

ORIGINAL

**UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION**

Title: Affirmation/Discussion and Vote
(Public Meeting)

Location: Washington, D. C.

Date: March 22, 1988

Pages: 1 - 13

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1 UNITED STATES OF AMERICA
2 NUCLEAR REGULATORY COMMISSION

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4 AFFIRMATION / DISCUSSION AND VOTE

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7 PUBLIC MEETING

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9 Nuclear Regulatory Commission
10 Room 1130
11 1717 H Street, N.W.
12 Washington, D.C.
13 March 22, 1988
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15 The Commission met in open session, pursuant to
16 notice, at 4:11 p.m., the Honorable LANDO W. ZECH, JR.,
17 Chairman of the Commission, presiding.

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19 Commissioners Present:

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21 LANDO W. ZECH, Chairman
22 THOMAS M. ROBERTS, Commissioner
23 FREDERICK M. BERNTHAL, Commissioner
24 KENNETH ROGERS, Commissioner
25 KENNETH M. CARR, Commissioner

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2 Staff and presenters seated at table:

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4 S. CHILK - SECY

5 W. PARLER - OGC

6 J. TAYLOR

7

8 By speaker phone

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10 S. EBNETER

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1 P R O C E E D I N G S.

2 CHAIRMAN ZECH: Good afternoon, ladies and
3 gentlemen. We're here today to consider a Staff request
4 provided to the Commission in two recent Staff papers
5 concerning the Tennessee Valley Authority Sequoyah Unit-2
6 facility.

7 Copies of the Staff papers are available in the
8 NRC's public document room.

9 The Staff has requested that we authorize them to
10 permit TVA to restart Sequoyah Unit-2.

11 We have over the past several months received
12 briefings from the NRC Staff and TVA concerning Sequoyah
13 Unit-2's readiness for restart.

14 In addition, the Staff has recently informed the
15 Commission that all significant issues required to be
16 addressed prior to restart, including those two issues
17 identified in the two papers mentioned earlier, have been
18 satisfactorily resolved except one involving resistance
19 temperature detectors, RTDs, in the pressurizer system.

20 Several other minor surveillance and work items
21 are also being completed.

22 A copy of this Staff paper discussing the RTD
23 issue will also be available in the public document room.

24 Mr. Taylor is here on behalf of the Commission --
25 on behalf of the NRC Staff to appear before the Commission

1 to answer any remaining questions the Commissioners may
2 have.

3 I have a few brief comments to make before I call
4 on my fellow Commissioners to see if they care to make
5 comments, and then if my Commissioners are in agreement
6 and if they're prepared, we'll have a vote.

7 We've been closely monitoring the TVA's work to
8 prepare Sequoyah Unit 2 for restart. The NRC Staff has
9 recommended the Commission permit the plant to resume
10 operation. That recommendation was made after an
11 extensive review of TVA's readiness program including the
12 many improvements which have been made in the plant.

13 I know that TVA takes its safety responsibility
14 seriously. Protection of the public must come first.

15 The Commission has been briefed by the NRC's
16 Staff on the Staff's review of issues affecting restart.

17 In addition, the Commission has had closed
18 briefings by our Staff on significant investigative
19 matters which could have implications for an NRC restart
20 decision.

21 We also have been briefed in open session by
22 representatives of Tennessee Valley Authority concerning
23 Sequoyah's readiness for restart.

24 I could not vote to support a decision to
25 authorize restart of the Sequoyah Unit 2 unless based on

1 all the available information, I'm satisfied that there're
2 no outstanding regulatory issues which raise a question as
3 to the ability of the facility to operate safely.

4 I must emphasize that a Commission decision on
5 restart would not indicate how the ongoing investigations
6 may be resolved. There's nothing unusual about the
7 Commission's consideration of a restart while
8 investigations are ongoing.

9 For several years, the NRC has had a policy
10 whereby the Staff and the Office of Investigations review
11 and brief the Commission on any open allegations and
12 investigations which they believe could be considered by
13 the Commission prior to an NRC decision to permit reactor
14 operations.

15 A Commission decision to authorize restart of the
16 Sequoya Unit indicates that we have concluded based on a
17 review of the available information that there is no
18 presently known regulatory reason to preclude
19 authorization to restart the facility.

20 I've been impressed that both the Staff and TVA
21 have approached the issues which had to be resolved prior
22 to restart in a professional and competent manner.

23 TVA has put into place a group of permanent
24 managers responsible for operation of Sequoyah, an
25 organization which I'm satisfied has the confidence to

1 safely operate the facility.

