since it's inside the containment, I

1 don't think that you're talking about a missile  
2 coming inside here, you're talking about missiles  
3 coming out of the reactor head; is that correct?

4 MR. GROBE: Actually, the word  
5 missile is probably not a good choice of words, but  
6 there's all sorts of missiles that can be created in  
7 any kind of a factory situation. Any type of  
8 rotating equipment if a part comes loose, it can  
9 become what we call a missile because it's thrown off  
10 a piece of rotating equipment, like a motor or a  
11 turbine, and these kinds of equipment, pieces of  
12 equipment existed -- many industrial applications.

13 MR. KARDATZKE: This is immediately  
14 above the reactor head.

15 MR. GROBE: That's correct.

16 MR. KARDATZKE: And I understood that  
17 there were some annular cracks -- there was one case  
18 where there was an annular crack on there.

19 MR. GROBE: This particular  
20 missile shield that you're looking at is intended to  
21 protect the containment structure from a missile that  
22 could be created below the missile shield. Most of  
23 you probably have the picture of what he's talking  
24 about, but it's possible that the reactor coolant  
25 system itself could create a missile piece of

1 equipment that's ejected and that shield is intended  
2 to protect the containment structure itself in that  
3 type of --

4 MR. KARDATZKE: For example, if one of  
5 those nozzles --

6 MR. GROBE: That's correct.

7 MR. KARDATZKE: -- if it broke down,  
8 it would become a missile?

9 MR. GROBE: That's correct.

10 MR. KARDATZKE: My third point was  
11 this, with contractors rotating in and out  
12 Davis-Besse doing -- responsible for the work either  
13 because of the danger of too much exposure inside or  
14 because of technical nature of the work, how do you  
15 expect to have a culture build up here within a  
16 facility when the people are just coming and going in  
17 large measure?

18 MR. GROBE: That's an excellent  
19 question. I'm going to use my words, these are not  
20 FirstEnergy words, but what the company is doing is  
21 bringing in people that have strong safety culture  
22 and appropriate expertise, in a sense departnering  
23 them, with their own workers. Many of the oversight  
24 panels that were brought in, experienced individuals  
25 or executives from other companies and an oversight

1 panel might contain several of those individuals and  
2 several FirstEnergy people from Davis-Besse and a  
3 couple of people from Perry and Beaver Valley, so  
4 what they're trying to do is bring in differing views  
5 to cross-cultivate those views, and that's one of  
6 their efforts to raise the awareness, their staff to  
7 what their expectations are in the future.

8 In addition to that, the level of work effort  
9 is more than a normal operating organization could  
10 accomplish, so they need additional help in that  
11 regard because of the level of effort that they are  
12 going through right now.

13 MR. KARDATZKE: So a lot of the people  
14 involved in a shutdown and restart are not part of  
15 the normal operation of the facility?

16 MR. GROBE: No, no. There's a  
17 lot of people working at the site today, probably in  
18 the order of 500 that are not part of the normal  
19 operating organization at Davis-Besse. A number of  
20 them come from Perry, Beaver Valley, D. C. Cook,  
21 I can't -- I think Salem is one of the sites that  
22 they mentioned earlier today. A number of them are  
23 experienced nuclear workers, but they're contractors.  
24 They don't work for other utilities, and they have  
25 unique expertise to do the kind of work that they're

1 doing here at Davis-Besse. They may have had past  
2 expertise in doing the specific kind of recovery  
3 activities at problem plants in the past, and -- so  
4 they need that kind of help.

5 In addition, they're trying to capitalize on  
6 having those people there, a cross-fertilizing with  
7 their people. We have not yet seen the  
8 comprehensive corrective action program that the  
9 Licensee is going to use to try to change the culture  
10 of their organization and how they are going to  
11 monitor that change and how they're going to measure  
12 it. The Licensee just presented to us last Thursday  
13 their root cause in this area, their evaluation of  
14 what their problems are, and you heard earlier this  
15 evening some of those. They concluded that their  
16 organization put an inappropriate level of emphasis  
17 on productivity instead of maintaining design safety  
18 margins, so it's -- that's a difficult issue to  
19 address, and I expect in the next couple of weeks  
20 we're going to get a comprehensive plan on how they  
21 are going to try to address that, and we're going to  
22 be monitoring their limitation. We're going to be  
23 monitoring indicators both through our inspections as  
24 well as watching what they're doing of those  
25 attitudes and behaviors changing, and that is the



1 true root cause to this problem that occurred at  
2 Davis-Besse. It's the people, the decisions they  
3 made, and the way they did their job, and the NRC  
4 needs to be convinced that that's change before this  
5 plant restarts.

6 MR. KARDATZKE: Thank you.

7 MR. GROBE: Thank you.

8 MR. DEAN: I just want to take  
9 the opportunity to say a few things. We try to  
10 conduct this meeting and often have a dialogue with  
11 people. We did have some people take the  
12 opportunity to have a diatribe which makes it  
13 difficult to have communication like we just did with  
14 you, sir, but there were a couple of issues that were  
15 raised that we did not have the opportunity to  
16 address, and I think more importantly that we don't  
17 let some disinformation or misinformation exist out  
18 there regarding some of the things that have occurred  
19 over the past year.

20 First of all, the issue that was raised  
21 regarding the Commission vetoing or influencing  
22 unduly the Staff's decision whether to issue an order  
23 or not to shut down Davis-Besse, and just to  
24 summarize briefly as we were dealing with the  
25 industry-wide issues regarding cracking in these

1 nozzles and trying to develop the approach as to how  
2 we would wrestle with this issue with all Licensees,  
3 not just Davis-Besse. There were some concerns that  
4 Davis-Besse had a potential susceptibility, that  
5 concerned our staff, and we had several staff that  
6 felt that perhaps the plant should be shut down  
7 sooner than later, and we engaged in a -- in a fairly  
8 significant dialogue over a period of time with staff  
9 and management in the NRC regarding what decision we  
10 should make, and one of the potential actions was to  
11 issue an order, and we had prepared an order in case  
12 we needed to issue that as a potential option.

13 What we ended up doing after discussion and  
14 the staff was involved in this discussion with NRC  
15 management was to develop a point in time where we  
16 thought it was prudent for the Licensee to shut down  
17 and the Licensee, in fact, shut down early because of  
18 the NRC's actions, and, in fact, if you look at the  
19 history of all of the things that have occurred over  
20 the past couple years relative to the issue of  
21 control rod nozzle cracking, because of the NRC's  
22 influence really helped develop Davis-Besse shutting  
23 down and finding the issue, so while it certainly  
24 would have been a lot better for us to find that  
25 issue earlier, and looking at things in retrospect,

1 there certainly were opportunities there to put the  
2 pieces together that didn't happen, and that's one of  
3 the things we did have to look at and do a  
4 self-assessment of our own activities, and I think  
5 Jack talked about that.

