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December 23, 1996

Office of the Secretary  
United States Nuclear Regulatory  
Commission  
Washington, D.C. 20055

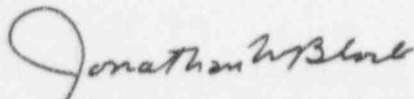
RE: Amendment to CAN's and NIR's 10 CFR 2.206 petition on NU's  
mismanagement of its Connecticut reactors and the failure of the  
NRC staff to enforce safety regulations for the past decade

Dear Mr. Hoyle,

Enclosed for filing with the Commission and the new EDO please find an amendment to the 10 CFR 2.206 petition of CAN and NIRS concerning the above referenced reactors dated November 25, 1996. My clients, Citizens Awareness Network, Inc., and Nuclear Information and Resource Service request that the Commission and EDO direct that this new document, filed pursuant to 10 CFR 2.206, is taken as a simple amendment to the petition already on file.

Thank you for your usual prompt attention to this matter.

Sincerely,



Jonathan M. Block  
Attorney for Citizens Awareness Network, Inc.  
and Nuclear Information and Resource Service

Enc./ Amendment to 10 CFR 2.206  
on NU's Connecticut Reactors & etc.

cc: Deborah Katz, Paul Gunter

December 23, 1996

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Chairman Jackson and the Commissioners of the  
United States Nuclear Regulatory Commission, and the  
Executive Director of Operations for the  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

**AMENDMENT TO CAN's and NIRS's PETITION FOR ENFORCEMENT,  
PURSUANT TO 10 CFR § 2.206, TO REVOKE NORTHEAST UTILITIES'  
OPERATING LICENSES FOR THE CONNECTICUT NUCLEAR POWER  
STATIONS DUE TO CHRONIC, SYSTEMIC MISMANAGEMENT  
RESULTING IN SIGNIFICANT VIOLATIONS OF NRC SAFETY  
REGULATIONS, AND TO INVESTIGATE THE NRC STAFF'S  
RESPONSIBILITY FOR NOT DEALING WITH THIS PROBLEM FOR  
OVER A DECADE**

**I SUMMARY RATIONALE FOR REQUESTED ACTIONS**

In the interest of public health and safety, Citizens Awareness Network (CAN) and Nuclear Information and Resource Service (NIRS), hereby amend their November 25, 1996, petition the United States Nuclear Regulatory Commission (NRC), pursuant to 10 CFR § 2.206, to suspend or revoke Northeast Utilities' (NU) licenses to operate the Connecticut Yankee nuclear power stations due to violations of 10 CFR 50 Appendix B, and to prohibit NU from decommissioning any of its reactors until it has complied with the conditions specified in the main body of the original petition.

## **II. REQUESTED ENFORCEMENT ACTIONS**

- A. Petitioners request that the NRC take the following actions to enforce its regulations against Northeast Utilities:

1. As part of the 2.206 process, we request that you provide us with copies of CY's nitrogen calculations, and conduct an independent review to see if these calculations meet the requirements of 10 CFR 50 Appendix B. If they do not, this is just one more serious reason to conclude that CY still lacks the managerial wherewithal to safely conduct the decommissioning of the CY nuclear power station or continued operation of any of the Connecticut reactors. For this reason, we request that NU's operating licenses for its Connecticut reactors be revoked, and NU not be permitted to commence decommissioning until it has complied with the conditions outlined in the main body of the original petition. Moreover, the Commission should inquire into the NRC staff's failure to discern this situation, and continuing failure to enforce the terms and conditions of NU's license and NRC regulations.

## **III. RATIONALES FOR REQUESTED ACTIONS**

- A. **Nature of Problem**

1. At the November, 1996, enforcement conference, Connecticut Yankee informed the NRC that it had calculated the amount of nitrogen that entered the reactor coolant system and the amount of water that was displaced. Petitioners allege that NU only had draft calculations to support this statement, and that these calculations were neither finalized nor subjected to independent review to see if these calculations met the requirements of 10 CFR 50 Appendix B. These failures violate the terms and conditions of NU's operating license and NRC regulations. Additionally, the NRC's failure to discern this problem is yet another instance of continuing failure to enforce regulations against this licensee.

## **B. Possible Violation of Regulations**

1. We believe that the calculations were never reviewed or approved as required by 10 CFR part 50 and Appendix B. The NRC regulations require that safety-related calculations be prepared by a qualified individual and reviewed by an independent qualified individual. Additionally, NRC staff failed to discern, and NU and its employees failed to disclose, that only draft calculations were used, and there was no independent verification of the engineering calculations concerning the nitrogen bubble problem.

## **C. Reason for Requested Action**

1. CY has a history of not doing the required reviews. They may have some kind of draft calculations. Although it is certainly possible that the answers from any such draft calculations may in fact be correct and valid, the purpose for the requisite reviews is to ensure correctness. This is simply an application of the single failure criterion to human performance. Additionally, if the allegation contained herein is correct, it is yet another example of the NRC's failure to adequately monitor NU's license and demand conformity with its terms. The bottom line is that if the allegation is correct, the licensee's failure to adhere to the requirement of 10 CFR Part 50 and Appendix B, and the NRC's failure to enforce this portion of the regulations, creates a potential catastrophe for workers at Connecticut Yankee, persons living in the vicinity of the facility, and the natural environment in proximity to CY.

## **VI CONCLUSION**

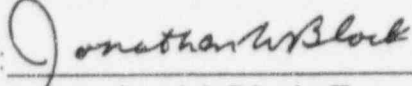
For the forgoing reasons, petitioners ask the United States Nuclear Regulatory Commission to grant this amendment by providing the requested information and immediately commencing: (1) an investigation of the need for immediate enforcement action against Northeast Utilities for violation of 10 CFR Part 50 and Appendix B, and

(2)an investigation of the role of the NRC directorate management and staff (NRR), and Region I management and staff in permitting NU to operate its Connecticut nuclear power stations out of regulatory compliance with 10 CFR Part 50 and Appendix B.

DATED: This 23th day of December, 1996

Respectfully submitted:

DEBORAH KATZ, President, CAN  
PAUL GUNTER, Reactor Watchdog Project, NIRS  
ROSEMARY BASSILAKIS, Researcher for CAN

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