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Nuclear Regulatory Commissioners  
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Commissioners:

Now that the NRC Commissioners are in the driver's seat and calling the shots, for the present, on safety-related issues and apparently expanding its horizons to focus beyond the realm of the NRC Staff for credible information, perhaps it's appropriate to present some arguments for spring housecleaning.

The history of the nuclear power regulating body reverts back to the infamous days of the AEC when erroneous, "expert" reports were the rule and were labeled bona fide, twenty-carat-gold with an official stamp of approval. The AEC was guilty of all manner of violations on safety by ignoring the issues and condoning ethical transgressions.

This atmosphere set the stage for human attitudes that still prevail long after the agency's name was altered to the NRC. Unfortunately, the new facade failed to deal with the erosions from within. Mind-sets and ethical values do not change merely because one garners a new name. When apples begin to rot in the barrel, it is necessary to remove the rotten ones in order to salvage the good ones. And therein lies the dilemma of the NRC.

After years of reading NRC documents written by the NRC Staff and attending numerous licensing hearings, both of which, excused and overlooked deliberate safety violations and cutting safety-grade materials, one must stop and wonder if something is amiss or if they are/were suffering from some mortal deficiency.

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The evidence within the NRC's own files clearly reflects that GPU, among other utilities, was/is guilty of deliberately falsifying records, deliberately sacrificing health and safety of local residents during clean-up operations at Unit II, deliberately withholding vital GPU operation reports...only releasing said reports after their discovery, deliberately using coercive tactics to restrain cleanup personnel from reporting safety violations, deliberately aiding personnel in cheating on testing qualifications which are so vital to safety and deliberately ignoring the proper training of 2500 personnel who were receiving CARE packages instead of taking the necessary examinations. A most damning record which NRC Staff, thus far, has seen fit to approve.

This raises the mute question: If, as the Staff has indicated repeatedly, the record reveals no new evidence, are we given to understand that Staff was/is fully aware of these violations and in spite of this knowledge, they recommend restart?

Mr. Jack Goldberg, NRC Staff Counsel, states: "The Staff does not believe that the Commission intended the restart proceedings to be a form for the parties to litigate the quality of Licensee's old management organization which existed at a time which is more than one year prior to the accident at TMI II and which no longer exists". (emphasis added) (Docket No. 50-289, PG 10)

Mr. Goldberg, unwittingly, makes the strongest case against restart because, indeed, it was the same management's sloppiness, old or new, that created the very accident which brought about the litigation proceedings and raised so much controversy about safety. We are still living with the ills of that "old management" accident and the daily radioactive releases that now emanate from Unit II. The argument of "time" as Goldberg so succinctly describes it, reveals his limitations of reality or otherwise biased, evasive actions which Mr. Goldberg, perhaps, can define for us.

Mr. Victor Stello's shallow briefing before the NRC Commissioners on the GPU/B.W. court testimony, stating: "there is nothing new" begs clarification. Are we to understand that NRC Staff was fully aware of the Hartman testimony and that the same management who condoned and encouraged deliberate falsification of leak rates is now suggesting that we put a nuclear reactor back in the hands of such irresponsible people? Is Mr Steel telling us that this is nothing new? What, pray tell, does the NRC Staff have for lunch?

Since the B.W. court testimony on the HPI system has surfaced, the reliability of GPU's personnel, under sworn testimony, is now in jeopardy. The transcript reveals that GPU personnel have suffered a mental relapse. They couldn't recall when, how and why it was or wasn't turned off or on. This attempt to juggle testimony from one court to another is a disquieting revelation. What reaction could we anticipate from Staff had the intervenors practiced such deception?

This raises the specter of NRC confidentiality for the whistle blower. Who, within the NRC Staff, blew the whistle on GPU and Bechtel engineers after they reported safety violations in the cleanup? WHO? By this time someone should be able to perceive the necessity for a thorough housecleaning within the NRC Staff.

As if all this isn't enough, the NRC Staff is escalating time schedules on the intervenors who are presenting relevant safety issues before the Appeal Board. Staff took three months to peruse the GPU/B.W. transcripts, yet restricted Aamodts and UCS to two weeks. It should be pointed out that NRC Staff is not only salaried but has the additional advantage of a secretarial pool to complete all correspondence quickly and efficiently with dozens of nuclear engineers, computers and attorneys to put forth every effort to defeat the two remaining, effective intervenors against restart. Either the Staff is engaging in pettiness or they seek to stampede the investigating process into a premature and erroneous direction. This continuous and unnecessary harassment of intervenors by Staff must be resisted and halted at once!

The consistently biased behavior that is repletive throughout the NRC Staff's verbal and written responses is where biased attitudes and adverse results give birth and grow, even in some instances, beyond the recognition of some of the participants. This malignant embryo conceived and developed by the AEC, has now reached fruition and requires surgical extraction.

When humans lose sight of ethical values, mandatory approval from their peers becomes all-consuming. This unfortunate affliction is the NRC's disease. The Commission tolerates this at their own peril. Mr. Hendrie met his demise because he condoned and tolerated accommodation of the nuclear industry.

The realities are; the NRC Commissioners are responsible for conduct and attitudes that take form in decisions made that will have an impact on the health and safety of U.S. residents who live within reach of radioactive releases.

My final comments are directed to the Commission.

The recent decision to bar hearings on the steam generator tubes is a troublesome choice. For at least five months or more I have been attempting to gain some reassurances from the Commission or Staff about the characteristic integrity of the steam generator tubes at Unit I (TMI). Thus far, my efforts have been unsuccessful. Although Mr. Denton responded to my original inquiry, critical questions were never addressed.

The steam generator tubes are crucial to safe operation. We now know that low-level radiation, in the form of cesium and strontium, are being released from nuclear power plants via the steam generators due to tube breaks and fractures. The heat exchanger is exchanging more than just heat from the primary and secondary coolant systems. When the tubes leak they are exchanging radioactivity. This raises the question: If Unit I would have gone into operation with extensive tube damage if the accident at Unit II had not occurred?

The concerns about Unit I are: At what operating level will Unit I be able to operate since tube expansion? How much pressure can the expanded tubes endure without more releases through rupturing? What type of metallurgical advice has the Commission obtained on the tube expansion process? It is our expressed desire that the Commission take a very hard look at the steam generator tubes.

Unless these questions are addressed by responsible individuals, (this does not include TMIA who has proven to be totally inadequate), who are able to bring qualified, unbiased and ethical testimony before the Commission, then I fear the Commission will be placing an unstable reactor in the hands of unstable management who may very well push the reactor beyond its ability to sustain a safe operationing condition.

The question of thermal shock has not, as yet, been addressed as extensively as it should be. The word of GPU is as empty as the inside of a rainbarrel resting in the middle of the Sahara desert. Again this question requires professional, qualified, unbiased and ethical reports to ascertain the viability of Unit I's Shielding.

Unless and until the NRC Commissioners are willing to move slowly and prudently in restarting this (TMI I) reactor, the risks will be very great indeed and so will the consequences.

Sincerely,

  
Jane Lee