6 The other issue that I wanted to talk  
7 about --

8 MR. GROBE: Before you go on to  
9 that.

10 MR. DEAN: Yeah.

11 MR. GROBE: It's important that --  
12 we're a country governed by laws, and we all have to  
13 follow those laws, and there's a number of -- nobody  
14 is happy here. FirstEnergy certainly isn't happy.  
15 The NRC is not satisfied with where it finds itself,  
16 and we certainly have a lot of critics, no doubt  
17 about that, but there's been far before -- long  
18 before any of the critics came to the forefront, the  
19 NRC initiated a variety of activities, and Congress,  
20 quite frankly, initiated some activities to find out  
21 the truth, and we had a number of folks here that  
22 already believe they know the truth. I don't, and  
23 our office investigations -- that's the part of the  
24 agency that investigates our Licensees, is conducting  
25 an investigation to find out why these things happen.

1 Was there some ulterior motive or ill-attempt, or  
2 were these just mistakes by Davis-Besse staff?

3 Our office of Inspector General -- that's the  
4 group that investigates us initiated an investigation  
5 into how the agency made these decisions, why they  
6 made the decisions, and was there anything  
7 inappropriate in the decision making process.  
8 There's laws that govern how we issue orders and when  
9 we can issue orders, and it all goes through a  
10 process. Congress is initiating investigation into  
11 the agency's handling of these matters, so I'm, quite  
12 frankly, much more interested in waiting for the  
13 truth of the facts, and those will come out over  
14 time. I'd like to have it all out, but the fact of  
15 the matter is, it does take time. The investigation  
16 of Davis-Besse will be done in a few months, and you  
17 will be receiving those results through these  
18 meetings and through our public documents and  
19 Congress and the Inspector General's investigation of  
20 us. They will also be something that we'll be coming  
21 to light over the next several months, I don't know  
22 exactly when, but I just wanted to emphasize that the  
23 NRC is not satisfied with our inspection programs,  
24 and we're certainly reviewing how we handled this  
25 from an inspection point of view, how we handled our

1 internal decision making on whether or not to require  
2 Davis-Besse to shut down or what we finally ended up  
3 with, which was an earlier shutdown than what they  
4 were planning, how we handled other generic issues,  
5 what we call generic issues, or issues that effect  
6 multiple plants. We have a number of reviews going  
7 on, and, hopefully, we will get to the bottom of it  
8 and prove and avoid this kind of situation in the  
9 future.

10 MR. DEAN: And the other issue --  
11 I'm sorry, the other issue I wanted to raise or not  
12 sit there in a line like a rotten egg, while some of  
13 the speakers have impugned the credibility of the NRC  
14 and some people may have that opinion, but the one  
15 point that I do want to get across is that members of  
16 the NRC, the five people up here and the inspectors  
17 that we have at the plants across the country and in  
18 the regions and our technical staff and headquarters  
19 take our role and responsibility in terms of ensuring  
20 public health and safety extremely seriously, and,  
21 you know, personally, you know, I can share with you  
22 that, you know, comments made like the NRC's in the  
23 pocket of industry, and so on, so forth, are really,  
24 you know, really painful to hear that because that's  
25 probably the furthest thing from the truth. We have

1 a public trust to assure public health and safety.  
2 We take that very seriously from the Resident  
3 Inspectors all the way up to you the Senior  
4 Management of the safety scene, the Commissioners, so  
5 I just want to make sure that you fully understand  
6 our dedication to that.

7 MR. GROBE: Yes, ma'am?

8 MS. CLEMENTE: I guess, I have a  
9 couple of things. I want to first know -- I mean, I  
10 understand that you believe and it's very painful for  
11 you for us to make accusations that we do not trust  
12 you, but I want to know if you understand why we feel  
13 that way?

14 MR. GROBE: Sure.

15 MS. CLEMENTE: Okay, because, I mean,  
16 I have a few questions, I'm a schoolteacher from  
17 northern Ohio, and I teach my students to really  
18 critically think and to look at all the sides and  
19 research and to choose the best decision and the best  
20 decision is paying particular attention to, you know,  
21 not only what is good for themselves, but what is  
22 good for the people surrounding them and what is good  
23 for the environment, and the Davis-Besse situation  
24 came to my attention and I have done a lot of  
25 research. I have looked on a lot of sides, and I

1 really have come to the conclusion that pays  
2 particular attention to the safety, to the people, to  
3 the environment, and that's what the plant needs to  
4 be shut down and the community is here tonight, we're  
5 very aware, I feel, and we are very passionate, I  
6 feel, some are extremely passionate, which is great,  
7 and I have three questions that are very concerning  
8 to me.

9 One is, you had stated -- and I know that you  
10 put a lot of blame on FirstEnergy, but I was looking  
11 through E-mail correspondence between you and  
12 FirstEnergy and you both agreed that there was  
13 significant likelihood of leakage and destruction, so  
14 I am -- I understand that there are laws to go  
15 through, but there are times when you need to step  
16 over those laws, and you need to step in and say this  
17 is not safe, and I do not understand why you allowed  
18 the plant to operate until February, why you kept,  
19 you know, why you allowed it to continue when you  
20 originally stated that it needed to be shut down, why  
21 you allowed them to authorize that, so I would like  
22 an answer to that.

23 MR. GROBE: Sure. You used a  
24 word that is very interesting and that's the word  
25 safe, and the definition of safe is different in each

1 of our minds and how we evaluate, what goes on day in  
2 and day out. We make those judgments continually.  
3 We have defined standards of safety and pressure  
4 boundary leakage is not permitted. Is occurs from  
5 time to time. If it occurs, the plant is shut down.  
6 It was possible and you can argue likely that there  
7 was some pressure boundary leakage at Davis-Besse, it  
8 was not known that there was pressure boundary  
9 leakage. The judgment that was made is should there  
10 be pressure boundary leakage, what is the risk, and  
11 that's how we evaluate safety. There are risk  
12 standards. We're fairly scientific about how we  
13 evaluate risks to the public and the risk to the  
14 reactor for various situations, and the judgment that  
15 was made was based on risk, and the conclusion was  
16 that the risk was low, and that's why the plant was  
17 allowed to continue operating until February.

18 MS. CLEMENTE: I just -- it's just  
19 very, very hard for me to come to the conclusion that  
20 the risk was low because --

21 MR. GROBE: I understand that.

22 MS. CLEMENTE: -- especially when  
23 you came on across those other plants where there  
24 were cracks that were not common. I think that that  
25 definitely should have definitely alerted you that



1           there is something else going on and that you should  
2           look at this in a very, very more personal and pay  
3           way more attention than I feel that you did, so I  
4           feel that it's very understandable for us, the  
5           community, to not trust you at all and --

6           MR. GROBE:           I understand.

7           MS. CLEMENTE:        -- I think you really  
8           need to take that into consideration when you make  
9           your final decisions because if you don't take into  
10          consideration what we say and what we think, I just  
11          feel it's going to be a grave mistake because if  
12          something like this ever happens again, it's going to  
13          be horrendous.

14          MR. GROBE:           That's why we're here  
15          is to hear what --

16          MS. CLEMENTE:        I hope that's why  
17          you're here. I have a feeling and I felt that a  
18          little bit why you're here is to more defend  
19          yourselves and not admit that you're wrong.

