

EDO Principal Correspondence Control

FROM: DUE: 09/17/03 EDO CONTROL: G20030509  
DOC DT: 08/14/03  
FINAL REPLY:

Louis D. Putney  
Attorney at Law

TO:

Travers, EDO

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO:

Borchardt, NRR

DESC:

ROUTING:

2.206 - Crystal River (Florida Power Corporation)

Travers  
Norry  
Paperiello  
Kane  
Collins  
Dean  
Reyes, RII  
Cyr, OGC  
Skay, NRR  
Goldberg, OGC

DATE: 08/27/03

ASSIGNED TO:

CONTACT:

NRR

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

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August 14, 2003

CERTIFIED MAIL - P7002 2030 0001 1648 7056  
RETURN RECEIPT REQUESTED

Executive Director for Operations  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

RE: Suspension or revocation of the nuclear  
operating license for Florida Power Corporation's  
Crystal River Nuclear Plant (CR3)

Dear Sir or Madam:

I am writing on behalf of my client, William A. Hunt, pursuant to 10 CFR Part 2, Appendix C, § V.B.7, and 10 CFR § 2.206, to request that the NRC institute a proceeding pursuant to 10 CFR § 2.202, to suspend or revoke the operating license of Florida Power Corporation's Crystal River nuclear plant, or for such other action as may be proper.

The specific grounds for this request are observations of my client during his employment as the Radiological Emergency Preparedness (REP) Coordinator for the Citrus County Sheriff's Office in Citrus County, Florida. Until April 2, 2003, Mr. Hunt worked continuously for approximately 12 years for the Citrus County Sheriff's Office. The Crystal River nuclear power plant (CR3) owned and operated by Florida Power Corporation is located in Citrus County, Florida, and most of Mr. Hunt's duties related to preparing for a radiological emergency at CR3, including the training and coordination of all radiological emergency first responders from all agencies in the vicinity of CR3. Mr. Hunt's observations are set out hereinafter.

Mr. Hunt's employment duties and activities directly related to nuclear safety, and were intended to meet the requirements of various Nuclear Regulatory Commission (NRC) regulations, including NUREG-0654/FEMA-REP-1, Revision 1, *Criteria for Preparation and Evaluation of Radiological Emergency Response Plans and Preparedness in Support of Nuclear Power Plants*, dated October 1980 (applying to State and local governments, as well as NRC licensees). Also relevant to Mr. Hunt's duties with the Citrus County Sheriff's Office is the *Memorandum of Understanding (MOU) Between NRC and FEMA Relating to*

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*Radiological Emergency Planning and Preparedness*, found at 44 CFR part 354, Appendix A. This is a cooperative agreement between NRC and the Federal Emergency Management Agency (FEMA) that FEMA would assist NRC in carrying out its continuing statutory responsibility for the radiological health and safety of the public by taking a lead role in overseeing the offsite radiological emergency planning and response required under the NRC regulations.

April 8, 1999

After receiving a memo from Tom Reynolds of FEMA regarding recent submission of the annual letter of certification that is required under NUREG-0654/FEMA-REP-1 and 44 CFR 350 to ensure the plans are in compliance, Mr. Hunt contacted the State of Florida REP contact and told him about a problem the Citrus County Sheriff's Office was having with training of radiological emergency first responders (they were refusing to show up for training), and he said to call Tom Reynolds with FEMA and let him know.

Around April 20, 1999

Mr. Hunt contacted Tom Reynolds with FEMA via PX regarding his past conversation with Conrad Burnside (FEMA) about the required training of radiological emergency first responders not being done. Mr. Reynolds said he would do an audit in 2000 and try to help Mr. Hunt out with what Mr. Reynolds agrees was a major problem. He ask if Mr. Hunt's chain of command was aware that it is part of the State of Florida's plan that 100% of all emergency personnel are trained annually under State planning and preparedness requirements in accordance with NUREG-0654 and 44CFR 350, and Mr. Hunt told him yes, his chain of command was aware.

April 10, 2000

At the National REP conference Mr. Hunt talked to Conrad Burnside about the problem with training, and Mr. Burnside said he and Tom Reynolds were working on it. He also said to talk to Bernice Zaidel, who was the training specialist at the Federal Emergency Management Institute and see if she could help. After contacting Ms. Zaidel and telling her about the problem with fire and haz/mat radiological emergency training, she said she would send Mr. Hunt a memo that might help.

That night at dinner there was a discussion among FEMA, Florida Power, Jim Soukup (Mr. Hunt's supervisor with the Citrus County Sheriff's Office), and Mr. Hunt. During that discussion, FEMA requested Citrus County host the first new pilot radiological safety exercise under the new federal regulations. After a long conversation, Mr. Hunt brought up the problem with training, after which Mr. Hunt was called aside by Jim Soukup and told, "don't ever tell FEMA and Florida Power things like this again". After returning to the meeting it was agreed that the pilot exercise would take place in Citrus County in Oct 2000.

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#### Oct 2000 Pilot Exercise

During this exercise Mr. Hunt was told that FEMA would have approximately 50 evaluators. That morning Jim Soukup, Citrus County Commissioner Jim Fowler, and Mr. Hunt showed up at the emergency operation center early for set up. During a discussion about the pilot exercise, Mr. Hunt told Commissioner Fowler about the refusal of the fire/hazmat personnel to respond to memos and receive the required radiological emergency response training. Commissioner Fowler said for Mr. Hunt not to worry, that the problem with training would be corrected.

