

CASE

(CITIZENS ASSN. FOR SOUND ENERGY)

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October 12, 1984

TO THE NRC COMMISSIONERS:

Nunzio J. Palladino, Chairman
James K. Asselstine
Fred M. Bernthal
Thomas M. Roberts
Lando W. Zech, Jr.

OFFICE OF SECRETARY
DOCKETING & SERVICE
BRANCH

DOCKET NUMBER
PROD. & UTIL. REG.

50-445-04
50-446-04

Subject: Technical Review Team
for Comanche Peak Nuclear Plant

CASE (Citizens Association for Sound Energy) is the only remaining Intervenor in the operating license hearings for Comanche Peak (Docket Nos. 50-445 and 50-446). As such, we are mindful of the need to avoid contact between CASE and the NRC Commissioners on ex parte issues, and do not intend to do so in this letter.

Our concerns arose because of public statements reported in the local news media yesterday that the new Regional Administrator of NRC Region IV will be replacing Thomas Ippolito as head of the NRC's Technical Review Team looking into problems at Comanche Peak.

The credibility of NRC Region IV in the past has been at the bottom of the barrel. Whistleblowers do not trust Region IV and many refuse to even deal with Region IV in any way. CASE has attempted to work with NRC Region IV in the past; the results have been frustrating and at times appalling. I personally have attended meetings with NRC personnel and whistleblowers wherein I could hardly believe that I was hearing the statements and attitude expressed by some of the NRC personnel. I could go on, but I believe you have the picture.

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Following the September 18, 1984, report issued by the Technical Review Team, whistleblowers, potential whistleblowers, and CASE were encouraged (although we were less heartened upon reading the transcript of the 9/18/84 meeting and seeing the attached list of items which had presumably been looked into and rejected as having any significance) -- at least the Review Team was finding some of the problems which we knew existed at the plant. We were encouraged to the point that some potential whistleblowers, who in the past had refused to talk with Region IV, decided that they wanted to talk to this Review Team; and CASE has been actively encouraging whistleblowers and potential whistleblowers to supply the Review Team with significant information of which they were aware.

CASE understands, from the newspaper articles, that Mr. Ippolito resigned because of personal reasons. We can well imagine that this might have included burn-out; we realize that there's an awful lot to look at at the plant and that it is an awesome job, and we appreciate his and the Review Team's efforts (although, as may be expected, we may not necessarily agree with all their findings).

The announcement that Region IV will again be involved in the Review Team's efforts, and, even more importantly, that the new NRC Region IV Administrator will head the team has hit like a thunderbolt. We cannot emphasize too much the potential effects of this. CASE feels that our efforts to encourage whistleblowers to come forward have been seriously undermined. Whistleblowers who agreed to come forward with the understanding that NRC Region IV was not involved in the Review Team now feel betrayed by the NRC. The general public conception can be nothing less

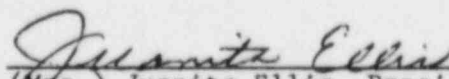
than that it's back to business as usual, and the possibility of a cover-up has also been raised by this development.

CASE believes that we must have the NRC. But an NRC which is perceived as a toothless tiger or as untrustworthy or as ineffective can do more harm than good. We must have an NRC that is working on all cylinders, which has the confidence of the public and of whistleblowers who so often bring to light serious deficiencies which must be corrected before a plant is allowed to go into operation. The NRC, on the other hand, needs whistleblowers. The agency must have the added assurance that can only come when whistleblowers' allegations are thoroughly investigated and resolved -- before a plant is allowed to go into operation and the agency is later left sitting with egg on its face.

The reinvolvement of NRC Region IV at this point in time is not the way to accomplish these goals, and CASE urges that the Commission reconsider what we believe could be a disastrous decision and take immediate steps to correct it before it's too late to salvage public confidence in the agency.

We want to emphasize that our comments should in no way be construed as being aimed at the new Regional Administrator personally. We do not know Mr. Robert Martin and are not prejudging his capabilities or intentions. Our concerns are due strictly to the stigma attached to NRC Region IV and its past performance.

Respectfully submitted,



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Service List -- Docket Nos. 50-445 and 50-446