

CHRISTOPHER J. DODD
CONNECTICUT

COMMITTEES

BANKING, HOUSING, AND
URBAN AFFAIRS

BUDGET

FOREIGN RELATIONS

LABOR AND HUMAN RESOURCES

United States Senate

WASHINGTON, DC 20510-0702

October 21, 1996

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Dr. Shirley Ann Jackson, Chairwoman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Chairwoman Jackson:

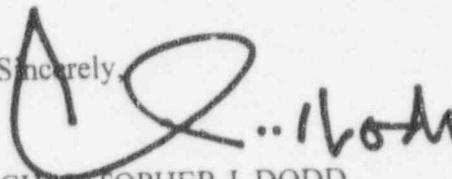
Recently I received a copy of an October 9, 1996 request forwarded to you from the Citizens Regulatory Commission (CRC) of Waterford, Connecticut. Enclosed you will find a copy of that letter.

As you know the CRC is a citizens group whose interest lies in the safe operation of the Millstone Nuclear Power Complex. To that end they submit what they believe to be viable proposals regarding the Independent Corrective Action Verification Plan (ICAVP) which is currently being formulated. They express their concern about possible bias which may evidence itself within the ICAVP team and have listed suggestions for insuring the independence of all participating persons.

I would greatly appreciate it if you would personally review their proposals and give them all due consideration. Clearly, we all share the common goal of establishing a fair and valid system of verification.

I thank you in advance for your prompt attention to this matter.

Sincerely,



CHRISTOPHER J. DODD
United States Senator

CJD/bmc
ENCLOSURE
In Reply: Connecticut Office

9612190362 961210
PDR COMMS NRCC
CORRESPONDENCE PDR

Citizens Regulatory Commission
Steering Committee
180 Great Neck Road
Waterford, CT. 06385

96 OCT 15 PM 12:52

October 9, 1996

Dr. Shirley Ann Jackson
Chairman
U.S. Nuclear Regulatory Commission
Washington, D. C. 20555-0001

Dear Dr. Jackson:

The Citizens Regulatory Commission (CRC) formed to represent the interests of the communities surrounding the Millstone Nuclear Power Complex. Our interest is to ensure the safe operation of these plants. Many in our group have lived in the surrounding communities for years. Deep concern was stimulated by the Millstone whistle-blowers and the media regarding public safety issues. Our worst fears seem to be coming true on a daily basis. We are left with no advocate for the public at these plants, as they have all been removed through settlement agreements with Northeast Utilities (NU), or by inaction on the part of the Nuclear Regulatory Commission (NRC) with regard to employee protection provisions.

The purpose of this letter is to make proposals to the NRC regarding your admitted need for an independent review to verify the adequacy of the licensee's efforts. We would like to go further, and address a number of issues we believe are necessary to foster trust and fairness into the current Independent Corrective Action Verification Plan (ICAVP).

Having NU pick the ICAVP team, and having the NRC approve the team isn't sitting too well with the general public. This was evidenced by the petitions submitted to your staff at a recent ICAVP informational meeting. Additionally, having your staff keep secret the systems to be picked for the ICAVP to look at, and to determine the adequacy of the licensee's efforts, does not comfort us too well based on past NRC practices with confidentiality issues. Also, Unit # 3 has about 222 systems, 143 of which NU does not intend any System Specific Assessments. It only plans an FSAR update, and an engineering programs review. NU will do System Specific Assessments on about 80 systems, and of that, a very small amount (We understand approx. 6) will be designated for an ICAVP review by the NRC. This doesn't look to us like much of a review to verify the adequacy of the licensee's efforts.

Our concern is that any one team selected by the NRC or by NU will have a bias and that bias being in favor of the nuclear industry. If a vendor such as Seizant & Lundy is selected, the people employed by this contractor will have an allegiance to their management and will do whatever management wants. No matter what safeguards are in place, or what types of nuclear concerns programs are used, there will always be the inherent bias to assure the nuclear industry survives. There is a natural bias by almost anyone working within the nuclear industry.

We would like to propose an independent selection team called People for Responsible Oversight Verification (PROV). The team would be composed of nine (9) members. Two selected by the CRC, two from, or selected by the Connecticut Nuclear Energy Advisory Council (NEAC), two from, or selected by the NRC, two from or selected by NU, and one from academia (Yale, MIT, Harvard etc.) The eight (8) individuals selected by the CRC, NU, NEAC, and NRC would select the ninth member from academia through a mutually agreeable process.

