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To: <lyman@nci.org> E. Lyman, Nuclear Control Institute
Date: 2/12/01 8:56AM
Subject: No Rainbow at Quad Cities

Hello Ed:

Sorry for swapping phone messages last week about the NRC's "decision" regarding security enforcement actions. I finally found the vote sheets et al on the NRC website and read them.

There's good news and bad news. The good news is that it took the agency nearly nine months to cave in to industry pressure. Under the former oversight process, they would have caved much, much sooner. So, progress is being made.

The bad news is, of course, that they did cave in to industry pressure. Remember all of the talk about the NRC's two-edged sword? The NRC conducted OSREs at Perry and Quad Cities. Minor problems were found at Perry that rated GREEN findings at most. So, the agency used the new process. But the problems at Quad Cities were not GREEN findings. At various times over the past nine months, the findings were YELLOW, then RED, then YELLOW again, then RED again, and now no color whatsoever. The new process was not used at Quad Cities. And the agency did not default back to the old process at Quad Cities. No process was used. Sure seems like a one-edged sword to me.

The underlying justification for the agency's "decision" is baffling. The news release that accompanied the "decision" stated that nuclear power plants are among the most secure commercial industrial businesses in the US. If that were true, roughly half of the nuclear plants tests tested under the OSRE program over the past 8-9 years would NOT have failed one or more of the drills. But they sure did. And the security guards at US nuclear power plants do not have "shoot to kill" rights that guards at factories making license plates and road signs have.

But the most disturbing point about the agency's so-called justification is in its logic that the Physical Protection Significance Determination Process must be broken because the Quad Cities failures rated a YELLOW or RED finding when they would have warranted less agency response under the old program. This NRC logic presumes that the old process was right. It was not. That's why there's a new process. Duh! This logic again speaks to the fictitious two-edged sword. Jim Riccio is fond of pointing out that the new process provides little or no agency response to non-cited violations. Applying the same NRC logic would mean that this under-response is wrong and must be fixed. But no, the agency is happy with under-response and only concerned about over-response. Two-edged sword indeed! The talk about a two-edged sword is nothing but a two-faced lie.

Forget for a moment both the old and the new oversight processes. Compare what happened at Quad Cities to what happened at Browns Ferry in March 1975. A fire in the cable spreading room

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at Browns Ferry knocked out all of the emergency core cooling systems for Unit 1 and most of them for Unit 2. Operators used temporary cabling from the intake structure to power one relief valve to allow a hotwell pump to provide makeup water to the Unit 1 reactor vessel. The only other source of water was the non-safety related control rod drive pump. Despite the loss of all emergency core cooling systems, the operators kept the Unit 1 reactor core covered with water and prevented core damage.

At Quad Cities in May 2000, the NRC's mock terrorist team knocked out every piece of equipment on the target set during a drill. That was the equivalent to knocking out all of the ECCS at Browns Ferry.

The fire at Browns Ferry led to Congressional hearings and to the adoption of Appendix R to 10 CFR 50. The entire world, with the possible exception of some members of NRC management and the nuclear industry (pardon me for being redundant), recognized that Browns Ferry was a serious problem. The agency's response was far, far more than a WHITE or GREEN finding dictated.

The security failures at Quad Cities led to no Congressional hearings and the suspension of enforcement actions for security failures. What? Mrs. Gail C. VanCleave can be banned from working in the industry from three years by the NRC because she used her dead mother's social security number to gain employment as a clerk at D C Cook, but the NRC takes no action against a plant owner who cannot defend his plant from three mock terrorists? What? Why?

We've had a series of meetings on the Hill recently. I propose that we prepare a white paper on this latest NRC concession to industry pressure and distribute it to our contacts on the Hill and in the media.

Thanks,

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