

From: [Eric Epstein](#)
To: [Docket Hearing](#)
Subject: [External_Sender] TMIA's Re: Riverstone's Application for Approval of the Indirect License Transfer of
Susquehanna Steam Electric Station, (11` /3/16)
Date: Thursday, November 03, 2016 3:23:43 PM
Attachments: [Riverstone filing. \(11316\).pdf](#)
[ATT00001.htm](#)

Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemakings and Adjudications Staff

Please note that there is a typo in the title page and it should read:

Eric Joseph Epstein's Testimony on Behalf of Three Mile Island Alert, Inc.
Re: Riverstone's Application for Approval of the Indirect License Transfer
of
Susquehanna Steam Electric Station, Unit 1 & Unit 2, Facility Operating
License
No's. NPF-14 & NPF-22; NRC Docket No's. 50-387, 50-388 & 72-28.

Respectfully submitted,

Eric Epstein, Chairman, TMI-Alert
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Before the United States of America
Nuclear Regulatory Commission

Eric Joseph Epstein's Testimony on Behalf
of Three Mile Island Alert, Inc.

Re: PPL's Application for Approval of the Indirect License
Transfer of Susquehanna Steam Electric Station, Unit 1 &
Unit 2, Facility Operating License No's. NPF-14 & NPF-22;
NRC Docket No's. 50-387, 50-388 & 72-28;
[NRC-2016-2017]

November 3, 2016

Secretary
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001
ATTN: Rulemakings and Adjudications Staff

Dear Secretary:

Enclosed please find for filing an original of Eric Joseph Epstein's
Comments on Behalf of Three Mile Island Alert, Inc., Re: Riverstone
Application for Approval of the Indirect License Transfer of Susquehanna
Steam Electric Station, Units 1 and 2 Facility Operating License No's. NPF-
14 and NPF-22; NRC Docket No's. 50-387, 50-388, and 72-28.

Respectfully submitted,



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I. History.

The Nuclear Regulatory Commission (“NRC”) convened a Pre-Submittal Meeting with PPL Susquehanna (“PPL”), Limited Liability Corporation, Regarding Future Submittal for a License Transfer Amendment for the Susquehanna Steam Electric Station (“SSES”), Units 1 and 2 on July 2, 2014.

The meeting featured PPL Susquehanna, LLC's plans and schedule regarding a future submittal of a license transfer amendment request. PPL Susquehanna and Riverstone Holdings, LLC, have announced a definitive agreement to combine their merchant power generation businesses into a new stand-alone, publicly listed Independent Power Producer that, following closing, will be called Talen Energy Corporation.

However, based on PPL’s Submittal entitled “Completing the Transformation: PPL Energy Supply to Combine with Riverstone Generation Business to form Talen Energy Corporation” dated July 10, 2014, and Susquehanna Steam Electric Station’s Request for Order Approving Indirect Transfer of Control and Conforming License Amendments submitted to the NRC on July 11, 2014 (Dockets 50-387, 50-399 and 72-28) it is clear the the application is fatally flawed.

PPL’s Application for Approval of Indirect License Transfers has caused the NRC to contact the Susquehanna Steam Electric Station and place a Request for Additional Information Re: Request for Order Approving Indirect Transfer of Control and Conforming License Amendments (Tac Nos. MF4426 and MF4427) on October 10, 2014.

The NRC's request for "Additional Information for License Transfer Applications" also demonstrates that the plan is fatally flawed, and requires a thorough and transparent hearing to address numerous outstanding issues associated with safe operation of Susquehanna Steam Electric Station.

The core issues identified in PPL's deficient Application include: 1) The potential for adverse impact on the Susquehanna Steam Electric Station; 2) Further erosion of managerial or technical qualifications of nuclear units on the NRC's poor performing list; 3) Financial guarantees and qualifications of Talen Energy's as the owner and operator of the Susquehanna Steam Electric Station; 4) Inability to pay for nuclear decommissioning and radioactive waste isolation.

All of those issued identified in Mr. Epstein's initial testimony have not only occurred, but have - according to the NRC - placed Talen into the ignoble position of compiling more LERs, than any other nuclear power plant from in 2016. (Enclosure 1)

II. Introduction.

Three Mile Island Alert Inc. ("TMIA" or "TMI-Alert") has numerous members that reside in the Susquehanna Steam Electric Station's proximity and throughout the Susquehanna River Valley. These members have concrete and particularized interests that will be directly affected by this proceeding.

TMI-Alert is a safe-energy organization based in Harrisburg, Pennsylvania and founded in 1977. TMIA monitors Peach Bottom, Susquehanna, and Three Mile Island nuclear generating stations. In the spring of 1987 and spring of 2004, TMIA was recognized by the Pennsylvania House of Representatives for community service. The City of Harrisburg and the United States' Senate formally applauded TMIA's efforts on behalf of the community in 1997 and 2002.

Eric Joseph Epstein is the Chairman of TMI-Alert. He has served as either Spokesperson or Chairman of the organization for 30 consecutive years. Mr. Epstein has advocated for rate relief on behalf of TMIA as a result of the construction and licensing of the Susquehanna Steam Electric Station for over 25 years. Additionally, Mr. Epstein has litigated economic, rate structure and nuclear issues relating to the Susquehanna Electric Station, electric deregulation and post-deregulation economic impacts.

Epstein has been acknowledged as an expert witness before the Pennsylvania Public Utility Commission. Epstein's expertise relates to rate structure and rate payer equity, consumer education, economic development, job retention and tax structure, nuclear fuel cost adjustments, and nuclear decommissioning cost recovery. (1)

1 PA PUC, Public Meeting held July 14, 2005, A-110550F0160 Joint Application of PECO Energy Company and Public Service Electric and Gas Company for Approval of the Merger of Public Service Enterprise Group Incorporated with and into Exelon Corporation.

Opinion and Order "... On careful review of the pleadings, we acknowledge Epstein's expertise in the areas of nuclear decommissioning, nuclear waste isolation, nuclear economics, nuclear safety, universal service, and community investment. See Epstein Protest, para. 10."

III. Timelines.

The NRC staff is reviewing the “indirect” license transfer application from Riverstone. It seeks to transfer the plant’s operating license from Talen Energy Corp. to Riverstone Holdings LLC. We note that Riverstone’s portfolio companies currently hold 35 percent in the aggregate of Talen’s outstanding common stock.