20          MR. GROBE:           I hope I didn't appear  
21          defensive. I hope nobody up here appeared  
22          defensive. We're here to listen and to learn and an  
23          individual earlier -- I'm not sure, it might have  
24          been you, Howard, made the comment regarding the  
25          stainless steel cladding was on the interior surface

1 of the reactor vessel. That cladding was never  
2 designed to withstand pressure, it's metal, so it  
3 does, but that's not what its purpose was. It's  
4 purpose was a corrosive inhibitor on the interior  
5 surface, in fact, it did retain pressure and there  
6 wasn't a leak of the reactor so there wasn't an  
7 accident. The risk was higher, and because the six  
8 and a half inches of steel wasn't there, but the --  
9 but there wasn't an accident.

10 MS. CLEMENTE: I had spoke to someone  
11 that they had brought up that they had helped design  
12 the plant and that they had suggested that the entire  
13 plant use stainless steel.

14 MR. GROBE: Uh huh, yeah, we've --

15 MS. CLEMENTE: Was that a  
16 consideration to you or did you -- why did you decide  
17 not to do that?

18 MR. GROBE: You know, we've talked  
19 about a variety of different metals already this  
20 evening. The fuel pins themselves are made out of  
21 the zirconium alloy, it's called zircalloy, the  
22 reactor material itself and most of the piping is  
23 made out of carbon steel. Some components are made  
24 out of stainless steel. Each different application,  
25 you choose the material that's best for that

1 application based on its ductility and its corrosive  
2 resistivity and -- there's a whole variety, and, of  
3 course --

4 MS. CLEMENTE: I understand that, but  
5 if someone came to you and said, I have the research,  
6 I definitely can tell you that you need to use  
7 stainless steel. I mean, I know that you probably  
8 are not the specific person that he came to so I'll  
9 just move on, but are you encouraging -- my other  
10 question is, are you encouraging or are you looking  
11 into having FirstEnergy shut the nuclear part down  
12 and use the turbines or a nature of gas or something  
13 like that? Are you at all even considering it?  
14 Probably not 'cause you're a nuclear commission,  
15 right?

16 MR. GROBE: Well, a steam turbine  
17 and a gas turbine are two completely different  
18 things. The gas turbine is more like a jet engine.

19 MS. CLEMENTE: So there is no  
20 absolute way that they could possibly use any parts  
21 of this plant for any other wave of electricity; is  
22 that correct?

23 MR. GROBE: I'm not sure. You  
24 might be able to generate like little --

25 MR. DEAN: Coal.

1 MR. GROBE: I don't know if you  
2 could hear --

3 MS. CLEMENTE: For coal?

4 MR. GROBE: The only difference  
5 essentially between a nuclear plant and a coal fired  
6 electrical generating plant is the source of heat.  
7 In a nuclear plant the source of heat is nuclear  
8 reaction. In a coal plant, it's burning coal, so one  
9 could conceptualize that you could build a coal  
10 burner at the site and pipe in the steam in that way,  
11 but I'm not sure that that would be cost effective.

12 MS. CLEMENTE: Uh huh. The other  
13 question -- the last question I have is if an  
14 accident were to happen, would you feel safe driving  
15 10 miles to Sandusky because that's what the  
16 evacuation plan says.

17 MR. GROBE: It's an interesting  
18 question. I can tell you that the emergency plans,  
19 the evacuation routes are something that got  
20 thoroughly reviewed. By and large, those types of  
21 reviews are not done by the NRC. They are done by  
22 the Federal Emergency Management Agency, FEMA.

23 MS. CLEMENTE: Uh huh.

24 MR. GROBE: But FEMA and the NRC  
25 work closely together. We have a responsibility for

1 the plant's site and monitoring radioactive  
2 materials, and they have responsibility for  
3 coordinating the State and overseeing the emergency  
4 response offsite, but, again, you use that word,  
5 safe. Is it as safe as normally driving down the  
6 road? Well, probably not, because people -- they are  
7 going to be more people on the road, and they're  
8 going to be driving maybe a little faster, so -- but  
9 is it an adequate evacuation plan, I think it is, so  
10 -- I'm not sure how else to answer your question.

11 MS. CLEMENTE: I think we have to  
12 discuss the term safe. I find that very, very hard  
13 to believe that all of you think that that, or even  
14 you, just you think that it's an adequate evacuation  
15 plan, 10 miles to drive to Sandusky for so many  
16 people when you're talking, it's a huge choice  
17 attraction and not even the entire city of Oak Harbor  
18 and Port Clinton would even fit into the auditorium  
19 where you say that they should go.

20 MR. GROBE: You know, it's -- I  
21 just recently had the opportunity to review a  
22 document that was written regarding the evacuation of  
23 Lower Manhattan, September 11th of last year, and  
24 many, many more people were evacuated from Lower  
25 Manhattan than live anywhere near this plant, and it

1 was done with very little impact to the safety and  
2 the public, so, again, these are judgments that you  
3 have to make and decisions that have to be made based  
4 on weighed risks, and the evacuation plan for this  
5 area has been thoroughly reviewed and found  
6 acceptable, and I'd love to talk to you more about  
7 this meeting because I'm not sure I'm convincing you,  
8 but --

9 MS. CLEMENTE: No, you're not.  
10 You're definitely not.

11 MR. GROBE: And I appreciate that.

12 MS. CLEMENTE: I'm extremely,  
13 extremely concerned not only for the children, but  
14 for the entire community. I'm very, very concerned.  
15 I haven't been convinced that I should trust you.  
16 All the articles that I have read have just  
17 completely disappointed me, and I really wished that  
18 you would have stepped in a lot further. I think  
19 three-eighths of an inch is extremely alarming. I  
20 think cracks are alarming. I think the fact that it  
21 exists is alarming and --

22 MR. GROBE: We couldn't be in  
23 closer agreement on that point.

24 MS. CLEMENTE: Well, I guess I'm just  
25 saying that I need to see it. I mean, you're saying

1 a lot of things tonight, so I'm just looking, and I'm  
2 asking to see it. I want to see some evidence that I  
3 can trust you and that this community can as well.

4 MR. GROBE: The best thing would  
5 be to continue coming to meetings if you can,  
6 particularly the afternoon meetings and --

7 MS. CLEMENTE: Well, I teach, so --

8 MR. GROBE: I understand.

9 MS. CLEMENTE: I will be here at  
10 night.

11 MR. GROBE: Okay.

12 UNIDENTIFIED: Get the head on it,  
13 get her going.

14 MR. GROBE: Pardon me?

15 UNIDENTIFIED: Let's get the head on  
16 it and get her going.

17 MR. GROBE: Okay. Can I ask a  
18 question here? We've been at it for about an hour  
19 and 45 minutes, would it be appropriate to take about  
20 a five minute break?

21 UNIDENTIFIED: Yeah.

22 MR. GROBE: Okay, let's take five  
23 minutes if that's okay with you.

24 THEREUPON, a brief recess took place.

25 MR. GROBE: Yes, ma'am?

1 MS. BECK: My name is Meredith  
2 Beck, I live in Port Clinton.

3 MR. GROBE: Could you turn the  
4 microphone a little bit or stand closer to it?

5 MS. BECK: My name is Meredith  
6 Beck. I live in Port Clinton. I'm not affiliated  
7 with any group and my question is -- it's kind of a  
8 loaded question, but I wondered if the NRC has ever  
9 not granted a license to a nuclear power plant and  
10 that that led then to shutting down a nuclear power  
11 plant, and the underlying, underneath that, of  
12 course, is, is there any history that when push comes  
13 to shove the NRC can actually make us not do that?  
14 Thank you.

