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UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

BEFORE THE EDO, U.S. NUCLEAR REGULATORY COMMISSION

June 25, 2012

R. William Borchardt
Executive Director for Operations
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
Via Email hearingdocket@nrc.gov

**SUPPLEMENT TO 2.206 ENFORCEMENT PETITION REGARDING LABOR
DISPUTE- PILGRIM NPS (SUBMITTED MAY 16, 2012): CR-PNP-2012-02693
WAIVER FIRE BRIGADE**

Pilgrim Watch ("PW") respectfully requests again to supplement its 2.206 enforcement petition submitted originally on May 16, 2012 regarding the labor dispute at Pilgrim Station highlighting its public safety implications.

We submit the following pertinent new information that supports PW's request for NRC to order Pilgrim closed for operations until the labor dispute is resolved and all 369 union workers reinstated back onsite in their original jobs.

Fatigue: Entergy's Condition Report, CR-PNP-02693 (pasted below) shows that in order to meet the Fire Brigade staffing requirements a waiver was required to the Fatigue Management Program.

Entergy		CONDITION REPORT	CR-PNP-2012-02693
Originator: Cogent MLV Source C	Originator Phone: 5648		
Originator Site Group: PNP - Security Plant Staff PNP	Operability Required: N		
Supervisor Name: Paul Scott	Reportability Required: N		
Discovered Date: 06/21/2012 09:41	Initiated Date: 06/21/2012 09:41		
Condition Description: This Condition Report documents an approved waiver of work hour controls per EN-GM-123 (Fatigue Management Program). The waiver was necessary to meet minimum staffing/ fire Brigade requirements. This event is not loggable in accordance with EN-NSR-200 Security Reporting Requirements (TR# 317)			
Immediate Action Description: This attachment 9.9 Waiver Basis and Approval completed and signed.			

Template: EDO-001

E-RIDS: EDO-01

The safety implications are obvious. Fire brigade work is strenuous. Fatigue diminishes capability for strenuous work required and the length of time that brigade workers can keep up the pace. Fatigue also diminishes attentiveness.

Training: The public deserves assurance that the current fire brigade has received all the training, practice, and drills required in the Pilgrim Design Basis Document, pertinent sections are attached. It is clear to us that if the replacement worker's fire brigade has not received all the training specified or met the qualifications specified the public has no reasonable assurance of public health and safety and the reactor must cease operations.

1. **Fire Brigade (H):** Do at least two Brigade members have sufficient training in or knowledge of plant safety systems to understand the effects of fire and fire suppressants on Pilgrim's safe shutdown capability?
2. Have the fire brigade members had a physical exam to determine their ability to perform the strenuous work?
3. Is the brigade leader competent to assess the safety consequences of the fire at Pilgrim specifically to advise the control room? Does he/she have an operator's license or equivalent knowledge of Pilgrim's safety-related systems?
4. **Fire Brigade Training (I):** Have all members received the classroom instruction, including all subsections (I, 1-10) in Pilgrim's design basis document?
5. Were the instructors qualified - knowledgeable in fighting fires specifically at Pilgrim? If yes, how can this be so, if the qualified workers are on strike?
6. **Practice:** Have all members received a practice session as described in subpart 2 below?
7. **Drills:** Has there been a fire brigade drill (subpart 3) at Pilgrim since the replacement worker brigade has taken over so that the replacement brigade can practice as a team?

Significance

Fire is an important concern because it has the potential to affect critical systems needed to safely maintain and shut down the reactor. The NRC has estimated that the reactor meltdown risk from fire hazards is roughly equal to the meltdown risk from ALL other hazards combined,

assuming that the plants are in complete compliance with fire protection regulations. And there have been an average of about 10 fires per year at U.S. reactors over the past 15 years, according to NRC records. NRC Commissioner Gregory Jaczko stated in July 2008: "I don't think there is one plant right now that is in compliance with those regulations."

Our original filing and each of our supplemental filings when looked at collectively paint a clear picture that reasonable assurance is not adequately protected during this lock-out. Further, we believe that the filings provide valuable lessons learned for NRC to apply to subsequent lock-outs industry-wide.