On October 4, 2016 in the Federal Register, the NRC published an opportunity for a hearing and comments relating to the Riverstone takeover of the fledgling former PPL plant referred to as the Susquehanna Steam Electric station. (pp 68463-68464).

The NRC is considering the issuance of an order under 10 CFR 50.80 approving the indirect transfer of control of Susquehanna Nuclear’s interests in Renewed Facility Operating License Nos. NPF-14 and NPF-22 for SSES, as well as the general license for the ISFSI from Talen to Riverstone.

Riverstone’s portfolio companies currently hold 35 percent in the aggregate of the outstanding common stock of Talen.

According to the application for approval filed by Susquehanna Nuclear, acting on behalf of itself and Riverstone, the indirect transfer of control results from a transaction in which Talen, Susquehanna Nuclear’s ultimate parent, will become wholly owned by the portfolio companies of Riverstone. As a result, all of the common stock of Talen will become privately held by affiliates of Riverstone, and Susquehanna Nuclear will

become indirectly controlled by Riverstone as described in the application. Riverstone would acquire ownership of Susquehanna Nuclear's 90 percent interest in SSES. Susquehanna Nuclear will continue to operate the facility and hold the licenses. No physical changes to SSES or operational changes are being proposed in the application. (Vol. 82, No., 192, p. 68463).

The Federal Register Notice stated, "Within 30 days from the date of publication of this notice, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted as described in the ADDRESSES section of this document.

The enclosed testimony filed on behalf of Three Mile Island Alert has been filed in a timely manner.

IV: Issues.

A. No plan for low-level radioactive waste storage.

The proposed license transfer fails to demonstrate that the site has the capability to store Class B and C low level radioactive waste ("LLRW") during the entire operating life of the plant and beyond in the event Barnwell remains closed to PPL, Clive, Utah operated by Energy Solutions no longer becomes cost effective, or no other waste disposal options are developed or available.

In light of the current lack of a licensed offsite disposal facility; and the uncertainty of whether a new disposal facility will become available during the license term, Talen Energy must describe how they will store Class B and C waste onsite, and the environmental consequences of extended onsite storage.

Riverstone's application is deficient by omission. It fails to offer a plan for the disposal of Class B and C low level radioactive waste.

TALEN sends low-level radioactive waste to the Clive, Utah facility. The remainder of the Class B and Class waste will be stored on-site. In the event the Clive site closes or other emergent disposal options become unavailable or are no longer-cost effective, low level radioactive waste will be stored onsite at Susquehanna.

The closure of the LLRW facility at Barnwell has significantly limited available waste disposal options. Riverstone must offer a plan that details how it will safely manage LLRW during the operational life of the plant, and for an indefinite period of time following cessation of operations. Those details have been omitted in the license transfer application.

Riverstone's "no plan" option relies on speculation, the magical "elimination" of waste generation, and an unsubstantiated hope that a disposal site will be developed by an unidentified vendor at an undisclosed site in the future.

Riverstone enclosed no supporting evidence to demonstrate it had the capability and capacity to store low level waste.

Talen Energy has failed to demonstrate that Susquehanna has the capability to store Class B and C low level waste during the entire operating life of the plant and beyond in the event Barnwell remains closed to PPL, Clive, Utah “no longer becomes cost effective”, or no other waste disposal options are developed or available.

The Application fails to provide a plan of action to dispose of the low level radioactive waste. This omission and lack of supporting factual data to support a realistic storage alternative, constitute deficiencies in the Application, indicating a genuine dispute exists as to a material issue of law or fact.

B. Financial qualifications.

Prior to deregulation, nuclear applicants which were “financially challenged” were able to establish “reasonable assurance” they could raise money through capital markets precisely because the applicant was a public “electric utility.”

Since the advent of electric deregulation, the NRC can no longer presume favorable rate decisions by any utility commission. Nor can the Commission presume rate tariffs will supplant financial chasms created by limited liability corporations. The NRC should recognize that the Indirect Transfer is an opportunity for the Commission to supplant anachronistic presumptions, e.g., *New England Coalition on Nuclear Pollution v. U.S. NRC* (1978, CA1) (582 F2d 87, 8 ELR 20707, 51 ALR Fed 451) with fresh case law that recognizes a radically changed public utility landscape. The NRC must compel Riverstone, to prove they possess the requisite financial wherewithal to service nuclear obligations without penalizing the host communities surrounding the SSES. 7

Under 10 C.F.R. § 50.33(f) & (k), the owner and operator of a nuclear power facility must demonstrate that it has the financial qualification to carry out the activities authorized by the operating license for the facility, including the capacity to pay costs associated with the personnel and equipment needed to safely operate the facility, its reactor, and its spent fuel pool and casks.

Mr. Epstein respectfully requests that as part of this proceeding, NRC examine the revenue attributable to Susquehanna Steam Electric Station power, the interconnection among Riverstone Holdings, LLC and Talen Energy Company and associated business entities, and anticipated costs for facility operations, repairs, spent fuel storage and decommissioning.

Because Riverstone -a nuclear novice - will operate the SSES as an independent power producer, NRC must consider the financial and operational interrelationships between PPL Energy Supply, Riverstone Generation Business and Talen Energy Corporation and other family subsidiaries that market the electric power generated by these reactors. This inquiry should include an examination of the assets, revenue streams, and obligations between and among these subsidiaries. As PPL files a consolidated financial statement with the U.S. Securities and Exchange Commission, information related to the assets, revenue streams and obligations of specific PPL subsidiaries are not publicly available. That information must be obtained by the NRC from PPL.

Such an examination should be conducted in a transparent manner, and the NRC should detail and explain to the community how the financial ability of these entities will safely operate, maintain and decommission the Susquehanna Steam Electric Station.

C. Plant design.

The Susquehanna Steam Electric Station reactors employ a boiling water reactor design ("BWR") and have Mark 2 containment that need capital improvements. In March 5 and 9, 1992 - PP&L received \$55 million in a settlement with General Electric over the Mark II containment structure. ("Electric Utility Week" and "Nucleonics Week.")

The NRC's assessment of the financial qualifications of PPL and Riverstone should examine the cost of future Fukushima improvements at the Susquehanna Steam Electric Station.

On July 30, 1992, federal regulators announced that a safety mechanism used by the SSES might fail to alert operators about a drop in the water level - a condition which could lead to a nuclear accident.