15 MR. GROBE: I am not aware of a  
16 situation where a utility continued to desire to  
17 operate and the NRC didn't permit it. There have  
18 been several situations where the NRC -- a plant was  
19 in a shutdown condition and the NRC continued to  
20 expect that it be meet appropriate safety  
21 requirements and the Utility eventually decided that  
22 it wasn't economically appropriate for them to  
23 continue trying to meet those requirements and  
24 decided on their own to shut down permanently, and  
25 I'm aware of a number of plants that are of that



1 nature. Oftentimes it's not just a financial  
2 situation, but it's also a political decision. There  
3 are a couple that come to mind that there is  
4 states -- none in Ohio.

5 MS. BECK: Can you give us one  
6 example?

7 MR. GROBE: Well, in the mid '90s,  
8 the main Yankee plant had a variety of steam  
9 generator problems, and eventually they decided to  
10 shut down the plant permanently, and there's been a  
11 couple other plants like that. There was a design  
12 plant, Rancho --

13 MR. DEAN: Rancho Seco.

14 MR. GROBE: Thank you, I was  
15 trying to think of that, Rancho Seco, Zion in  
16 Illinois, Trojan in Oregon, so there's been a number  
17 of times when Licensees have had performance problems  
18 and have eventually decided not to restart the plant.

19 MS. BECK: Thank you.

20 MR. GROBE: Thank you for your  
21 question. Yes, ma'am?

22 MS. LUEKE: Yeah, I'm -- supposed  
23 to sign in here?

24 THE REPORTER: Yes.

25 MS. LUEKE: -- Donna Lueke, and I

1 live in Marblehead, and I have been trying like  
2 several of the other people to understand this whole  
3 process and have been trying to read up as much as  
4 possible and so I have accumulated a couple  
5 questions, I believe, but -- and the one that comes  
6 to me that I think is most important after hearing  
7 everything you've had to say tonight and the other  
8 people have had to say is that they are  
9 investigations ongoing, there are criminal  
10 proceedings ongoing, at this point or there is a  
11 question of some legal actions being taken, as I  
12 understand?

13 MR. GROBE: I can get into that a  
14 little bit if you'd like; is that your question?

15 MS. LUEKE: I guess I better  
16 finish my thought.

17 MR. GROBE: Okay, go ahead.

18 MS. LUEKE: And then we can come  
19 back to that, but at the very least there are a lot  
20 of investigations going on right now about the whole  
21 Davis-Besse situation. Your own internal  
22 investigations are going on.

23 MR. GROBE: Internal, right.

24 MS. LUEKE: While all this is  
25 going on things seem to those of us that live around

1 here to be proceeding unimpeded. The new head is  
2 being put in place, and you're hearing about all the  
3 great high tech things that are being used to put it  
4 there, and is this process being continually  
5 monitored by the NRC? And if all this is going on  
6 and they're talking about start ups at the -- at the  
7 most I've read -- the latest I've read has been at  
8 the end of the year, how will there be time for all  
9 these processes to happen for us to find out what  
10 went wrong in the first place, what is wrong with the  
11 system, what's possibly wrong with the management at  
12 the company, what's wrong internally with the NRC  
13 process? The questions go on and on, and I don't  
14 know -- I know enough about investigations to know  
15 they don't happen overnight, nor should they, so how  
16 is it happening that they are right now as we speak  
17 cutting into this building and who decide -- did you  
18 get to decide that that was okay, or was that all by  
19 Davis-Besse?

20 MR. GROBE: Lots of questions.

21 MS. LUEKE: Yeah, I guess there  
22 are.

23 MR. GROBE: Let me take them one  
24 at a time? If I miss one, remind me.

25 MS. LUEKE: Okay.

1           MR. GROBE:           First let me talk a  
2           little bit about your first question which was the  
3           investigative process and the concept of criminal  
4           proceedings. The NRC doesn't have the authority to  
5           do criminal proceedings, engage in criminal  
6           proceedings. If we issue fines or something like  
7           that it's what's referred to as a civil penalty, a  
8           civil proceeding, but we have a close relationship  
9           with the Department of Justice, and there are  
10          criminal sanctions in the Atomic Energy Act and the  
11          Energy of Format associated with deliberate  
12          violations or requirements. Now, we don't handle  
13          those proceedings, the Department of Justice does, so  
14          if after the completion of the investigation of  
15          Utility, we conclude that there's evidence of  
16          deliberate wrong doing, we would share that with the  
17          U.S. attorney, the appropriate U.S. attorney, I guess  
18          that would probably be the guy in Cleveland for this  
19          area, and he would make a judgment as to whether or  
20          not the facts warranted prosecution and proceed.  
21          These are all what ifs, okay? Likewise, our Office  
22          of the Inspector General, if they concluded that I  
23          cheated on my travel voucher and they decided that  
24          they wanted to proceed, that would be a potential  
25          criminal activity, and they would have a relationship

1 with the Department of Justice and could prosecute  
2 from an internal investigation.

3 MS. LUEKE: That timing's a little  
4 different, though, when we're looking at a public  
5 safety consideration here.

6 MR. GROBE: Yeah, I was going to  
7 get to your --

8 MS. LUEKE: We don't have the time  
9 to allow this to proceed.

10 MR. GROBE: I can assure you we  
11 have all the time in the world. This panel is not  
12 schedule driven. This panel is safety driven, and  
13 this plant won't restart unless we're comfortable  
14 based on our inspections that the plant can be safely  
15 operated, and we would make a recommendation then to  
16 the Senior Management of the agency, and I assure you  
17 that they would solidly question us, and the plant  
18 wouldn't restart unless we, indeed, found it to be  
19 safe.

20 Now, activities would proceed, and we're  
21 continually inspecting. I don't think Mel's here  
22 tonight, but Mel Holmberg was on site today  
23 inspecting. Doug Simpkins was on site today  
24 inspecting. We have inspectors here all the time,  
25 and a decision of what direction to proceed is the

1 Licensee's. The decision as to whether or not it's  
2 been done safely is our judgment, and we will make  
3 that judgment as best we can and make a  
4 recommendation to our Senior Management as to whether  
5 we think the plant is ready to restart. If that  
6 happens in December, that's fine; if it happens in  
7 March, that's fine, as far as we're concerned.  
8 We're not driven by financial condition of the  
9 company or by anything else. We're driven by safety.

10 MS. LUEKE: But yet you're a  
11 nuclear agency, so, therefore, your job is dependent  
12 on the industry, so then decisions that are made, and  
13 I'm sorry, I missed the question that was asked just  
14 before me, so obviously you're not going to decide to  
15 shut down a nuclear power plant, it's not in your --  
16 I understood that you said it's not in your scope to  
17 maybe that decision, but I'm assuming you could make  
18 that recommendation --

19 MR. GROBE: Yeah --

20 MS. LUEKE: -- for a safety  
21 reason, but, you know, we've got FirstEnergy who has  
22 their obvious financial self-interest because they're  
23 a corporation and that's what they do. Nuclear  
24 Regulatory Commission regulates the nuclear industry,  
25 so you're focused only on that.