2 Therefore, I will vote today to authorize the
3 Staff to permit the restart of the Sequoyah facility upon
4 resolution of the one remaining significant technical
5 issue involving resistance temperature detectors in the
6 pressurizer system and any remaining prerequisites for
7 start-up.

8 Now, I'd like to call on my fellow Commissioners
9 to see if they have any comments to make. Commissioner
10 Roberts?

11 COMMISSIONER ROBERTS: Let's ask Mr. Taylor. Is
12 it the opinion of the Staff that the restart of Sequoyah
13 Unit 2 under the requirements that you've laid out, does
14 not pose any undue risk to public health and safety?

15 MR. TAYLOR: That is the Staff's position, yes,
16 sir.

17 COMMISSIONER ROBERTS: All right. That's all I
18 have.

19 CHAIRMAN ZECH: Commissioner Bernthal?

20 COMMISSIONER BERNTHAL: I do have some comments I
21 want to make. Let me also just get for the record here
22 the Staff's final disposition of one of the issues that we
23 had discussed, that was the diesel generator question. I
24 understand that Staff has yet again consulted with our
25 expert at the Massachusetts Institute of Technology and

1 has an opinion from him on the latest set of concerns that
2 the Commission received. Could you comment on that, Jim?

3 MR. TAYLOR: Yes, sir. I have the -- Stu Ebnetter
4 and other Staff on the box and I'd like them -- they
5 pursued that today. If I may, I'll turn to the special
6 project Staff.

7 CHAIRMAN ZECH: Mr. Ebnetter, are you there?

8 MR. EBNETER: Yes, sir.

9 CHAIRMAN ZECH: Go ahead.

10 MR. EBNETER: We have transmitted the letter from
11 Mr. Hicks to our consultant, and the consultant is on
12 another task in Florida, but I understand we have
13 contacted him; he's in agreement that the issues have been
14 resolved; however, I have instructed the Staff to get a
15 written document from our consultant addressing the issues
16 in that memorandum, sir.

17 We should have those probably within the next day
18 or two. As I committed to Commissioner Bernthal in the
19 past, we will definitely have that memorandum in hand and
20 reviewed before we authorize any entry into Mode 2, sir.

21 COMMISSIONER BERNTHAL: Thank you very much. I
22 do want to make a comment or two because it has been a
23 long and rocky road in a part of the country that holds
24 some special interest for me.

25 My vote on this matter --

1 COMMISSIONER ROBERTS: Well, don't omit me. I
2 belong to Tennessee, too.

3 COMMISSIONER BERNTHAL: I know it does hold
4 special interest for you too, Tom.

5 COMMISSIONER ROBERTS: I still vote and pay taxes
6 in Tennessee.

7 COMMISSIONER BERNTHAL: My vote today
8 acknowledges that TVA Sequoyah Plant has indeed come a
9 long way in the past two years.

10 Due in large measure to the efforts of our Staff,
11 Sequoyah has now become one of the most inspected plants
12 in the country.

13 The NRC Staff concerns have been satisfied to the
14 extent that Staff now recommends restart and I want to
15 commend you, Mr. Taylor, and all of the Staff, Mr.
16 Keppler, Mr. Ebnetter, and the fine people that I more than
17 once visited with on trips to the Sequoyah plant for the
18 work that they have done and performed with diligence and
19 fairness.

20 I'm satisfied that the technical and management
21 problems that forced the shutdown of Sequoyah have now
22 been substantially resolved; however, I'm not unmindful of
23 the still unresolved allegations surrounding Admiral
24 White. I have seen the report of the NRC's Office of
25 Investigation and I am aware the Department of Justice

1 investigation is still ongoing.

2 I express no opinion at this time as to what the
3 final disposition of this issue will be, nor do I
4 foreclose the possibility of future Commission action in
5 this area.

6 But Admiral White has brought a strong leadership
7 to a nuclear program badly in need of that quality. As a
8 strong leader with a distinguished record of service to
9 his country, I am sure that he fully understands that he
10 is accountable for all aspects of his leadership.

11 And given the physical and managerial readiness
12 of the Sequoyah plant, the Commission now has to weigh the
13 totality of the evidence available to it and decide
14 whether the plant is ready for restart.

15 The technical problems which forced the shutdown
16 have been sufficiently resolved to allow restart.

17 New plant management has been brought in and has
18 demonstrated its effectiveness.

19 The NRC Staff is satisfied that the plant is
20 ready for restart.

21 I have visited the Sequoyah plant on two
22 occasions in the last six weeks, and I am confident that
23 Sequoyah can now operate without undue risk to the public
24 health and safety.

25 Considering all these factors along with the

1 public interest which will benefit from the electricity
2 that Sequoyah will generate, I find that the totality
3 weighs in favor of restart.