On October 1, 1993 - during an NRC presentation - nuclear engineers David Lochbaum and Donald Prevatte, postulated that failure in spent fuel pool cooling could possibly lead to safety-related equipment failure and a full core meltdown at the Susquehanna Steam Electric Station

A retired power reactor does not produce income. PPL's flawed plant design and poor operating history suggest the SSES will be prematurely retired. The NRC's assessment of the financial qualifications of Talen Energy should address the Company's current and future ability to finance maintenance costs, operation expenses and radioactive isolation.

D. The NRC is obligated to ensure any corporate organization has adequate funding to decommission a nuclear generation station: 10 C.F.R. § 50.75 requires the owner and operator of such a facility to demonstrate that they have sufficient funds to properly decommission the facility.

The SSES' s nuclear trust funds are already on shaky ground, and PPL's marriage to Riverstone further undermines the Company's ability to ensure financial guarantees. The subsequent divorce and nuclear nuptials with Riverstone further undermines any financial assurances of full funding relating to decommissioning.

On May 24, 2011 the NRC wrote to Mr. Timothy S. Rausch, Senior Vice President and Chief Nuclear Officer, PPL Susquehanna, LLC:

By letter dated March 31, 2011, PPL Susquehanna LLC, Inc. (PPL) submitted "NRC Decommissioning Funding Status Report, December 31, 2010" for the Susquehanna Steam Electric Station, Units 1 and 2.

The Nuclear Regulatory Commission staff has been reviewing the submittal and has determined that additional information is needed to complete its review.

RAI #1: Citation for real rate of returns: Provide the citation (e.g., an Order by the rate-regulatory authority) by the regulatory entity that allows for the assumptions used regarding rates of escalation in decommissioning costs, rate of earnings on decommissioning funds and rates of other assumed costs in your DFS report.

"PPL Susquehanna LLC is no longer under the jurisdiction of a rate making authority..." (PPL, June 22, 2011)

RAI #2: After-tax decommissioning funds as of December 31, 2010:
Indicate if the amount of decommissioning funds identified within the DFS Report is the after-tax amount of funds accumulated through December 31, 2010. If not, provide the after-tax amount of decommissioning funds accumulated through December 31, 2010.

“PPL paid all applicable federal, state, and local taxes on trust fund activities directly front the fund balance including assets held as of December 31, 2010.” (PPL, June 22, 2011)

PPL’s corporate filings warn of chronic underfunding and financial uncertainty relating to their nuclear decommissioning trust funds.

“At December 31, 2011 AROs totaling \$497 million were recorded on the balance sheet, of which \$13 million is included as “other current liabilities.” Of the total amount of \$282 million, 59% relates to the nuclear decommissioning ARO. The most significant assumptions surrounding AROs are the forecasted retirement costs, the discount rates, and the inflation rates. A variance in any of these could have a significant impact on the ARO liabilities.” (Annual Report, 2011, p. 53.)”

“The accrued nuclear decommissioning obligation was \$292 million and \$270 million at December 31, 2010 and 2011, and is included in “Asset Retirement Obligations” on the Balance Sheets. The fair value of investments that are legally restricted for the decommissioning of the Susquehanna nuclear plant was \$640 million and \$618 million on December 31, 2011 and 2010 and is included in “Nuclear decommissioning trust funds” on the balance sheets.” (Annual Report, 2011, pp. 211-212).

PPL's 2013 Annual Report painted yet another gloomy outlook, "To the extent that the actual cost for decommissioning exceeds the amounts in the nuclear decommissioning trust funds, PPL Susquehanna would be obligated to pick up 90% of the shortfall..."

"The NRC requires that nuclear decommissioning trusts be managed by independent managers, with discretion to buy and sell securities in the trusts. As a result, PPL and PPL Energy Supply have been unable to demonstrate the ability to hold an impaired asset security until it recovers its value, therefore, unrealized losses in equity securities for all periods presented, represent-other-than-temporary impairment that requires a current period charge to earnings. " (Annual Report, 2013, pp. 221.)

It is critical for public confidence and the NRC's regulatory credibility that the agency investigate and report its findings regarding the financial structures as they pertain to the ability of Talen Energy and its corporate subsidiaries to safely operate, maintain, and decommission the Susquehanna Steam Electric Station.

Such an examination should be conducted in a transparent manner, and the NRC should detail and explain how the financial ability of these entities will safely operate, maintain and decommission the SSES.

E. The Susquehanna Steam Electric Station is a poorly performing nuclear generating station that requires additional NRC oversight.

PPL has struggled to operate the Susquehanna Steam Electric Station in a safe and reliable manner from 2010-2015 as documented by the Commission's inspection and a special supplemental inspections, which has placed both plants in a degraded cornerstone column.

The NRC has documented PPL's sliding operating performance; including; but not limited to: chronic procedural deficiencies, unplanned scrams, impaired personnel, station flooding and a record of degraded cornerstones that continue to erode margins of safety at the Susquehanna Steam Electric Station.

- **September 1, 2011:** The NRC completed its mid-cycle performance of Susquehanna Units 1 and 2. The NRC determined that the performance of Unit 1 during the most recent quarter ending June 30, 2011, was within the "degraded cornerstone column" of its oversight process.

- **May 7, 2012 :** The NRC issued a report dealing with a supplemental inspection at the Unit 1 reactor from February 13 through March 2, 2012. The report said the plant had not made "sufficient progress on the procedure quality upgrade project for the internal flooding event for the NRC to evaluate its effectiveness."

The internal flooding event was previously discussed in the NRC reports issued in November 12, 2010, and September 1, 2011. The incident occurred on July 16, 2010, resulting in 1 million gallons of water 12 feet deep in the Unit 1 main condenser bay. The flooding caused a shutdown of the reactor for about 20 days. It was attributed to inadequate procedures in the maintenance and operation of the main condenser water boxes and circulating water system.

The incident was part of the unplanned scrams affecting the plant. Others occurred on April 22 and May 14 of 2010, and Jan. 25, 2011.

The NRC report said PPL performed a comprehensive evaluation relating to the scrams. "Two of the four unplanned scrams were caused by inadequate performance of maintenance, and the remaining two scrams occurred during the testing of a new Integrated Control System," the report said.

