

DS09
J. Lieberman

62FR 8785
Feb. 26, 1997

From: PAUL ELANCH <PMBLANCH@ix.netcom.com>
To: TWD1.TWP4 (gam), WND2.WNP4 (jxl3), KPD1.KPB2 (djjv,wjr,d...
Date: 3/22/97 8:30am
Subject: Comments on "Safety-Conscious Work Environment"

RECEIVED
1997 APR -4 PM 3:21
RULES REVIEW
USNRC

(3)

Forwarded without comments.

Mark - I only had
a hard copy. Here
it is.
- Susan
Cedeno

March 22, 1997

Mr. David Meyer, Chief,
Rules Review and Directives Branch
Division of Freedom of Information and Publication Services
Office of Administration, MS T6D59
US NRC

11555 Rockville Pike

Rockville, MD 20852-2738

Subject: Comments on "Safety-Conscious Work Environment"

Federal Register: February 26, 1997 (Volume 62, Number 38);

Page

8785-8790. From the Federal Register Online via GPO Access
(wais.access.gpo.gov) DOCID:fr26fe97-124

Dear Mr. Meyer,

Physician, heal thyself! The NRC has a well-deserved and widespread reputation for a coercive, repressive, "chilled" atmosphere for safety. How else can the existence and persistence of so many significant safety deficiencies in so many of America's nuclear power plants be explained?

Just last week, the NRC allowed one of its managers, who betrayed his oath and duty to public safety, to retire with full benefits instead of facing public justice for his offenses. Whom of his supervisors at NRC would he have otherwise implicated as directing or concurring in his wrongdoing?

Additionally, whistleblower reprisal and a "chilled" atmosphere for safety are issues with significant moral components, NRC, but the document (Safety-Conscious Work Environment) also fails to address this dimension. NRC, your diagnosis of the situation is somewhat akin to the old adage "when all you have is a hammer, everything looks like a nail." Your diagnosis is conditioned by the tools you believe you have available - if you can't fix it with a regulation, you don't analyze it. NRC, you can't legislate morality. Wouldn't a more humble approach be better? I suggest that the NRC 1) doesn't have all the answers or 2) tools to address effectively some aspects of this problem - so wouldn't it be better for the NRC to openly say it and reach out to others in our society? Does the NRC think issues of a safety-conscious work environment exist only in commercial nuclear power plants?

Many employees at nuclear power plants are more than just "employees" - they are also members of a profession. Frequently the engineering profession, accountable for adhering to the engineering profession's "Code of Ethics." (Additionally, they are often members of a faith community based on creedal beliefs such as mankind is made in a Creator's image, accountable to Him, stewards of this physical creation, and that one's neighbor has

9704160081 970322
PDR PR
MISC 62FR8785 PDR



CR-14

transcendent value too.) As a licensed Professional Engineer, I can be sanctioned by the state that licenses me (as well as by my Engineering Professional Societies) for ethical malfeasance. The Code establishes a high standard for safety consciousness as evidenced by its first fundamental cannon:

Engineers shall hold paramount the health, safety and welfare of the public in the performance of the professional duties.

NRC, there is an obvious connection between the "Code of Ethics for Engineers" and a "Safety Conscious Work Environment." There are many engineers on the staff of the NRC (presumably some of whom worked on this document) - did they not clearly and frequently express this connection? If not, why not?

I appeal to all engineers, particularly P.E.'s employed by the NRC to remember our profession's ethical imperatives - let's build on them together. I'm an engineer first, an employee second. I think engineers employed by the NRC should view themselves likewise and the "Safety-Conscious Work Environment" document should explicitly address that a number of employees who have safety responsibilities in commercial nuclear power plants are professionals who can be sanctioned within their professions, in addition to what can be done by courts, regulators, or employers.

I'm in my early 40's. I've worked in nuclear power in the Navy, in commercial utilities, and now in the civil service - I've had well over a dozen different assignments and work arrangements. I expect I'll have a number of other employment arrangements before

I retire. Yes, I've been (and am) an employee, but I'm also a professional, and I'm accountable to my profession as well as to my employer. NRC, widen your field of vision to consider that people responsible for safety at nuclear plants are frequently members of a profession in addition to being employees or managers - that is a key to establishing a "safety conscious work environment."

I urge the NRC to reach out to America's major Engineering Professional Societies and the Boards of Engineering Registration for more workable and collaborative approaches to a "Safety Conscious Work Environment."

NRC, your credibility is poor. You're viewed as another self-serving bureaucracy whose operative motto too often appears to be "the public be damned." Upon what "safety-conscious work environment" basis should your employees be "excepted" service (and receive more salary at the trade-off of significantly reduced protection from whistleblower reprisal?) It feeds cynicism and corrodes your technical and institutional credibility, NRC.

I've attached the feature story and lead editorial from this month's "Engineering Times," the publication of the 65,000 member National Society of Professional Engineers for your consideration. I've also attached a related memo I've written for the leadership of my Engineering Societies. I think they are counterpoints to the 3/17/97 TIME magazine story about your woes.

I hope NRC Commissioner Jackson will decide to reach out to America's Engineering Professional Societies (and even some of America's faith communities) to collaborate with them in establishing more ethical and, therefore, more safety conscious work environments in America's Nuclear Power Plants. The NRC simply hasn't the credibility to unilaterally sell "safety-conscious work environment" to a skeptical public.

Sincerely,

Joseph Carson, P.E.
10953 Twin Harbour Drive
Knoxville, TN. 37922
423/675-0236
423/966-1675 fax internet: 73530.2350@compuserve.com

Attachments:

- o March 17, 1997 TIME magazine story about NRC woes
- o March 1997 feature story and lead editorial about Engineering Ethics and safety in "Engineering Times" the monthly publication of the NSPE
- o My March 17, 1997 memo to the leadership of two of America's major Engineering Professional Societies regarding their vital role for Ethics and Safety in America's workplaces.
- o Engineer's Creed (NPSE's web site <www.nspe.org> is linked to a number of websites related to professional ethics, for both engineering and other technical professions.)
- o A letter to NRC Chairman Jackson, dated 3/18/97, that I received via Paul Blanch's "anonymous remailer" service that makes some very trenchant points about NRC's "doublespeak" regarding safety.

Paul M. Blanch
Energy Consultant
135 Hyde Rd.
West Hartford CT 06117
Tel: 860-236-0326
Fax: 860-232-9350