Respectfully submitted on behalf of Petitioners,

(Electronically signed)

Mary lampert
Pilgrim Watch, Director
148 Washington Street
Duxbury, MA
Tel. 781-934-0389
Email: mary.lampert@comcast.net
June 25, 2012

ATTACHMENT

H. *Fire brigade.* A site fire brigade trained and equipped for fire fighting shall be established to ensure adequate manual fire fighting capability for all areas of the plant containing structures, systems, or components important to safety. The fire brigade shall be at least five members on each shift. The brigade leader and at least two brigade members shall have sufficient training in or knowledge of plant safety-related systems to understand the effects of fire and fire suppressants on safe shutdown capability. The qualification of fire brigade members shall include an annual physical examination to determine their ability to perform strenuous fire fighting activities. The shift supervisor shall not be a member of the fire brigade. The brigade leader shall be competent to assess the potential safety consequences of a fire and advise control room personnel. Such competence by the brigade leader may be evidenced by possession of an operator's license or equivalent knowledge of plant safety-related systems.

The minimum equipment provided for the brigade shall consist of personal protective equipment such as turnout coats, boots, gloves, hard hats, emergency communications equipment, portable lights, portable ventilation equipment, and portable extinguishers. Self-contained breathing apparatus using full-face positive-pressure masks approved by NIOSH (National Institute for Occupational Safety and Health -- approval formerly given by the U.S. Bureau of Mines) shall be provided for fire brigade, damage control, and control room personnel. At least 10 masks shall be available for fire brigade personnel. Control room personnel may be furnished breathing air by a manifold system piped from a storage reservoir if practical. Service or rated operating life shall be a minimum of one-half hour for the self-contained units.

At least a 1-hour supply of breathing air in extra bottles shall be located on the plant site for each unit of self-contained breathing apparatus. In addition, an onsite 6-hour supply of reserve air shall be provided and arranged to permit quick and complete replenishment of exhausted air supply bottles as they are returned. If compressors are used as a source of breathing air, only units approved for breathing air shall be used and the compressors shall be operable assuming a loss of offsite power. Special care must be taken to locate the compressor in areas free of dust and contaminants.

I. *Fire brigade training.* The fire brigade training program shall ensure that the capability to fight potential fires is established and maintained. The program shall consist of an initial classroom instruction program followed by periodic classroom instruction, fire fighting practice, and fire drills:

1. *Instruction*

a. The initial classroom instruction shall include:

(1) Indoctrination of the plant fire fighting plan with specific identification of each individual's responsibilities.

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Revision E0

- (2) Identification of the type and location of fire hazards and associated types of fires that could occur in the plant.
- (3) The toxic and corrosive characteristics of expected products of combustion.
- (4) Identification of the location of fire fighting equipment for each fire area and familiarization with the layout of the plant, including access and egress routes to each area.
- (5) The proper use of available fire fighting equipment and the correct method of fighting each type of fire. The types of fires covered should include fires in energized electrical equipment, fires in cables and cable trays, hydrogen fires, fires involving flammable and combustible liquids or hazardous process chemicals, fires resulting from construction or modifications (welding), and record file fires.
- (6) The proper use of communication, lighting, ventilation, and emergency breathing equipment.
- (7) The proper method for fighting fires inside buildings and confined spaces.
- (8) The direction and coordination of the fire fighting activities (fire brigade leaders only).
- (9) Detailed review of fire fighting strategies and procedures.
- (10) Review of the latest plant modifications and corresponding changes in fire fighting plans.

Note: Items (9) and (10) may be deleted from the training of no more than two of the non-operations personnel who may be assigned to the fire brigade.

b. The instruction shall be provided by qualified individuals who are knowledgeable, experienced, and suitably trained in fighting the types of fires that could occur in the plant and in using the types of equipment available in the nuclear power plant.

c. Instruction shall be provided to all fire brigade members and fire brigade leaders.

d. Regular planned meetings shall be held at least every 3 months for all brigade members to review changes in the fire protection program and other subjects as necessary.

e. Periodic refresher training sessions shall be held to repeat the classroom instruction program for all brigade members over a two-year period. These sessions may be concurrent with the regular planned meetings.