In addition, the report said PPL determined that the primary causes for the unplanned scrams were "less than adequate risk-informed decision making; less than adequate problem identification and resolution, including use of the Corrective Action Process; operating experience and cause analysis; less than adequate procedure quality use and adherence; maintenance performance that was not adequate; and management oversight that provided less than adequate enforcement of standards and expectations."

Regarding the July 16, 2010, flooding event, the NRC report noted PPL completed three root cause evaluations. “The inspectors determined that PPL failed to adequately address extent of condition and extent of cause for the white finding,” the NRC said. “The inspection team concluded that the corrective actions taken for extent of cause were narrow because torque checks of selected flanges of other plant equipment were not included ... Consequently, the NRC was not able to effectively evaluate the robustness, adequacy and effectiveness of future actions to address extent of condition and extent of cause, including procedure quality improvements.”

As a result, the NRC said the white finding will remain open to verify that “the concerns of extent of condition and extent of cause of inadequate procedures used to torque gasketed flanges are appropriately assessed and that adequate corrective actions are identified and implemented; and to verify the effectiveness of the station’s procedure quality upgrade project.”

- **February 13, 2013:** “From 2004 until June 19, 2012,” the NRC report said, “PPL failed to accurately translate design basis requirements to ensure Unit 1 reactor coolant system piping systems met American Society of Mechanical Engineers core requirement to pipe stress analysis calculations ... due to using an incorrect stress intensification factor,” the report said. “The weld in question subsequently failed, resulting in pressure boundary leakage in excess of technical specification limits from June 16 to June 18, 2012.

NRC inspectors identified a failure of PPL to submit an event report dealing with electrical power monitoring associated with several Unit 1 reactor protection system breakers on May 8, 2012. The report is to be submitted within 60 days. The report said “PPL personnel had determined that the event was not reportable because it did not result in a loss of safety function or condition prohibited by plant technical specifications.”

But the NRC noted that plant licensees must submit an event report for “any event where a single cause or condition caused two independent training of channels to become inoperable in a single system designed to shut down the reactor within 60 days of discovering the event.” Despite this, PPL did not submit a report within the allotted time period. The NRC said it was treating the matter as a non-cited violation, and it was entered into PPL’s corrective action program.

The other violation involved a failure of PPL to notify authorities within eight hours of a valid actuation of the Unit 2 reactor protection system on Nov. 9, 2012. On that date, Unit 2 at the facility was manually scrammed (shut down) following a failure in the integrated control system and a subsequent lowering of reactor water level.

A few hours after this action, an automatic scram was generated. The NRC said PPL submitted a report within the required four hours of the original scram, but questioned whether PPL operators made a report within the required eight hours after the second scram.

The report said PPL staff became an investigation in February 2012 “in response to a series of NRC findings from 2007 to present involving required NRC notifications not being made that affect license conditions of licensed operators.” As a result of the review, PPL submitted on July 20, 2012, 10 medical updates to the NRC, four of them permanent changes in medical conditions that were “not submitted in a timely manner as required.”

The report added, “The inspectors concluded that PPL’s failure to properly identify potentially disqualifying medical conditions resulted in failure to notify the NRC of these changes in medical conditions within 30 days, and in some cases may have affected the operator’s ability to comply with operator license conditions that should have been in effect while standing watch. This was a performance deficiency within PPL’s ability to foresee and correct and should have been prevented. The NRC has issued conditional individual operator licenses which address the potentially disqualifying conditions for the operators.”

The NRC said this was an unresolved issue.

• **March 4, 2013:** In an annual assessment letter for 2012, the NRC said it found that Unit 1 was within the regulatory response column of the NRC’s Reactor Oversight Process because of one finding having low to moderate safety significance that was related to an internal flooding event on July 16, 2010. Unit 1 began the assessment period in the Degraded Cornerstone Column due to this finding and due to unplanned shutdowns per 7,000 critical hours. On May 7, 2012, the NRC issued an interim response that closed the finding related to the unplanned scrams, or shutdowns. The other finding was closed in early 2013, moving Unit 1 to the licensee response column.

For Unit 2, the NRC determined during the most recent quarter that the plant was within the licensee response column because all inspection findings had very low safety significance.

The NRC also issued a concern over crosscutting issues, and said this matter will remain open until PPL (the plant licensee) “has demonstrated sustainable performance improvement as evidenced by effective implementation of an appropriate corrective action plan that results in no safety significant findings and a notable reduction in the overall number of inspection findings with the same crosscutting aspect.”

The NRC said this was the fourth consecutive assessment letter documenting “substantive” crosscutting issues.

• **March 4, 2014:**

As for Unit 2, the NRC determined that performance during the most recent quarter was within the “Degraded Cornerstone Column” of its oversight process. That’s because there were two white performance indicators existing from events of unplanned scrams (shutdowns) in the fourth quarter of 2012 that moved Unit 2 from green (least severe) to white (more severe) category in terms of safety significance. While the plant licensee was showing progress in correcting the issue, Unit 2 “had an unplanned scram on Sept. 14, 2013, that resulted in crossing the green to white threshold...This performance indicator result, in conjunction with the earlier white performance indicator, moved Susquehanna Unit 2 to the degraded cornerstone column from the regulatory response column.”

The Talen regime has continued PPL's legacy of nuclear operational ineptness. Talen has successfully reached a new operational low that even PPL failed to piece. (Please refer to Enclosure 2 for updated list of problems that have occurred at the SSES since March 4, 2014).)

Now the NRC is being asked to hand over the reign of mismanaged nuclear plant to a nuclear novice - Riverstone.

VII. Recommendations.

A sense of fair play and fiduciary obligation necessitate that the NRC provide the following relief and postpone approval of the Indirect License Transfer until all issues documented and identified in TMIA's testimony have been evaluated by the NRC and independently audited.

1) Riverstone enclosed no supporting evidence to demonstrate it had capability and capacity to store low level waste. Certainly a Company of PPL's resources can prepare and provide a plan with empirical evidence to demonstrate how it will isolate and dispose of radioactive waste.

Riverstone has failed to demonstrate that Susquehanna has the capability to store Class B and C low level waste during the entire operating life of the plant and beyond in the event Barnwell remains closed to PPL, Clive, Utah "no longer becomes cost effective", or no other waste disposal options are developed or available.

The Application fails to provide a plan of action to dispose of the low level radioactive waste. This omission and lack of supporting factual data to support a realistic storage alternative, constitute deficiencies in the Application, indicating a genuine dispute exists as to a material issue of law or fact.