1 MR. GROBE: Yeah, the -- I must  
2 have misspoke if I gave you the impression that it's  
3 not within our purview to shut a plant down.  
4 Absolutely, we have the authority to shut a plant  
5 down if it's unsafe. The young lady before you  
6 asked whether or not we had ever not allowed a plant  
7 to restart that wanted to restart, and I don't know  
8 of any time when a plant that desired to restart  
9 could not get to the level of safety that was  
10 appropriate to allow them to restart.

11 MS. LUEKE: Is that ruled out? I  
12 mean, is -- are you already -- do you have that  
13 prejudice? I'm just asking --

14 MR. GROBE: No.

15 MS. LUEKE: -- I'm not trying to  
16 be -- I mean, is that within the realm? The spectrum  
17 is start it tomorrow, never start it.

18 Are you willing to look at far as never  
19 restart this plant?

20 MR. GROBE: Again, we're not  
21 schedule driven. We're not schedule driven, and let  
22 me just give you a sense. I have been involved in  
23 four of these, and it's -- I don't want to be  
24 involved in anymore. One of them the plant was shut  
25 down about eight months. The one that was the

1 longest was almost three years before they actually  
2 got to the level of performance that the agency  
3 concluded that the plant was safe to restart, so it  
4 doesn't have anything to do with scheduling, and it  
5 doesn't have anything to do with a desire on our part  
6 to restart a plant. It only has to do with whether  
7 or not the plant is safe, and safe is defined as  
8 meeting our regulations.

9 MS. LUEKE: Would you completely  
10 rule out saying this isn't salvageable? There's so  
11 much trouble here, there's so much management  
12 problems here, there is such a structural problem  
13 here? Do you rule that out completely?

14 MR. GROBE: I've seen plants with  
15 much more significant problems than what Davis-Besse  
16 has achieve restart.

17 MS. LUEKE: That's scary. I  
18 guess I'm not feeling -- like the person before me,  
19 I'm just not feeling very comfortable with it.

20 MR. GROBE: I appreciate that.

21 MS. LUEKE: And I know you're not  
22 either.

23 MR. GROBE: The person -- a few  
24 people ago used the concept of trust --

25 MS. LUEKE: Yeah.



1           MR. GROBE:       And trust is a -- what  
2           I call a soft issue.  It's -- you need to redevelop,  
3           if you've lost trust in us, you need to redevelop  
4           trust, and the only way to do that is to watch and to  
5           listen and to see what motivates us, and I can assure  
6           you that I personally am motivated by making sure  
7           that this plant doesn't restart unless it's safe.

8           Now, the only way for you to gain confidence  
9           in that -- I can't just tell you that, is for you to  
10          watch and listen, and we are providing just  
11          tremendous opportunities for you to gain access to  
12          what we do.  We're transcribing all of these  
13          meetings.  All of these transcripts are on the  
14          website.  There's a special section in our website  
15          just for Davis-Besse, and it's -- it's well organized  
16          and easy to get through.  There's a ton of  
17          information there, and please pay attention to that,  
18          and if you're concerned -- if you continue to be  
19          concerned, come back and talk to us more about that.

20          MS. LUEKE:       Okay.  The oversight  
21          committee that's examining the NRC at this point, is  
22          that from within the NRC or are there any outside --

23          MR. GROBE:       There's three separate  
24          activities that I'm aware of.  We have a group  
25          called the Lessons Learned Task Force, which was

1 chartered by the Executive Director to look at our  
2 programs and processes and to try to find out what  
3 structurally within the agency might have contributed  
4 to us not seeing this or what performance problems  
5 might have existed that contributed to this.

6 Second is our Office of Inspector General,  
7 that's our internal -- the folks that investigate us  
8 is doing an investigation and the -- which committee  
9 is it? Committee of --

10 MS. LIPA: House --

11 MR. DEAN: Energy & Commerce.

12 MR. GROBE: -- house Energy &  
13 Commerce Committee is conducting an investigation of  
14 this whole matter.

15 MS. LUEKE: So that is an external  
16 committee?

17 MR. GROBE: Yeah, the Inspector  
18 General does not report to the NRC, he reports to  
19 Congress, so he's also external.

20 MS. LUEKE: I think that perhaps  
21 may need to be emphasized to people who have at this  
22 point lost trust.

23 MR. GROBE: Uh huh. Well, I mean,  
24 you're --

25 MS. LUEKE: That --

1 MR. GROBE: -- an individual  
2 that's interested in listening.

3 MS. LUEKE: Uh huh.

4 MR. GROBE: There were some people  
5 here this evening that had already made up their  
6 mind. They weren't interested in waiting for the  
7 facts.

8 MS. LUEKE: Well, I understand  
9 their frustration also because you're talking about  
10 inherent problems, a company that wants to make  
11 money, a regulatory agency that's dependent on the  
12 nuclear industry, I mean, that's what you do for a  
13 living, and that's where your focus is, and so what I  
14 think a lot of us are saying is where, except for in  
15 a forum like this is a voice of the public interest?  
16 Where is the big picture interest that doesn't  
17 include nuclear energy that may not -- that may look  
18 at the options? Maybe a coal plant, I mean, that  
19 doesn't sound very good to me because of the inherent  
20 problems with the pollution with coal plants,  
21 although, I hear that that's been improved, but is  
22 anyone looking at those other options?

23 MR. GROBE: Well, those are  
24 decisions that the Utility would make. Those are  
25 financial decisions.

1 MS. LUEKE: That's not very  
2 comforting. This is a Utility that has mismanaged  
3 for their shareholders, who's mismanaged the safety,  
4 and that doesn't inspire much confidence, and we have  
5 no options. I checked to see since deregulation,  
6 there are other energy companies available, I checked  
7 on every one. None of them are available to those of  
8 us consumers. They are either only for commercial  
9 or industrial, or they're -- the list that was sent  
10 or they're not operational yet, so this is what we  
11 are facing.

12 MR. GROBE: Those in the audience  
13 that have has much gray hair as I do will recall that  
14 originally when the Government set up how it was  
15 going to oversee nuclear energy, the use of nuclear  
16 energy and created the atomic energy commission, and  
17 the atomic energy commission had two roles; one was  
18 to promote the safeness of the atom, and some of us  
19 may be able to recall all those little quotes that  
20 went along with that and also to regulate it, and  
21 Congress saw to it that that seemed to be a conflict  
22 of interest, so it separated the responsibility for  
23 safety and the responsibility for production and  
24 encouraging the develop of nuclear energy, and  
25 originally it was Nuclear Regulatory Commission and

1 the energy -- ERDA, Energy Research and Development  
2 Administration, and then that was combined and it  
3 became what we know today as the Department of  
4 Energy. The NRC and the Department of Energy have  
5 two completely different roles. I appreciate your  
6 observation that I'm a Nuclear Engineer, and we have  
7 a variety of different expertises up here working  
8 nuclear power. Those are probably the kind of people  
9 you'd want involved overseeing the safety with  
10 nuclear power.