4 In receiving this long-awaited action today,
5 however, I caution TVA never again to become complacent.
6 The full magnitude of the problems in the TVA Nuclear
7 Program took years to develop, and those problems will not
8 be fully dissipated in much less time.

9 Now some have suggested that the Tennessee Valley
10 Authority has been held to a very high standard by the
11 NRC, perhaps even too high. Well, I believe that TVA, a
12 large federal agency with one of the largest nuclear
13 programs in the country and a utility that frequently
14 represents the United States of America around the world,
15 should meet the very highest standards.

16 And I think the people of Tennessee and the
17 Tennessee Valley expect and deserve no less than that.

18 TVA has long taken justifiable pride in being a
19 leader and an innovator. It is time that it once again
20 becomes a leader and an innovator in safe nuclear power.

21 Mr. Chairman, that completes my comments, and I'm
22 pleased to be able to support the Staff recommendation
23 today.

24 CHAIRMAN ZECH: All right. Thank you.
25 Commissioner Carr?

1 COMMISSIONER CARR: No.

2 CHAIRMAN ZECH: Commissioner Rogers?

3 COMMISSIONER ROGERS: I'd just like to have Mr.
4 Ebnetter comment once again, since he could not be with us
5 here, personally, on his conviction that --

6 CHAIRMAN ZECH: He's at the site, I think, in
7 Sequoyah; is that not right?

8 MR. TAYLOR: Yes.

9 CHAIRMAN ZECH: Is that where you are, Mr.
10 Ebnetter?

11 MR. EBNETER: Yes, sir.

12 CHAIRMAN ZECH: All right. Go ahead.

13 COMMISSIONER ROGERS: -- as of this very moment
14 that the only issue that's outstanding is this one on the
15 heaters that we heard about today, and that all other
16 matters in your opinion are completely satisfactory and
17 that there are no conditions in your mind that -- further
18 conditions that need to be imposed on TVA Sequoyah prior
19 to restart?

20 MR. EBNETER: That's correct, sir. We have no
21 other technical issues at this point.

22 COMMISSIONER ROGERS: Thank you very much. I had
23 followed, of course, as we have all, with great interest
24 the development of this particular site. We are concerned
25 with TVA Sequoyah. No other site at this moment is before

1 us today, and I'm convinced on the basis of the materials
2 that have been presented to us both in presentations by
3 the TVA management, including the Chairman of the Board,
4 and the Staff of the Commission, that a very careful and
5 assiduous following of issues, all matters of significance
6 have been addressed, and that on the basis of the
7 materials presented to me, to the whole Commission, and on
8 the basis of a visit that I took to the plant last week
9 and spent a day on a tour of inspection, and in meeting
10 one on one with a number of individuals, that I feel
11 convinced that the leadership exists for this plant to
12 operate satisfactorily, and that the technical matters are
13 well in hand and that I am prepared therefore to
14 participate in a vote today, Mr. Chairman.

15 CHAIRMAN ZECH: All right. Thank you very much.
16 If there's no other comments from my fellow Commissioners,
17 are you prepared to vote at this time?

18 [A chorus of ayes.]

19 CHAIRMAN ZECH: All right. Will those
20 Commissioners in favor of authorizing the Staff to permit
21 TVA to restart Sequoyah Unit 2 upon resolution of the RTD
22 issue and other prerequisites for start up, signify by
23 saying aye.

24 COMMISSIONER CARR: Aye.

25 COMMISSIONER ROBERTS: Aye.

1 CHAIRMAN ZECH: Aye.

2 COMMISSIONER BERNTHAL: Aye.

3 COMMISSIONER ROGERS: Aye.

4 CHAIRMAN ZECH: Those opposed?

5 [No response.]

6 CHAIRMAN ZECH: Five to zero in favor. The
7 meeting is adjourned.

8 [Whereupon, at 4:26 p.m., the meeting was
9 adjourned.]

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2 REPORTER'S CERTIFICATE
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4 This is to certify that the attached events of a
5 meeting of the U.S. Nuclear Regulatory Commission entitled:
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7 TITLE OF MEETING: Affirmation/Discussion and Vote

8 PLACE OF MEETING: Washington, D.C.

9 DATE OF MEETING: March 22, 1988
10

11 were held as herein appears, and that this is the original
12 transcript thereof for the file of the Commission taken
13 stenographically by me, thereafter reduced to typewriting by
14 me or under the direction of the court reporting company, and
15 that the transcript is a true and accurate record of the
16 foregoing events.

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19 Mario A. Rodriguez
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22 Ann Riley & Associates, Ltd.
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