From: "Michael Mulligan" <steamshovel@adelphia.net>
To: "Victor Dricks" <vld@nrc.gov>
Date: 9/13/02 11:12AM
Subject: License amendment changes at Vermont Yankee and Oyster Creek.

Mr. Dricks,

I still believe that Vermont Yankee amendment 209-operability of alternate trains are inappropriate to say the least. The amendment is justified by an obscured nureg that just hits the fringes about what the changes are about. The gist is that the excessive operation of safety equipment leads to equipment damage and an increase risk to the public. Personably I think it's about a run-away train with no one in the cab, much like Davis Besse. Oyster Creek's refueling interlocks change is related to this.

Just why doesn't VY want to shift the facility into the standard technical specification? You can bet that VY would have to have an extensive engineering evaluation with shifting into STS. I imagine there would be positive and negative consequences with STS. Is there any NRC official guidance on a plant partially shifting into STS? Can they just pick and choose those items of advantage, dropping and choosing from the old and the new? How come there was never any NRC discussion on why the plant isn't going to STS? Can all the new changes in STS be thought of as an individual item in a cafeteria line or must you buy the whole meal like in an expensive restaurant?

Throughout the NRC and VY TS text of License amendment change 209- the actual TS changes- you speak of "made or to found" to be inoperable. Within your text you mostly speak about when the component is found to be "failed". You give the clear impression that the change is about when a component is found to be failed (inop). I believe you know that this characterization in inaccurate. Here is an example from the NRC safety evaluation of 209 that misleads the public, "Thus a "failed train" in one safety system can cause a great deal of testing of apparently unrelated systems". Another one: "The NRC staff recommended in NUREG-1366, Section 10.1, "that alternate testing requirements be deleted from technical specifications for all plants so that "failure" of a train or subsystem of a safety-related system other than an emergency diesel generator would not require testing of the diesel generators or any other equipment."

You give the public the impression that it's from an unanticipated component failure without telling them it's mostly coming from an intentional act, of a time of your choice -maintenance at power. It is very misleading and you are playing technical word games that public can't understand. There is a huge economic benefit to the utilities with changes as these, and you wrap it up as they are doing only doing it with public interest at heart. How come you cowards never speak of what economic benefit comes from favors as this.

And here is the problem, the public has no historic data on if the LCO is because of a failed component or is it because of maintenance at power. Do we have excessive testing because of component failures or is it because there is more equipment maintenance at power? What is the delta change? Do we have VY and industry data on component failures discovered while doing alternate testing? Did the NRC evaluate that issue in the TS change?

We do know what is going on here. When a plant get pushed into a LCO, another discovered failure of a component on the other redundant sides cause a very severe penalty. It usually causes the plant to be shutdown very quickly. You don't want to test that other side and find that additional fault, because it would cause the plant to be quickly shutdown. We know that the maintenance at power has pushed you into more alternate testing at power- and thus more risk of a plant shutdown. We know that in order for the utilities to save money during initial plant construction, they didn't construct the plant for redundancy concurrent with maintenance at power. That is the tradeoff your father's made.

The idea was to do their yearly shutdown and perform the major maintenance then. The short leeway

(7day) was allowed to give them a little time to fix a failed component, which was unintentional. Alternate testing was designed to catch that very rare component unseen failure when redundancy was broken -which could have a huge consequence during an accident. Have we had any recent studies about safety components found in a LCO status during plant trips and accidents?? What is the trend?

We have no idea because VY didn't have to provide any facts about what is causing alternate testing - the NRC has just allowed this because of only telling the public meaningless generalities of nureg and partial birth STS. We have no idea if it is being driven by capacity factor insanity, CEO bonuses, individual bonuses or ideologue egos.

Of course the big question that is being asked here is; does any unnecessary safety equipment operation cause equipment degradation and creates more risk to the public. That is the fundamental question being ask in LA 209 and is a good question to ask across any safety system operation. So lets go back to that list again in NUREG-1366, which identified the following drawbacks to alternate train testing:

. Potential for loss of safety function during testing

. Increased system unavailability during testing

. Increased system unavailability due to repair of demand-related and test-related

failures

. Reduced reliability due to degradation from testing

. Increased potential of plant transients initiated from testing

. Increased potential for plant shutdown due to transients resulting from testing

. Diversion of operations and maintenance personnel for testing

. Potential increase in occupational radiation exposure from testing

You could ask this same set of questions for summertime torus cooling and relief valve leakage that causes torus cooling. This is causing unnecessary safety equipment operation. It is my opinion that the utilities and your agency was not similarly critical of this equipment operation. If you were serious, you would have put strict limits on safety equipment operation and critiqued this type of equipment operation more openly in your inspection reports.

On a plant individual and national level, we don't have any idea about how much equipment hours (run time) is being use for this. We have no idea of the comparison of the run time between these two issues. If you can't get what I am asking, it is in a relaxation of alternate testing you are giving a benefit to the utilities by facilitating capacity factor and allowing the breakage of redundancy- which save a lot of money. While on the other side, you are using a difference set of safety criteria for torus cooling. I'll bet you that you can engineer the risk analysis to get a result that points to any of the needs of campaign contributions. Even if you didn't use torus cooling this year, I think you need an independent investigation on why the NRC has allowed a different set of criteria for safety system unnecessary operation.

What you got here is a sterile mono logic. It facilitates a selective set of rules to meet a predetermined outcome. The mono logic creates agency blindness. I believe many licensing amendments have been given for inappropriate reasons across the nation. Davis Besse was a result of a human constructed bureaucratic blindness set across plant management and within the NRC. It is infected throughout the other plants. You have many large bureaucracies (NEI), who can only make money by selling the opportunity for increase plant efficiency through regulatory action. You are feeding a monster of your own

making.

Even your high NRC bureaucrats speak of reaching the limits on increasing capacity nationwide. I wonder if you will have an increasing amount of licensing amendment, with a decreasing effect on changing your average capacity factor. Have you set up a bureaucratic expectation and diverted a larger amount of utility resources, such that there is almost an unstoppable amount of pressure to create license amendment changes. We wonder if many of these changes are beginning to divert the plant and NRC from there of primary safety focus. We know that there is enormous bureaucratic pressure to pump out in bulk these license amendments, and the NRC closely monitors the efficiency of this effort. I think, just too many people can make money by just spinning the wheels.

We are pumping these old "guys" up with steroids and performance enhancing drugs. We are intoxicated by the performance changes. Many of these utilities have disempowered the voice of its employees to severely critique efficiency increases. They are downgrading the quality of an enormous amount of protective function because of a hypothetical increase in plant efficiency. You are depending on experts who know the rules of the game, but have no idea of the big picture. You believe in the concrete of the absolutes and what is directly in front of your field of vision, but most big problems are caught in your peripheral vision, and not too concrete. You know a lot about rules and limits, but not much about life. What don't know about; is how to transform our country away from this old technology. You keep feeding them drugs and creating illusions.

What really protects the public, is what goes on within the minds of these employees. There is not any concrete and steel up there. It's not the systems, structures and procedures that protect the public. What is at concern, is that you reduce a safety margin and nothing then occurs. The next thing you know there is an avalanche safety margin reduction and it then become uncontrollable.

It's like what business face. You create a huge regulatory agency with a lot of resources and expectations, then we are absolutely safe and nobody can make money. If you create a huge bureaucracy to make rules changes for plant efficiency - then what do we get? You are going to have to change some of that metal and cement. By the way, why isn't there a anti backfit rule

Sincerely

mike mulligan

Hinsdale, NH

16033367179