

From: "Michael Mulligan" <steamshovel@adelphia.net>
To: "Dave Lochbaum" <dlochbaum@ucsusa.org>, "Victor Dricks" <vld@nrc.gov>
Date: 7/22/02 11:15PM
Subject: NRC and Cooper Ethical and safety concern.

Mr. Dricks,

It's like a bank robber going to a teller with a note, saying give me all you money or something bad will happen. Then, two police officers enter the bank with the intention of just cashing their paychecks. The robber sees this and walks out of the banks without any cash. Just because he was unsuccessful, should we not be concerned with his behavior in the bank or worried about her future potential criminality.

The issue of why Cooper did not answer the requirement of addressing "why they could not avoid this situation" per the regulations is very problematic. As I've mentioned in the recent past, these employees are highly skilled and educated, and thus an error like this needs to be thought of as intentional. These utilities interact with Tech Spec changes all the time and are highly experienced with the requirements of the regulations. I imagine they could go to the NRC before the submittance-to ask them to critique the completeness of it. There is never a legitimate reason for errors in an tech spec change. Does the NRC have an interactive tech spec change guidance computer program, the NEI, or anybody else?

Is it the NRC's fault that Cooper was not prepared for this drought- and the effects of Global Warming. The NRC should do an internal assessment on their accountability with this issue. As I've made clear in the past, we know that heat sink parameters and climatology has been widely erratic passed the norms in the recent past- there is objective evidence of this across the nation. Has the NRC been responsive to this and characterized "what is happening out there"? It is intentional that I am using parameters and not just temps.

We know that many utilities answer issues like this in a very selective and narrow manner- witness Oyster Creek and the refueling interlocks and Pairie Island with their Diesel Generators. Their intention is to try to feel out how slack the NRC will be, with a less than the full application of NRC regulations. There is no question that the utilities have a preconceived expectation on how ambiguous the NRC will allow them to be in meeting regulatory requirements. Cooper made a prediction that the NRC just might let them get away with not answering the full regulatory requirements, and even if caught, their would be absolutely no consequences. It is not much different than the illusionary games of the NRC and Davis-Besse There would be an expectation that the NRC would make a special effort in a recovery from this fumble.

Issues like this has a huge consequence for the industry. You hold the lower level employee strictly accountable for a poor decision that he was trained and educated on. He might get fired, demoted, get a poor eval, not get a bonus, and not be consider for a future promotion. You have got two tiers of responsibility and accountability- the employees can see this. It leads to a huge power imbalance and employees have less faith in the integrity of the system. Just when the "high bullshit alarm" is reached, should be a large-scale concern to the NRC- when they can clearly see the blatant hypocrisy of high level NRC and corporate integrity.

The "high bullshit alarm" can be defined as this. It is when the NRC and the utility have a book full of mindless rules and regulation, and have strict accountability to the lower level employees- and these insane rules that are too complex to be followed. Meanwhile the NRC and the utility has next to zero accountability with following any rules or to the larger issues of being ethical to the public at large. Most of these rules do nothing to make the employees conform to a set of standards- it is to provide cover on accountability to the high level managers. It is to make the lower level employees always at fault -and the upper level managers a "get out of jail card" on responsibility of following any rule. Truth be told, most employees end up breaking more than a few rules in every eight hour period- and thus management always have a full reservoir of issues to throw up as lower level employ errors- it is called magic dust -and thus accountability is never dished out to management. The NRC knows this game very well. If you don't shut up- we will find something wrong that you did -is a well known issue at any plant. Everyone has done something wrong at these complex machines-except the exec's who are protect at the corporate office

and the NRC.

We wonder about the torus temperature trends of the Cooper station- in the summer. Is there or has there been any relief valve leakage into the torus? Do they normally have to use suppression pool cooling in the summer to control temperature? Will safety equipment have to be run more for non safety reasons? Why can't you have a reduced reactor power limit when a plant is exceeding the heat sink limit- as a means to buy some time with the minimum consequences? Are there any degraded conditions present and not have exceeded limits, but with a relationship to the cooling and heat sink? How high is the threat to grid reliability with the shutdown of Cooper- is it just a threat to Nebraska Public Power District's profits? Does an "emergency" always equate to a normal controlled shutdown?

thanks,

mike mulligan
Hinsale, NH

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Subject: NRC and Cooper Ethical and safety concern.
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