2) NRC must evaluate the financial and operational interrelationships between PPL Energy Supply, Riverstone Generation Business and Talen Energy Corporation and related family subsidiaries that market the electric power generated by these reactors.

This inquiry should include an examination of the assets, revenue streams, and obligations between and among these subsidiaries. As Riverstone files a consolidated financial statement with the U.S. Securities and Exchange Commission, information related to the assets, revenue streams and obligations of specific PPL subsidiaries are not publicly available.

3) A retired nuclear power reactor does not produce income. SSES's flawed plant design and poor operating history suggest the SSES will be prematurely retired. The NRC's assessment of the financial qualifications of Riverstone should address current and future maintenance and operational costs as well as retirement and remediation expenses for the Susquehanna Steam Electric Station.

4) It is critical for public confidence and NRC's regulatory credibility that the agency investigate, understand, and report its findings regarding the financial structures as they pertain to the ability of Talen Energy to safely operate, maintain, and decommission the Susquehanna Steam Electric Station.

Such an examination should be conducted in a transparent manner, and the NRC should detail and explain how the financial ability of Talen Energy will safely operate, maintain and decommission the SSES.

5) The NRC should not approve the license transfer until Talen Energy has proven it can operate Unit 1 and Unit 2 outside the degraded cornerstone column for 24 consecutive months.

6) Furthermore the NRC should request responses to the following outstanding issues:

Request 1) Has the SSES plants been cited or fined for welds on spent fuel canisters?

Request 2) Please identify when the SSES will be fully funded when their licenses expire and/or the amount of underfunding at the time of the license expiration.

Request 3) Do decommissioning standards for the SSES plants comply with NEPA?

Request 4) Will Riverstone submit decommissioning plans or submit a Post-Shut Down Activities Report?

Request 5) Has Riverstone examined, studied or utilized the “fourth decommissioning option”, i.e., PDSR.

Request 6) Does the Copmnay support an option that would allow Request

Request 7) Agreement States like Pennsylvania to administer and oversee decommissioning?

Request 8) Did Riverstone respond to the NRC letter regarding neutron absorbers at its plants for spent fuel pools posted on January 7, 2016.
Jonathan Tirone, April 25, 2016

Request 9: Please provide Riverstone's most recent updates on decommissioning funding performance and how those figures comport with full funding should these units be prematurely retired. (2)

Request 10) The Nuclear Regulatory Commission has issued a Confirmatory Action Letter to Power Resources Inc. of Casper, Wyoming documenting actions that the company has agreed to take before resuming shipments of radioactive sludge to a Utah facility. (3)

Request 11: Please identify the Riverstone nuclear units that utilize this facility and break out by site how much radioactive sludge is shipped annually in terms of class of waste, curie content and tonnage.

Request 12) Are all of Riverstone's plants compliant with the NRC's spent fuel instrumentation order?

<http://www.nrc.gov/reactors/operating/ops-experience/japan-dashboard/spent-fuel.html>

Request 13) Based on the confusion identified by the OIG relating to varying definitions of the term "long term storage" relating to low level waste in their "Audit of NRC's Oversight of Low Level Radioactive Waste," (OIG-15-A-20).

2 [Nuclear] plants have been shut down, either because they're too expensive to run or because of concerns about their safety or age. In the past, many operators delayed decommissioning to allow growth in the clean-up funds. Last year in the U.S., seven of the 10 biggest funds lost money, falling to \$43.7 billion, a drop of 1.1 percent. Now, with projected costs rising, industry advocates say owners are more likely to opt for full decommissioning before the funds decline further. (Bloomberg.com)

3 The letter formalizes commitments company officials made to the NRC following two incidents in which containers of radioactive barium sulfate sludge, a byproduct of uranium ore processing, arrived at the facility in Blanding, Utah, with some external contamination from leakage during transport. The incidents occurred in August 2015 and March 2016. (NRC).

Respectfully submitted,



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Enclosures

Dated: November 3, 2016

Enclosure 1

**Licensee Event Reports (LERs) Submitted by
by Owners to NRC in 2016 through October 18, 2016**

	Nuclear Plant	Number of LERs
1	Susquehanna	36
2	Indian Point	17
3	Watts Bar	16
4	Clinton	12
5	Browns Ferry	11
6	Fermi	10
7	River Bend	10
8	Davis-Besse	8
9	Millstone	8
10	Salem	8
11	FitzPatrick	7
12	Sequoyah	7
13	Brunswick	6
14	Grand Gulf	6
15	Hatch	6
16	Limerick	6
17	Monticello	6
18	Prairie Island	6
19	Quad Cities	6
20	Calvert Cliffs	5
21	Farley	5
22	Pilgrim	5
	Average Plant	4.9

23	Dresden	4
24	Nine Mile Point	4
25	North Anna	4
26	Arkansas Nuclear One	3
27	Callaway	3
28	Cook	3
29	Duane Arnold	3
30	Fort Calhoun	3
31	Oconee	3
32	Oyster Creek	3
33	Palo Verde	3
34	Perry	3
35	Point Beach	3
36	South Texas Project	3
37	Turkey Point	3
38	Braidwood	2
39	Columbia Generating	2
40	Cooper	2
41	Diablo Canyon	2
42	Harris	2
43	LaSalle	2
44	Seabrook	2
45	Waterford	2
46	Bryon	1
47	Catawba	1
48	Comanche Peak	1
49	Ginna	1
50	McGuire	1
51	Palisades	1
52	Peach Bottom	1
53	Robinson	1

54	St. Lucie	1
55	Summer	1
56	Surry	1
57	Vogtle	1
58	Wolf Creek	1

LERs with report dates between 01/01/2016 and 10/18/2016

Source: <https://lersearch.inl.gov/Ent>

Enclosure 2

actually involved operators with permanent changes in medical conditions. These medical conditions did not meet the minimum standards to conduct licensed activities and, therefore, the affected operators should have been removed from licensed activities, or conditions added to their licenses before being permitted to continue watch standing.”

In evaluating this problem, NRC determined that PPL had not provided adequate training for the medical review officer and examining physician at Berwick Hospital., “nor did the root cause assign corrective actions to address these issues.” The report noted that PPL staff assigned corrective actions to include training of the medical review officer and nurse. The training was completed in November 2012 for the medical review officer, and in December 2012 for the nurse.