11 MS. LUEKE: Certainly.

12 MR. GROBE: But our only focus and  
13 our only mission is to protect the health and safety  
14 of the public and the environment, and that's all  
15 we're interested in. I can get work.

16 MS. LUEKE: Yeah, I want to  
17 believe you, I really do, I'd like it a lot better,  
18 but would you listen to what we're saying and at  
19 least consider the possibilities of the other  
20 options?

21 MR. GROBE: Again --

22 MS. LUEKE: I know it's not your  
23 job, but will you take them --

24 MR. GROBE: I didn't speak clearly  
25 earlier. Whether a utility chooses the different

1 options, is their decision. It's not anything that  
2 we would be influenced on. If FirstEnergy chose to  
3 build a coal burner right next to the containment  
4 building and pipe it into the turbine building,  
5 that's their decision, and that would be fine with  
6 me, you know, then we have a decommission issue not a  
7 ready for operations issue, but that's their  
8 decision, that's not ours. Our responsibility is to  
9 make sure that if there is going to be nuclear power,  
10 that it's safe.

11 MS. LUEKE: I understand that;  
12 however, they have to satisfy you.

13 MR. GROBE: Right.

14 MS. LUEKE: You do have that  
15 power.

16 MR. GROBE: Right.

17 MS. LUEKE: And if you will, let's  
18 say, admittedly in the past there has been error on  
19 the side of the corporation or at least the  
20 appearance of that, whether it's true or not, we  
21 still don't know until all these investigations  
22 happen.

23 MR. GROBE: Uh huh.

24 MS. LUEKE: So if the error has  
25 been on the side of that in the physics of the

1 pendulum, would you open up the other side of your  
2 mind --

3 MR. GROBE: That's an excellent  
4 question.

5 MS. LUEKE: -- is what I'm asking?

6 MR. GROBE: If, in fact, there's a  
7 spectrum of how violations -- that's what we deal  
8 with, violations, there's a spectrum of how  
9 violations come to be, and we're all human beings and  
10 we make mistakes, and occasionally people who work in  
11 nuclear power plants make mistakes and they violate  
12 requirements. In legal terms that's called  
13 negligence, but that's just a normal mistake,  
14 oversight, type of thing.

15 The other kind of violation is what we refer  
16 to as willful, and the most interest type of willful  
17 violation is referred to as deliberate, and what that  
18 means is that a person knowingly and cognitively made  
19 a decision for some ulterior motive to violate  
20 requirements, whether it was profit or to save time,  
21 whatever it might be, and that's called a deliberate  
22 violation, and so you've got negligence on this end,  
23 deliberate on this end, and then in the middle  
24 there's this kind of nebulous thing, which is called  
25 careless disregard, and it's also considered a

1 willful violation, and what that means is that the  
2 person is knowledgeable and should have been more  
3 careful, but they carelessly disregarded their  
4 responsibilities, so careless disregard and  
5 deliberate are all part of what we call willful.

6 If it's concluded that these violations were  
7 willful, that puts it into a little bit different  
8 light, and that's something that would precipitate  
9 additional consideration. I can't speculate on --  
10 I'm getting into speculation land, and I don't want  
11 to speculate on anything specific, but it would  
12 certainly result in different thoughts and different  
13 actions on the part of the agency, so that  
14 investigation will be completed before restart, and  
15 we will know whether or not these violations were  
16 willful or whether they were just errors and  
17 oversights.

18 MS. LUEKE: I guess the other  
19 questions I have are minor and I can address them in  
20 another way.

21 MR. GROBE: Okay.

22 MS. LUEKE: But that one, I think,  
23 is really the big one, and I think I hear it from a  
24 lot of people, so our charge to you is to -- all of  
25 you here and those -- anybody from the Nuclear



1 Regulatory Commission is to, please, open your mind  
2 in the other direction, and do I need to restate  
3 that?

4 MR. GROBE: No. I understand.

5 MS. LUEKE: I guess I beat that  
6 horse, but, thank you, and I think that's all we can  
7 ask of you, and not only do we ask it of you, but we  
8 require it of you.

9 MR. GROBE: And I think that's  
10 fair. Thank you.

11 Other questions or comments? Yes, sir?

12 MR. DOUGLAS: My name is Jim  
13 Douglas. I live on Duff Washington Road, about a  
14 mile from Davis-Besse front door. I was there before  
15 they came, and I have watched the plant my whole  
16 life.

17 I believe that Davis-Besse does not even know  
18 the root cause of what caused the corrosion on the  
19 top of their head -- their vessel.

20 I'm a plant engineer, I'm a chemical  
21 engineer, retired, and they have not come up with one  
22 decent answer as to why the head eroded like it did,  
23 and I don't want to get into great many arguments  
24 about this, but since I'm dealing with the Nuclear  
25 Regulatory Commission tonight and not Davis-Besse

1 supervision, I would like to ask a couple of  
2 questions of you, and you have half answered some of  
3 my questions in stating just how responsibly you feel  
4 about the safety and security in the plant in the  
5 protection of John Q. Public, namely me. I live  
6 down the street, okay? And I'm convinced you guys  
7 are very, very serious about it, but one thing I have  
8 not heard -- I did read in the paper, I should say,  
9 that the NRC is considering letting them start back  
10 up after repairs, proper repairs and proper  
11 reformation of supervision that -- and also to apply  
12 a great -- I'm sure, a pretty sizable fine for all of  
13 the infractions and the sloppy supervision that has  
14 been in that plant, and there has to be just about no  
15 other way to say it than the supervision has been  
16 very, very poor technically in Davis-Besse.

17 However, I am wondering if you people on the  
18 NRC realize the implications of putting these several  
19 million dollar fines against Davis-Besse for the  
20 infractions that they have had, and I'm certainly  
21 here to ask you not to put the dollar fines against  
22 Davis-Besse for the simple reason, they are a public  
23 utility, and they haven't got a nickel to their name,  
24 period. John Q. Public pays all their bills, so if  
25 you fine them, you're fining John Q. Public; whether

1 you like to believe it that way or not, that is true.

2           However, there is a type of fine -- and I  
3 don't know whether you people are -- it's within your  
4 power to do it, but if you were to give them a fine  
5 because of poor supervision of the plant in the  
6 nature of all supervision will be docked 10% on their  
7 salary, there is a fine that will make supervision  
8 sit up and take notice, and they will -- they will  
9 damn well sharpen up in a great big hurry, but to  
10 fine them with just a big lump of money is a first  
11 class joke because Davis-Besse supervision is just  
12 laughing up their sleeve at you and at us because  
13 they get all their money from John Q. Public. That's  
14 all there is to it, so it does no good, in my book,  
15 to fine them, but what will do some good is to hurt  
16 supervision and to get at them, make them sharpen up.  
17 You guys are all docked 10%, President on down,  
18 that's it, because of your lousy operation of the  
19 plant and because of your lousy attitude toward the  
20 safety of John Q. Public, that's what you're suppose  
21 to correct.

