

E. Baker

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US NRC

65 FR 6399
Feb. 9, 2000
(16)

April 12, 2000

Mr. David Meyer
Chief, Rules and Directives Branch
Division of Administrative Services
Office of Administration
U.S. Nuclear Regulatory Commission
Mail Stop T6 D-59
11545 Rockville Pike
Rockville, MD 20852-2738

SUBJECT: Request for Public Comment on the Allegations Program Under the New
Regulatory Oversight Program
(65 Fed. Reg. 6399; February 9, 2000)

Dear Mr. Meyer:

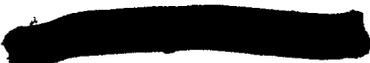
On behalf of myself I am providing comments on proposed improvements to the NRC's process for handling allegations. Notice of the opportunity to comment was published in Federal Register February 9, 2000 (65 Fed. Reg. 6399).

I am fully supportive of revising the allegation process to improve nuclear safety based upon the risk associated with the technical allegations.

My experience with allegations at Millstone and other nuclear facilities is that a very small percentage of the allegations received deal directly and exclusively with nuclear safety issues. Most of the allegations are related to personnel or "human resources" types of problems, and therefore frequently involve a communication issue of one sort or another.

If the NRC believes that if it only responds to the technical issues, then it may be missing the more significant issue which is why did the individual feel a need to bring the issue to the NRC rather than to management? This is a similar comment provided by David Lochbaum of UCS and needs to be addressed with the same or more vigor than the technical issue(s).

Looking back at the visible issues raised to the NRC over the past ten years, very few had major safety significance, yet the NRC and licensees have spent hundreds of man-


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years and hundreds of millions of dollars addressing the impact of these issues.

My personal experience is that with rare exception, individuals will only escalate issues when the response or the perception of the response is not satisfactory. When I raised safety issues about Rosemount transmitters and BWR condensate pots, I did not receive either a prompt or technically adequate response from either the NRC or from my management. Harassment occurred, yet it took the NRC more than three years to issue its findings. My perception at the time was that the NRC and the industry were more concerned about keeping the nuclear plants on line, rather than addressing the real safety issues.

Other individuals at Millstone experienced similar frustrations when they did not receive timely responses to either their safety or technical issues. As a result of this perceived non-responsiveness, many found other means to obtain the attention forcing the issues to be addressed.

The technical issues at Diablo Canyon, had they been properly addressed by the licensee and by the NRC, would never have escalated to the present level of embarrassment to the industry.

It is my suggestion that for the benefit of the industry and for nuclear safety, the industry must change in order to avoid similar situations to Diablo and Millstone. The goal should be to be responsive, and perhaps more importantly, to be perceived as such. It is these types of issues that burden the industry with not only excessive resource requirements but also erode public confidence.

I am also concerned that any perception of the lack of responsiveness by the NRC to address perceived safety problems, will lead to more allegations, more public visibility, and a further erosion of public confidence.

The NRC frequently is concerned about the possible "chilling effect" created as a result of allegations raised at a nuclear facility. I submit that in fact, there is rarely a chilling effect created. At Millstone, most surveys showed there was never a "chilling effect", consistent with my own personal reaction. Most surveys at Millstone have shown that few people would be reluctant to bring safety concerns forward to either management, the ECP or to the NRC.

The larger concern to the NRC and to the industry is not the "chilling effect" but rather the "heating effect." Both effects are the result of the same actions or inactions—the perceived lack of responsiveness to issues being raised to the licensee or to the NRC. I believe that the negative impact to the industry may be more injurious from the "heating effect" than from the "chilling effect."

RECOMMENDATIONS

The NRC must be perceived to be responsive to all allegations, involving either technical or wrongdoing issues. As with most ECP programs, all allegations should be closed within 180 days. If an alleged perceives his/her concerns are not being properly addressed, other outlets will be found to obtain resolution.

The NRC must not limit its inquires into only technical issues. The root cause of why the individual feels a need to report concerns to the NRC must be addressed for all issues.

The individual should be encouraged by the NRC to bring the concern to some vehicle within the licensee's organization, be it management, ECP, special consultants, etc., or to the licensee's ECP.

I appreciate the opportunity to comment on these proposed changes and trust that whatever option is selected, the perceived responsiveness to the concerned individual is maintained as a primary consideration.

Sincerely,

Paul M. Blanch
135 Hyde Rd.
West Hartford CT. 06117

Mail Envelope Properties (38F48689.F37 : 17 : 28471)

Subject: Forgot attachments
Creation Date: Wed, Apr 12, 2000 10:13 AM
From: "Paul M. Blanch" <pdblanch@home.com>

Created By: GATED.nrcsmtp:"pdblanch@home.com"

Recipients

Post Office OWFN_DO.owf4_po
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Files	Size	Date & Time
MESSAGE	367	Wednesday, April 12, 2000 10:13 AM
Part.001	1062	
Comments on ECP process.doc	20992	
Header	852	

Options

Expiration Date: None
Priority: Standard
Reply Requested: No
Return Notification: None

Concealed Subject: No
Security: Standard