July 21, 2013 – Operators disconnected Unit 1 at the power plant facility to repair one of four valves controlling the amount of steam going into the turbine. The unit was returned to service later the same day.

Aug. 14, 2013 – The NRC completed a quarterly inspection of Units 1 and 2 for the period ending June 30. In the report, the NRC identified three findings of very low safety significance. “Separately,” the report added, “a violation involving a failure to set secondary containment during operations with the potential to drain the reactor vessel was identified during the Unit 2 refueling outage from April 17 to May 7, 2013, and from May 10 to May 17, 2013.

One finding involved an inadequate operability determination for a synchroscope switch failure that rendered offsite power and four emergency diesel generators inoperable. This occurred early on May 7, 2013, resulting in all four emergency diesel generators and offsite power being inoperable from May 7 through May 10, 2013. The problem was placed in the plant’s corrective action program.

The second finding involved an issue with PPL, the plant owner, not adequately incorporating acceptance criteria for heatup rates during a plant startup of Unit 2 on May 28, 2013. “Heatup rate was assessed as high as 105-degrees Fahrenheit for two different periods during the plant startup,” the report said. “Approximately 15 hours later, following review of the data and technical specifications (TS) basis, PPL engineering concluded that the TS limit was exceeded.”

The NRC noted that during a plant startup in June 2012, inspectors questioned whether PPL was adequately incorporating the heatup rate limits as prescribed. PPL has placed the matter into its correction action program.

A third finding involved PPL staff allowing unacceptable preconditioning by performing corrective maintenance work on April 25, 2013, before recording time responses of the reactor protection system and other functions for the turbine control valve. “The failure to collect as-found data could result in the inability to verify the operability of (structures, systems and components),” the report said. “In this case, the test of the subject pressure

switch had exhibited decreasing margin and inconsistent performance during its previous surveillance test.” The NRC report noted that procedures state that the “performance of maintenance activities prior to a surveillance test with the intent of ensuring favorable test results is unacceptable preconditioning.”

The other matter stemmed from actions from April 17 to May 17, 2013, when PPL performed operations with a potential for draining the reactor vessel without establishing a secondary containment. The NRC said it would issue no enforcement action for the violation.

Aug. 28, 2013 – The NRC decided not to impose a \$70,000 fine against PPL Corp., owner of the Susquehanna nuclear power plants, despite identified violations regarding medical examinations and fitness of some workers. (See NRC report dated June 17, 2013.)

The NRC decided not to impose a fine because of corrective actions taken by PPL and because PPL had not been the subject of escalated enforcement action within the last two years.

Sept. 24, 2013 – Operators reconnected Unit 2 to the regional power grid after completing an inspection of turbines. Workers replaced a small number of turbine blades and performed other minor repairs.

Nov. 5, 2013 – The NRC updated its assessment of Unit 2 after completion of a quarterly review. The assessment related to unplanned scrams (shutdowns) at the facility.

The NRC said the third quarter review of Unit 2 “determined that the ‘unplanned scrams with complications’ performance indicator remained White” and that the unplanned scrams were greater than three per 7,000 critical hours over a four-quarter period.

The NRC noted that Unit 2 had unplanned scrams on Nov. 9, Dec. 16, and Dec. 19 in 2012, and Sept. 14, 2013.

Feb. 14, 2014 - The NRC issued a report of its quarterly inspection of Units 1 and 2 for the period October through December 2013. In the report, the NRC found three findings of very low safety significance treated as non-cited violations. There also was a licensee-identified violation determined to be of very low safety significance.

One finding involved procedures that could complicate an internal flooding event. Specifically, the NRC said procedures from PPL, the plant operator, “directed operators to enter a flooded room to assess the extent and source of the flooding,” an action that could flood adjacent rooms. PPL entered the matter into its corrective action program.

The second finding was PPL’s failure to ensure that all testing needed to demonstrate the performance of various systems was “identified and performed in accordance with

written test procedures.” Specifically, the NRC noted, PPL “did not ensure that secondary containment integrity was tested in all required configurations.”

The third finding involved PPL’s failure to have “temperature indication installed in some areas of the reactor building that are required to support assessment and determination of entry conditions into the fission product barrier emergency action levels.”

The report added, “During the course of questioning, it was determined that nine of the 21 areas listed do not have installed temperature indication. Therefore, there would be no installed instrumentation to declare the appropriate emergency action level for a break that was not isolated in those rooms.” PPL entered this matter into its corrective action program.

The PPL identified violation stemmed from improper authorization of hours for some senior reactor operators and reactor operators. Such personnel must perform a minimum of seven eight-hour shifts or five 12-hour shifts per calendar quarter to retain credentials. However, the NRC report said, PPL did not ensure that eight licensed senior reactor operators and two licensed reactor operators met those standards from April 1, 2010, to Dec. 31, 2013. “Specifically,” the NRC report said, “the operators stood watch as members of a reactivity management team, which is not a credited shift crew position. These watches were incorrectly credited toward meeting their minimum required quarterly proficiency requirements.”

The operators have been re-certified, and the plant revised its procedures “to identify the shift positions that are creditable for proficiency,” the NRC report said.

The NRC said the issue matches a severity level III violation in its performance policy. “However,” the report concluded, “after review of the responsibilities of the reactivity management team positions and that none of the operators were responsible for operational errors as a result of not standing the required number of proficiency watches and there were no other factors impacting their ability to hold a shift position, NRC management has determined this issue to be more appropriately evaluated as a severity level IV.”

Feb. 12, 2014 – A secondary containment boundary door was found propped ajar at Unit 1 at 7:11 a.m. The last record of access to the area in question was about 45 minutes after midnight, so the potential duration of the door ajar was around 6.5 hours.

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March 4, 2014 – The NRC issued its annual assessment of Units 1 and 2. It determined that Unit 1 “operated in a manner that preserved public health and safety and met all cornerstone objectives.” It also determined that Unit 1 was within the “Licensee Response Column” of its oversight process.

As for Unit 2, the NRC determined that performance during the most recent quarter was within the “Degraded Cornerstone Column” of its oversight process. That’s because there were two white performance indicators existing from events of unplanned scrams (shutdowns) in the fourth quarter of 2012 that moved Unit 2 from green (least severe) to white (more severe) category in terms of safety significance. While the plant licensee was showing progress in correcting the issue, Unit 2 “had an unplanned scram on Sept. 14, 2013, that resulted in crossing the green to white threshold...This performance indicator result, in conjunction with the earlier white performance indicator, moved Susquehanna Unit 2 to the degraded cornerstone column from the regulatory response column.”

