

From: [Docket Hearing](#)
To: ["richarddevercelly@yahoo.com"](mailto:richarddevercelly@yahoo.com)
Cc: [Docket Hearing](#)
Subject: RE: GOOD EVENING MADAM CHAIRMAN
Date: Friday, April 25, 2014 4:11:00 PM
Attachments: [04-25-14 Charlissa Smith extension order.pdf](#)

Dear Mr. DeVercelly:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your e-mail of April 16, 2014 (below). You expressed concern regarding the recent Atomic Safety and Licensing Board decision (LBP-14-2) associated with the senior reactor operator (SRO) license application of Charlissa C. Smith. In particular, you disagree with the Board's decision directing the Staff to issue an SRO license to Ms. Smith, and you express disappointment with the NRC's implementation of its operator license guidance in the context of this SRO application review.

No party has appealed the Board's decision to the Commission; however, the Commission has the opportunity to consider the Board's decision even without an appeal. Given the pendency of the Board's decision before the Commission, the Chairman and Commission cannot at this time discuss or comment on issues involved in this matter. Under NRC regulations, the Commission has an adjudicatory role in the case, and all members of the Commission must remain impartial while the case is pending. I am, however, referring your e-mail to the Office of the Executive Director for Operations for its consideration.

A copy of your e-mail and this response will be served on the parties to the *Charlissa Smith* adjudication. Additionally, attached for your information is a copy of an Order served today, which extends the time for Commission review.

Sincerely,

Annette L. Vietti-Cook
Secretary of the Commission

From: Rick DeVercelly [mailto:richarddevercelly@yahoo.com]
Sent: Wednesday, April 16, 2014 7:45 PM
To: CHAIRMAN Resource
Subject: GOOD EVENING MADAM CHAIRMAN

Honorable Chairman

You may remember me from the TTC. I am the one they call DeVo. I conducted a BWR and Fukushima overview for you. I am now retired from the NRC and working as a consultant in the industry. Therefore I am now a private citizen and I have a concern that is really bothering me. My concern is deep enough that I feel the allegation process will not be able to respond quickly enough and therefore I write directly to you.

It has come to my attention that the Operator Licensing issue related to Vogtle applicant Cherlissa Smith has been decided in her favor. This part I understand in that the NRC did not do a good job of

following the process of Operator Licensing (NUREG-1021). I am disappointed with the NRC performance in this issue. Nonetheless, licenses must only be issued in the priority of demonstrated competence for safe plant operation. My analogy is that if you run a stop sign during your driver's test, a failure will result regardless of how well you did on the written and the rest of the operating.

Where my concern lies is that apparently the decision has been made to grant a license to this applicant. This applicant has yet to demonstrate competence in the ability to safely operate a nuclear power plant. At best, the applicant has demonstrated marginal performance on multiple occasions, both of which contributed to failing the exam and re-exam. Waiver for the re-exam or not, the applicant has both a written and operating exam failure while also marginally passing both. This performance brings in many questions related to whether it is SAFE to put the public at risk by allowing this applicant at the controls of a Nuclear Power Plant. It also concerns me that the granting of the license is being expedited with an alleged issue date nlt 28 April, 2014. Granting a license in this case and in this way is clearly in conflict with the NRC mission of "Protecting People and the Environment". It is my strong feeling that the applicant should be granted another opportunity to demonstrate competence yet no license should be issued until this competence has been demonstrated satisfactorily.

I look forward to your personal reply.

Very Respectfully;

Richard W. DeVercelly
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