2. Practice

Practice sessions shall be held for each shift fire brigade on the proper method of fighting the various types of fires that could occur in a nuclear power plant. These sessions shall provide brigade members with experience in actual fire extinguishment and the use of emergency breathing apparatus under strenuous conditions encountered in fire fighting. These practice sessions shall be provided at least once per year for each fire brigade member.

3. Drills

- a. Fire brigade drills shall be performed in the plant so that the fire brigade can practice as a team.
- b. Drills shall be performed at regular intervals not to exceed 3 months for each shift fire brigade. Each fire brigade member should participate in each drill, but must participate in at least two drills per year.

A sufficient number of these drills, but not less than one for each shift fire brigade per year, shall be unannounced to determine the fire fighting readiness of the plant fire brigade, brigade leader, and fire protection systems and equipment. Persons planning and authorizing an unannounced drill shall ensure that the responding shift fire brigade members are not aware that a drill is being planned until it is begun. Unannounced drills shall not be scheduled closer than four weeks.

At least one drill per year shall be performed on a "back shift" for each shift fire brigade.

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Revision E0

c. The drills shall be preplanned to establish the training objectives of the drill and shall be critiqued to determine how well the training objectives have been met. Unannounced drills shall be planned and critiqued by members of the management staff responsible for plant safety and fire protection. Performance deficiencies of a fire brigade or of individual fire brigade members shall be remedied by scheduling additional training for the brigade or members. Unsatisfactory drill performance shall be followed by a repeat drill within 30 days.

d. At 3-year intervals, a randomly selected unannounced drill must be critiqued by qualified individuals independent of the licensee's staff. A copy of the written report from these individuals must be available for NRC review and shall be retained as a record as specified in section III.I.4 of this appendix.

e. Drills shall as a minimum include the following:

- (1) Assessment of fire alarm effectiveness, time required to notify and assemble fire brigade, and selection, placement and use of equipment, and fire fighting strategies.
- (2) Assessment of each brigade member's knowledge of his or her role in the fire fighting strategy for the area assumed to contain the fire. Assessment of the brigade member's conformance with established plant fire fighting procedures and use of fire fighting equipment, including self-contained emergency breathing apparatus, communication equipment, and ventilation equipment, to the extent practicable.
- (3) The simulated use of fire fighting equipment required to cope with the situation and type of fire selected for the drill. The area and type of fire chosen for the drill should differ from those used in the previous drill so that brigade members are trained in fighting fires in various plant areas. The situation selected should simulate the size and arrangement of a fire that could reasonably occur in the area selected, allowing for fire development due to the time required to respond, to obtain equipment, and organize for the fire, assuming loss of automatic suppression capability.
- (4) Assessment of brigade leader's direction of the fire fighting effort as to thoroughness, accuracy, and effectiveness.

4. Records

Individual records of training provided to each fire brigade member, including drill critiques, shall be maintained for at least 3 years to ensure that each member receives training in all parts of the training program. These records of training shall be available for NRC review. Retraining or broadened training for fire fighting within buildings shall be scheduled for all those brigade members whose performance records show deficiencies.

Jaegers, Cathy

From: Mary Lampert [mary.lampert@comcast.net]
Sent: Monday, June 25, 2012 11:13 AM
To: Docket, Hearing
Cc: Dean, Bill
Subject: SUPPLEMENT TO 2.206 ENFORCEMENT PETITION REGARDING LABOR DISPUTE-
PILGRIM NPS (SUBMITTED MAY 16, 2012): CR-PNP-2012-02693 WAIVER FIRE BRIGADE
Attachments: 06.25.12 PW SUPPLEMENT LABOR DISPUTE-FIRE BRIGADE CR.pdf

Hello:

Please find attached, SUPPLEMENT TO 2.206 ENFORCEMENT PETITION
REGARDING LABOR DISPUTE- PILGRIM NPS (SUBMITTED MAY 16, 2012):

CR-PNP-2012-02693 WAIVER FIRE BRIGADE. If u have any difficulty in opening,
please call Mary Lampert at 781-934-0389.

Thank-you and enjoy the afternoon.

Mary