The NRC also said it planned to conduct a public meeting with the plant operator “in which we will review station performance.”

The NRC added that it issued three severity level IV traditional enforcement violations associated with willfulness in 2013. The NRC said it would conduct inspection procedures to follow up on these violations.

June 25, 2014 – Operators began shutting down Unit 2 at the Susquehanna nuclear power plant to inspect the unit’s turbine blades.

Officials said data from the extensive vibration monitoring equipment installed on the turbine indicate that a few blades may have developed small cracks.

Newly designed blades were recently installed at Unit 1 of the nuclear power facility. If an evaluation determines that those blades work efficiently, then similar blades will be installed on the Unit 2 turbine during its next scheduled refueling outage in the spring of 2015, the company said.

July 5, 2014 – Operators reconnected the Unit 2 reactor to the electrical grid after a shutdown to inspect some turbine blades.

The company said plant personnel replaced a number of blades and performed other maintenance activities while the plant was in shutdown mode

Aug. 1, 2014 – The NRC issued a report after completing an inspection at Units 1 and 2. In the report, the NRC noted “there were several continuing weaknesses associated with the implementation of certain aspects of (plant operator) PPL’s corrective action program. Specifically, the inspectors determined that PPL did not consistently prioritize and evaluate issues commensurate with the safety significance of the identified problem.”

The report issued one notice of violation for a matter of very low safety significance, and it also reported three other findings of very low safety significance that were treated as non-cited violations.

The issue under citation found that “PPL did not follow and maintain a standard emergency classification and action level scheme. Specifically, PPL did not take timely

corrective actions to provide an adequate means to measure temperature in nine out of 21 areas where reactor building temperatures are considered for the fission product barrier degradation emergency action levels.” The NRC said this failure dated back to October 2003.

“The lack of installed temperatures indication had the potential to impact declaration of all four emergency classifications; however, due to the redundancy within the fission product barrier matrix, the inspectors determined that it was reasonable that a general emergency would be declared in a timely manner. The inspectors determined that the lack of installed instrumentation could result in untimely declarations of a site area emergency, alert, or unusual event.”

NRC said it is citing this violation because PPL “has failed to restore compliance or demonstrate objective evidence of plans to restore compliance at the first opportunity and in a reasonable period of time following discussion in a formal exit meeting on Jan 24, 2014, and documented” in a NRC inspection report of Feb. 14, 2014.

The three non-cited violation are as follows:

- PPL’s “failure to take adequate corrective action for a condition adverse to quality involving the emergency service water and residual heat removal service water systems.” The NRC said PPL failed to take timely corrective action to address carbon steel pipe wall thinning. “PPL did not take timely and appropriate corrective actions to assess the corrosion, address wetting conditions, and perform an appropriate operability determination that included assessing the piping degradation rate and calculate the minimum wall thickness to ensure that structural integrity requirements were maintained, “ the NRC report said. The agency noted that PPL left the matter uncorrected from November 2010 to June 2014.
- PPL’s “failure to complete and document initial operability determination in a timely manner in accordance with station procedures.” From May 24, 2013, to June 6, 2014, the NRC said, “PPL failed to accomplish activities affecting quality in accordance with prescribed procedures.” These procedures, it said, require the completion of initial operability screening within eight hours or the end of work shift, whichever comes first.
- PPL’s failure to promptly correct an issue involved with the emergency service water supply lines. “Since April 30, 2009, the NRC said, “PPL had not established measures to assure a condition adverse to quality had been corrected. Specifically, PPL had not taken measures to eliminate pipe vibration and water hammer that are causing fatigue stress in the emergency service water supply lines” to various pump motor oil coolers

Aug. 13, 2014 – The NRC issued a report of its inspection for the three-month period ending June 30, 2014. In the report, the NRC identified one non-cited violation, and noted that plant operator PPL found a violation of very low safety significance.

The NRC finding involved PPL's failure to implement timely actions "to address the extent of a previously identified inoperable condition."

The PPL finding involved a failure to control the concentration of airborne radioactive materials during weld preparation on reactor water cleanup piping on April 27, 2014. "A radiation protection technician monitoring a continuous air monitor noticed increasing airborne radioactivity and subsequently stopped the work," the NRC report said. "This failure to use, to the extent practicable, process or engineering controls led to a worker receiving an unplanned, unintended uptake of approximately 11 millirem." The violation was entered into PPL's corrective action plan.

Sept. 6, 2014 – Operators at the plant disconnected Unit 2 from the power grid to inspect its turbine blades. Data showed that a few of the blades may have developed small cracks.

Sept. 15 – The Unit 2 reactor was reconnected to the electrical grid. During the shutdown (see Sept. 6, 2014), workers replaced one row of blades, although only a small number were found to have indications of cracking. PPL has already installed newly designed blades at Unit 1, and similar blades are to be installed at Unit 2 during the next scheduled refueling in the spring of 2015.

June 22, 2015- NRC Finalizes 'White' Inspection Finding for Susquehanna Nuclear Plant, Resulting in Additional Oversight

The Nuclear Regulatory Commission will increase its level of oversight at the Susquehanna nuclear power plant, in Salem Township (Luzerne County), Pa., as a result of the finalization of a "white" (low to moderate safety significance) inspection finding and related violation in the area of emergency preparedness. NRC inspectors, during an in-depth review of plant drill scenarios, identified a concern with how plant personnel would determine the start of a 15-minute clock for emergency assessment and declaration for a scenario involving the potential loss of primary containment. (Both of the plant's units have primary and secondary containments to prevent the release of radioactivity to the environment following an accident.) The inspectors found that Susquehanna's interpretation of the 15-minute assessment and classification period degraded plant personnel's ability to make a timely "Site Area Emergency" declaration in certain cases. (A Site Area Emergency is the third tier of the four levels of emergency classification used by the NRC.)

Specifically, the plant's owner, Susquehanna Nuclear LLC, interpreted the requirements as having the 15-minute clock begin when operator actions were, or were expected to be, unsuccessful in halting reactor coolant system leakage rather than when indications of a

leak's onset are available to plant operators, signaling that an emergency action level has been exceeded.