Members from NU and the CRC on the NEAC would not be allowed to serve on the PROV. NRC members shall have had no prior connection to Millstone, or NU. The members of the PROV team would determine the selection criteria for establishing the ICAVP. It would take a 2/3 majority (6 members agreeing) of PROV to approve any criteria. The ICAVP would be paid through the NRC via its normal

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Because of concerns about the history of programmatic weakness, the failure to require the implementation of effective corrective actions, the failure to require and maintain a safety-conscious environment supporting licensee employees, and failure to properly enforce it's own requirements, the NRC finds itself in a position that lacks credibility with the public.

In order to restore the public trust and a sense of integrity to the NRC, we are recommending that, you Chairman Jackson, appoint a Special Oversight Team for Millstone Station. The Team should consist of the necessary managers and staff to adequately oversee all the programs, and areas not being verified by the ICAVP. The NRC Special Oversight Team should have the same criteria imposed on it, as that required of the ICAVP.

The Commission should establish the areas to be looked at, level of review of the team, and the acceptance criteria. Based on past restart weaknesses at Unit #2, by previous NRC oversight teams, we must insist on a complete overhaul of the current oversight system. The organizational chain for the Special Oversight Team should be changed to delete any NRC management previously involved in oversight at Millstone, including EDO, NRR, Enforcement, and Regional managers and staff, involved in allowing such poor oversight to occur.

As we pointed out earlier Dr. Jackson, we are very concerned about the fairness of the current proposal. Public trust has been damaged substantially, and the credibility of the NRC and the whole nuclear industry is at stake. We expect a fair and valid system of verification. The current system is neither.

Sincerely,

David Brubaker
David Brubaker
Mary Kuhn
Gary F. Verdors
Diane Scully
Patrick Harper
Mark Hallway
James Botanelli

Susan Perry Lupton
Charlie Lupton
Beth Stubs
Geraldyn Winslow
Geraldine Williams
Vera Br Krause
Paul M. Blum
The CRC Steering Committee

ACTION

EDO Principal Correspondence Control

FROM: DUE: 11/15/96 EDO CONTROL: G960823
DOC DT: 10/21/96
FINAL REPLY:

Sen. Christopher J. Dodd

TO:

Chairman Jackson

FOR SIGNATURE OF :

** PRI **

CRC NO: 96-1104

Chairman Jackson

DESC:

MILLSTONE

ROUTING:

Taylor
Milhoan
Thompson
Blaha
HMiller, RI
Lieberman, OE

DATE: 10/30/96

ASSIGNED TO:

CONTACT:

NRR

Miraglia

SPECIAL INSTRUCTIONS OR REMARKS:

Ref. GT96798

NRR RECEIVED:
NRR ACTION:

OCTOBER 30, 1996
DRPE:VARGA

NRR ROUTING:

MIRAGLIA
THADANI
ZIMMERMAN
SHERON
MARTIN
BOHRER

ACTION

DUE TO NRR DIRECTOR'S OFFICE

BY

[Signature] 13, '96

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

PAPER NUMBER: CRC-96-1104 LOGGING DATE: Oct 28 96

ACTION OFFICE: EDO

AUTHOR: SEN. CHRISTOPHER DODD
AFFILIATION: U.S. SENATE

ADDRESSEE: CHAIRMAN JACKSON

LETTER DATE: Oct 21 96 FILE CODE: ID&R 5 MILLSTONE

SUBJECT: RE MILLSTONE NUCLEAR POWER PLANT

ACTION: Signature of ~~EDO~~ *Chairman*

DISTRIBUTION: CHAIRMAN, COMRS.

SPECIAL HANDLING: OCA TO ACK

CONSTITUENT: SUSAN LUXTON

NOTES:

DATE DUE: Nov ¹⁵~~12~~ 96

SIGNATURE: . DATE SIGNED:

AFFILIATION:

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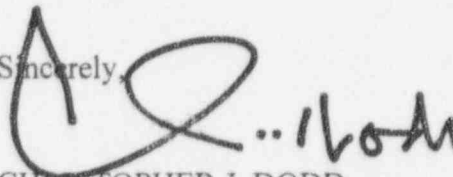
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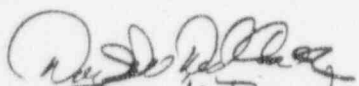
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