22           MR. GROBE:           That's a very  
23 creative --

24           MR. DOUGLAS:        It's a very creative  
25 suggestion, yes, it is.

1 MR. GROBE: It is, and,  
2 unfortunately, it's not within my legal authority.

3 MR. DOUGLAS: However, you can  
4 suggest it, I believe.

5 MR. GROBE: Well, I'm not sure it  
6 would be appropriate, quite frankly, for me to  
7 suggest it. Again --

8 MR. DOUGLAS: Well, there's where we  
9 differ.

10 MR. GROBE: Okay. I understand.

11 MR. DOUGLAS: I believe it is quite  
12 appropriate because supervision at Davis-Besse has  
13 been absolutely disgusting and appalling, and I have  
14 been there since Davis-Besse started, long before  
15 they started and even today I am still living there.  
16 I hope they do start back up. I am not of the  
17 opinion of many of the people here. We don't need a  
18 dead horse around our neck in the electric company  
19 because all it's going to do is up the electric rates  
20 again. I don't want that.

21 MR. GROBE: Let me just lay out  
22 some landscape for you of what is within my authority  
23 or the NRC's authority and what our policies are.

24 It's within our authorities to level fines,  
25 but the fines are against the company.

1           MR. DOUGLAS:     Oh, please don't.  
2           Yes, I --  
3           MR. GROBE:        I understand your  
4           position, these are issues that have been discussed  
5           extensively, and as a result of that we only use  
6           fines in situations where there are willful  
7           violations or something that is not related to  
8           nuclear safety directly; for example, if the company  
9           chose to discriminate somebody for raising a safety  
10          concern, that's related to nuclear safety, but it's  
11          not a hardware type issue, that would be covered  
12          under our civil penalty process, or if the company  
13          deliberately or willfully violated requirements, that  
14          would be covered under our civil penalty process.  
15          All other violations don't have associated within  
16          them fines, so it's -- it's -- there's a very fine  
17          line between our authority and the responsibilities  
18          of the company to run the business and your  
19          suggestion crosses that border.  It's not within our  
20          purview to tell the company how to run the business,  
21          and I, quite frankly, have no idea what they may or  
22          may not have done with salaries or benefits or  
23          bonuses or anything of that nature.  
24          MR. DOUGLAS:     I am not concerned  
25          with those details either.

1           MR. GROBE:        But -- so we have the  
2           authority, if there was a willful violation to take  
3           action against individuals, civil action, not  
4           criminal action. The Department of Justice has the  
5           ability to take criminal action, and we have done  
6           that, and those types of actions include banning an  
7           individual from working in the nuclear industry for a  
8           period of time, those types of actions, so if we end  
9           up finding ourselves in a situation where there is a  
10          willful violation, those are the types of things that  
11          we will consider in dealing with that, but I  
12          appreciate your suggestion.

13          We have about, I think, 10 more minutes, and  
14          if you have another question, sir, that's fine, and  
15          if there is other folks that have questions, I need  
16          to get to their questions, too.

17          MR. DOUGLAS:     Okay. I'll leave it  
18          go at that. Thank you.

19          MR. GROBE:        Thank you very much.  
20          Yes, ma'am?

21          MS. KRAMER:        Can you hear me?

22          MR. GROBE:        Yes.

23          MS. KRAMER:        I know I'm really  
24          short. I and a few others here tonight we work for a  
25          non-profit environmental organization where it's our

1 job to communicate with hundreds of our members on a  
2 daily basis.

3 MR. GROBE: Could you get a little  
4 closer to the microphone?

5 MS. KRAMER: Sure. Is that better?

6 MR. GROBE: Yeah.

7 MS. KRAMER: Did you hear that  
8 first part?

9 MR. GROBE: I did.

10 MS. KRAMER: Okay. Through our  
11 conversations, we inform our members about the  
12 problems with Davis-Besse and FirstEnergy's inability  
13 to operate the power plant safely.

14 What is your definition of safety?

15 MR. GROBE: That's a good  
16 question. I can -- I can tell you the range of  
17 level of risk that a plant in the United States  
18 normally operates, and your head might start swimming  
19 because I'm going to be talking about very strange  
20 numbers, but a normal plant in the United States  
21 operates at a risk of around 10 to the minus fifth,  
22 10 to the minus seventh, probability of a core damage  
23 accident, and what that means is that one in 100,000  
24 to one in 10 million is the probability in a given  
25 year that that plant would have a core damage

1 accident.

2 Now, a core damage accident doesn't use any  
3 radioactive materials because you have the reactor  
4 containment building. You have it -- the way in  
5 which plants are designed is that you have multiple  
6 barriers and each of those barriers has redundant  
7 counter parts, so you have multiple levels of safety  
8 and redundancy, and usually diversity, you have  
9 different kinds of systems, so there's -- excuse me,  
10 so the -- the risk of -- we talk of safety in terms  
11 of risk, the risk is extraordinarily low if you  
12 compare that to day-to-day risks, and there's a lot  
13 of interesting books out that compare these types of  
14 risks; driving a car or walking in the street, living  
15 in your home, breathing in L.A., and various  
16 different kinds of risks.

17 We categorize violations by looking at the  
18 incremental increase in risk caused by that  
19 violation, and we give them colors -- green, white,  
20 yellow, red; and a green violation would be something  
21 between 10 to minus six, 10 to minus seven. White  
22 would be 10 to minus six, 10 to minus five and  
23 onwards by an order of magnitude, so a red violation  
24 would be something that caused an incremental  
25 increase in risk on the order of 1 in 10,000, still



1 an extraordinarily small probability of anything  
2 untoward happening. So, that's how we deal with it,  
3 and how we define safety or how we evaluate it. The  
4 definition of safety is contained in our regulations.  
5 If you operate within the regulations, then by  
6 definition a plant is safe. I don't know if that  
7 helped.

8 MS. KRAMER: Again, thank you.

9 MR. GROBE: Okay, thank you.

10 Yes, sir?

11 MR. VASSELLO: My name is Vincent  
12 Vassello, and I've worked at Davis-Besse for about 12  
13 years now. After working about six years, I decided  
14 I wanted to improve my odds of living, and I moved  
15 closer to the plant. I feel that I have a much safer  
16 time working at the plant than I do driving back and  
17 forth to work on Route 2.

18 I'm very confident in the design of the  
19 plant, and that I have my family living here, and  
20 that's about what I wanted to say.

21 MR. GROBE: Thank you, Vincent.

22 THEREUPON, the audience began to applaud.

23 MR. GROBE: It's important --  
24 we've talked about speculating, quite frankly, and a  
25 wide variety of issues this evening. It's important

1 to remember that by and large the vast majority of  
2 the people that work at Davis-Besse are well meaning,  
3 caring people that live in this community.

4 Some decisions have been made at Davis-Besse  
5 that were not appropriate, and we're trying to find  
6 out why that happened, and the Company is trying to  
7 find out why that --

8 UNIDENTIFIED: How about if they  
9 didn't know?

10 MR. GROBE: And if that's the  
11 answer, that's fine.

12 UNIDENTIFIED: How about if the  
13 people that are getting rid of everybody, but how  
14 about the people that didn't know? They're innocent.