"It's important during an emergency situation that state, county and local officials are provided with information in a timely manner to assess the situation and implement protective actions, if warranted," NRC Region I Administrator Dan Dorman said. "While the probability of an event of this magnitude is extremely low, this finding points to a weakness in that area that the company will need to address." Prior to making a final enforcement decision, the NRC offered the company the opportunity to accept the finding without any formal response or provide additional information in a Regulatory Conference or in writing. The company submitted a written response dated May 15 in which it acknowledged the finding but stated that training and programs already in place prior to the finding would have ensured the impact of the issue would have been relatively minor.

The NRC considered the information but determined the finding was appropriately characterized as "white." The finding also involved a violation of NRC requirements regarding maintaining an emergency plan that meets federal standards. The NRC, in response to the "white" finding, will perform a supplemental inspection at the plant to ensure the company has completed a thorough root-cause evaluation of the issue and put in place effective corrective actions. Subsequent to the issuance of the preliminary "white" finding, the Susquehanna emergency action level basis was revised to correct the declaration timeliness issue

Sept. 3, 2015 – The NRC issued its mid-cycle assessment of the nation's nuclear power plants. It said 75 of the 96 highest-performing reactors met all safety and security performance objectives. The other 21 had one or two issues of low safety significance that needed to be resolved. Included in those 21 were Units 1 and 2 of the Susquehanna facility.

Nov. 17, 2015 – The NRC issued a report on its security baseline inspection that was completed on Oct. 23, 2015. Based on the inspection, no findings were identified, the NRC said.

Dec. 17, 2015 – The NRC issued a report on its supplemental inspection because of a finding of low to moderate safety significance that was identified in the first quarter of 2015. The finding involved plant operator PPL's interpretation of the 15-minute assessment and classification period to issue timely alert or emergency declarations. (See previous reports on this matter, dated April 16 and June 22 of 2015.)

"Based on the results of the inspection, the inspectors concluded that Susquehanna had adequately performed root cause analyses of the event," the report said. "The inspectors noted that corrective actions, both completed and planned, were reasonable to address the underlying and related issues."

"Based on the results of this inspection, the NRC concluded that, overall, the supplemental inspection objectives were met and no significant weaknesses were identified. Additionally, no findings of significance were identified."

Based on this, the NRC said the finding will be closed.

Feb. 9, 2016 – The NRC issued its quarterly report for the period from Oct. 1, 2015 to the end of 2015. The report documented four findings of very low safety significance. In addition, there was a licensee-identified violation that was determined to be of very low safety significance.

One finding involved the failure of plant operator PPL to correctly validate a deficient condition associated with an inboard main steam isolation valve. “Susquehanna’s failure to adequately troubleshoot and diagnose the deficient condition of an extinguished continuity monitor for a DC solenoid as valve degradation ... was a performance deficiency,” the report said. “Specifically, the maintenance activity performed to validate the DC solenoid continuity was inadequate and did not identify that the solenoid valve was degraded.”

Another finding centered on the plant’s failure to take adequate corrective action to address the inoperability of the reactor recirculation sample line when it failed surveillance testing on July 1, 2015. “Subsequent to restoring the valve to an operable condition, a failure mode analysis was performed which identified three potential causes of the failure: limit switch sticking, solenoid valve stickling due to internal degradation, and solenoid valve sticking due to exhaust line blockage,” the report said. “Despite the corrective action taken having only addressed one of the failure modes, no additional action was taken to address the other two potential causes.” The NRC report said that on a subsequent testing on Sept. 30, 2015, the valve became inoperable. “Susquehanna did not challenge the unanticipated test results and did not ensure that the condition adverse to quality, associated with the faulty solenoid valve, was resolved prior to considering the valve operable.”

A third finding stemmed from a failure to correctly apply technical requirements for operations relating to the standby gas treatment and control room emergency outside air supply system. “On multiple occasions,” the report said, “operators did not apply a note in plant technical specifications correctly and allowed work on redundant trains to be performed concurrently, resulting in a loss of safety function.”

A fourth finding involved the failure of Susquehanna’s emergency plan procedures to provide guidance to the dose assessment staff in the technical support center “to determine the magnitude of, and continually assess the impact of, the release of radioactive materials.” This issue came to light during a full-scale emergency preparedness drill during the first quarter of 2015. Dose assessment methods were directed only to the emergency operations facility, “but did not allow the technical support center dose assessment staff to assess offsite consequences of an unfiltered and unmonitored release unless field monitoring was available,” the report said. “Susquehanna failed to provide the technical support center dose assessment staff the same capability as the emergency operations facility dose assessment staff to analyze unmonitored radiological releases, without field team data, from the Susquehanna site.” The NRC noted in its report that Susquehanna has revised its procedures to expand training of the technical support center staff

The licensee-identified violation involved a discovery on March 6, 2015, over problems with the perimeter radiation monitoring system. It found that four of the 16 fixed radiation monitors had been out of service since 2013. Susquehanna entered this matter into its corrective action program. While the NRC inspectors viewed this issue as “more than minor,” it determined that the matter was of very low safety significance “because redundant initiating conditions associated with offsite dose assessment would have ensured that Susquehanna maintained a capability to declare the site area and general emergencies affected by the radiation monitoring system.”

March 2, 2016 – The NRC issued its report on the end-of-cycle performance review of Units 1 and 2. It noted that due to the successful completion of the white finding (see report of Dec. 17, 2015), the plant had transitioned to the highest performance level.

March 7, 2016 – The NRC issued a report relating to security matters, including an assertion of improper conduct by a security officer. The NRC determined that a Severity Level IV violation had occurred. No other information was provided due to the security issues.

July 22, 2016- BERWICK, Pa. (AP) — Talen Energy plans to cut 53 jobs at a central Pennsylvania nuclear power plant, and dozens of other jobs at other facilities around the state.

Company spokesman Todd Martin says the jobs will be cut at the Susquehanna Power Plant in Salem Township, near Berwick. That’s about 80 miles northeast of Harrisburg. Another seven workers who support the plant but are based in Allentown are being cut, too. The plant has about 1,100 workers.

The cuts also include 29 workers at Talen’s Montour Steam Electric Station near Washingtonville, and 42 jobs at its Brunner Island plant in York County.

The International Brotherhood of Electrical Workers Local 1600 was notified of the cuts on Tuesday and has 10 days to review whether the cuts are in accordance with workers’ seniority.