15 MR. GROBE: There was --

16 UNIDENTIFIED: That's one of the  
17 safest plants in the world. By none of them. Look  
18 at the radiation over there. It's the best. That  
19 plant is clean. These people ain't never been in  
20 one. They sit and scream and holler. Davis-Besse is  
21 a good clean plant out of any of them. If that's  
22 the safest --

23 MR. GROBE: Let's not get into  
24 a -- ma'am, do you have a question?

25 MS. MUSER: Real quick. You were

1 talking about the risk factors, one in -- what did  
2 you say, 10,000, 100,000, something like that?

3 MR. GROBE: If you look at the --  
4 what is referred to as the base line risk of an  
5 operating reactor, each one is different because  
6 they're all designed differently.

7 MS. MUSER: So they are pretty  
8 small numbers --

9 MR. GROBE: It ranges 10 to minus  
10 five to 10 minus seven, which is --

11 MS. MUSER: It kind of brings to  
12 mind like the lottery. Odds are not that great, but  
13 every now and then, somebody does hit. I don't feel  
14 real confident about that. I think that really  
15 needs to be looked at a little more closely, and  
16 things need to be changed there.

17 MR. GROBE: Appreciate your  
18 comment. Thank you. Yes, sir?

19 MR. MATHERLY: My name is Greg  
20 Matherly. I've worked out at Davis-Besse for four  
21 and a half years, been in the nuclear industry for  
22 18. I have been sitting back there deciding whether  
23 I was going to get up and speak or not, and I decided  
24 I had to.

25 First of all, I've got several comments I

1 want to make. They were talking about contractors  
2 coming in and working. For eight years of my life I  
3 was a contractor. I went to 34 plants in the United  
4 States, 17 plants around the world. I can tell you  
5 that what these people do up here -- well, first of  
6 all, nuclear industry whether we like it or not, it's  
7 here. Look at the President's most recent energy  
8 plan. It calls for more nuclear power plants.  
9 Whether we're for it or not, I think we have to  
10 accept it as a reality. Everybody wants energy,  
11 energy is a need that we all desire. We've got to  
12 come up with a way of producing it.

13 I have been to plants in other countries  
14 where the Government's running the plants, and it  
15 scares me. I've worked in utilities here in the  
16 United States, and I feel safe because of the people  
17 that were sitting up there on that platform. They  
18 keep an oversight of the utility that is trying to  
19 make money and making sure that the public is safe.

20 As an operator out at Davis-Besse, I take my  
21 job very seriously. Just like Vince said, whenever  
22 I first started working here, I lived in Toledo. In  
23 the two years that I lived in Toledo prior to moving  
24 closer to the plant, I was involved in three head-on  
25 accidents, none of which were my fault, yet I've

1 never walked away from the plant with any kind of  
2 injury in the four years that I've worked there. I  
3 moved my family there, and first and foremost, I'm a  
4 family man. I take my children very seriously, and I  
5 would never put them in a situation where I felt like  
6 they were in danger. I take each and every person  
7 out here health and safety very personal. Right  
8 now, I'm working on getting my reactor operator's  
9 license, and I take that as a very important and very  
10 distinguished thing because I am safe, I'm keeping  
11 you guys safe. That's what my job would be and I  
12 take that very seriously.

13 I know I have different opinions that some of  
14 the other people that were here tonight, but I just  
15 want you to know -- and I'm not an eloquent speaker,  
16 but I just want everybody to know that, yes, mistakes  
17 were made. That's for people to decide what the  
18 problems were and get to the bottom of it, and the  
19 attitude at the plant is like I have not seen it in  
20 the last four years that I have worked there. Not to  
21 say the attitude was bad before, because I'm not  
22 saying that at all, but we understand and each person  
23 is internalizing what happened, and until we have  
24 their trust, they're not going to let us start up, so  
25 I guess what I'm saying is I take my job very

1 seriously. Everybody that I work with takes their  
2 job very seriously. I have talked to my neighbors.  
3 They understand that we take our jobs seriously, and  
4 I know we have the job now of convincing you guys  
5 that we take our job seriously. Your safety is  
6 depended on us, and that's a very big responsibility  
7 that I feel that I carry, and I want you to know that  
8 as for me, I'm going to take you as the public as  
9 first and foremost. Thank you.

10 THEREUPON, the audience began to applaud.

11 MR. GROBE: Thank you.

12 Anybody else that has a question or a  
13 comment?

14 (NO RESPONSE).

15 Well, that looks like it. I appreciate --  
16 oh, yes, ma'am?

17 MS. BECK: Just thanks for having  
18 these hearings and for giving everybody an  
19 opportunity to speak.

20 MR. GROBE: Well, thank you for  
21 that.

22 MS. BECK: We appreciate it.

23 MR. GROBE: I appreciate you all  
24 coming out and being interested enough in what's  
25 going on to -- to actually find out what's going on,

1 and I encourage you, like I said before, our website,  
2 most of you I'm sure have access to computers, but  
3 WWW.NRC.GOV. It's easy to find, and in the upper  
4 right-hand corner of the first page that comes up  
5 talks about Davis-Besse, and you click on that, and  
6 there's a number of links, and there's just a  
7 tremendous amount of information. It's updated  
8 almost daily with additional information, so please  
9 gain access to that. Feel free to call Vika. Wish  
10 you had to get -- Vika's our Public Affairs officer,  
11 one of them, in Region 3, and she always has access  
12 to us if she can't answer your question, and please  
13 keep coming. We value your input. That's why we do  
14 these meetings and appreciate you coming out tonight.  
15 Thank you very much.

16 (BRIEF PAUSE).

17 One final comment, we do -- we're always  
18 interested in improving. There are forms in the  
19 back they're called feedback forms. They're postage  
20 paid. If you could take an opportunity to fill one  
21 out with your thoughts on the conduct of this meeting  
22 or whether we can improve the type of meeting or  
23 whatever. Please take an opportunity to fill out one  
24 of those forms and mail it back to us.

25 And, finally, I'd like to thank Mr. Stucker,

1 just sitting up there operating the mics and Oak  
2 Harbor High School for making this facility -- even  
3 though it does have a moat -- for making this  
4 facility available to us. Thank you.

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7 THEREUPON, the hearing was adjourned.

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CERTIFICATE

STATE OF OHIO )  
                  ) ss.  
COUNTY OF HURON )

I, Marlene S. Rogers-Lewis, Stenotype Reporter and Notary Public, within and for the State aforesaid, duly commissioned and qualified, do hereby certify that the foregoing, consisting of 106 pages, was taken by me in stenotype and was reduced to writing by me by means of Computer-Aided Transcription; that the foregoing is a true and complete transcript of the proceedings held in that room on the 20th day of August, 2002 before the U.S. Nuclear Regulatory Commission.

I also further certify that I was present in the room during all of the proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of office at Wakeman, Ohio this       day of       , 2002.

Marlene S. Rogers-Lewis  
Notary Public  
3922 Court Road  
Wakeman, OH 44889

My commission expires 4/29/04