#### January 25, 2001 Local Task Force Meeting

On the agenda were drills, exercises, and letters of certification. At this meeting Mr. Hunt told Florida Power, State and FEMA representatives that the numbers on training did not look good for Citrus County. After the meeting Mr. Hunt sent a Memo to Citrus County Department of Public Safety reference radiological training, in which he stated that it was imperative that all departments receive training to enable FEMA to get all training records up to date.

#### June 27-29, 2001 Florida REP Conference in Long Boat Key

In attendance were State, FEMA, and all local radiological planners from around the state. Mr. Hunt was very vocal in reference to the Citrus County problem, and how training was not getting done. He was hoping that someone would have answers. Mr. Hunt was told the reason the State could not do anything was because the State plan was five years out of date. He was told to get with FEMA or Florida Power. FEMA said they would look into it. Florida Power said there is nothing they could do, that all they could do was send the money for the contract. Mr. Hunt responded that Florida Power should be able to do something, if they are not getting what they were paying for.

#### Around August 2001

Tom Reynolds from FEMA conducted a 30 minute audit to collect training records, at which time Mr. Hunt told him to be sure when he got back to his office to check the numbers on trained emergency personnel. As a result of doing so, Tom Reynolds gave the Citrus County Sheriff's Office a verbal warning to get the number of trained emergency personnel up to standards according to the State plan of 100% trained annually.

Mr. Hunt had a meeting with his boss, Jim Soukup, regarding the meeting with Tom Reynolds and the verbal warning, and Mr. Soukup said, "Oh its only a verbal don't stress out over it". Mr. Hunt requested permission to send a memo to Public Safety reference the audit, and was told it was OK do so. On August 31, 2001 Mr. Hunt sent a memo to Charles Poliseno, Public Safety Director regarding his Fire Chief telling the Federal agency that all his Fire Departments were

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**trained to 100%, and that after the audit FEMA found this not to be true, and that Citrus County needed to handle this problem ASAP.**

**After the Sept 11, 2001, terrorist attacks Mr. Hunt made a phone call to Public Safety, and was told that they sent a memo dated September 28, 2001, out to all district fire chiefs regarding the urgent need for personnel to take the required Radiological Training, and that over the four-year period, 1998 through 2001, only 96 persons had taken the training. The breakdown presented was: 1998—41; 1999—9; 2000—7; and 2001—39 persons. (The total number of personnel required to be trained was approximately 250.) At this time Mr. Hunt's boss, Jim Soukup, told Mr. Hunt that now, after September 11<sup>th</sup>, this would not look good on Mr. Hunt's record if Mr. Hunt informed the Feds of the lack of radiological training, stating that it would look like Mr. Hunt was not doing his job.**

#### **January 9, 2002**

**Mr. Hunt had a meeting with Jim Soukup regarding the lack of response from Fire Departments to Mr. Hunt's memo requiring immediate radiological training, and Mr. Soukup's reply was that there was nothing we could do about it, and that all we could do is offer training because the Public Safety Director said he couldn't make the firemen take training because they are volunteers. Mr. Hunt pointed out that they owe it to the citizens of Citrus County to ensure that they are protected, and Citrus County Sheriff's Office needed to do something. Mr. Hunt suggested that the matter needed to be taken to the Board of County Commissioners or the Feds. Jim Soukup responded that he had told the Commissioners, there was no need to tell the Feds, and that he was to just do a memo to cover us. A memo outlining the radiological emergency training deficiencies dated January 7, 2002 was given to Mr. Soukup for approval. Mr. Hunt indicated on the memo that copies of the memo were to go to FEMA and Florida Power.**

#### **January 12, 2002 Nuclear Forum**

**Mr. Hunt was told to attend a meeting at Sugar Mill Woods Country club. It was a nuclear forum with the NRC. At that meeting Mr. Hunt met with John Stephenson with the Emergency Planning office of Florida Power. They discussed the January 7, 2002 memo that Mr. Hunt wanted to send to Public Safety, and that maybe this would help Citrus County and Florida Power to get back in compliance. Also at that meeting, Mr. Hunt confirmed that if a county's radiological emergency personnel were not trained up to 100%, then the Licensee could be fined or shut down. That same day Mr. Hunt met the new NRC Inspector for CR3, Scott Stewart, and mentioned to him that Citrus County had short falls in radiological training. They agreed to meet again to discuss the training problems, and Mr. Stewart suggested that Mr. Hunt discuss the problem with Florida Power. Mr. Hunt responded that he had done so without results.**

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January 17, 2002 Meeting With NRC

Jim Soukup called Mr. Hunt into his office told him not to attend the meeting with the NRC that night at the Crystal River City Hall, stating that Mr. Hunt had already said enough to FEMA and the NRC.

January 18, 2002

The next morning Mr. Hunt went to Mr. Soukup and asked him what did he mean yesterday when he told Mr. Hunt not to go to the NRC meeting because Mr. Hunt had already said enough to the NRC and FEMA. Mr. Soukup's only response was for him not to worry about it. Mr. Hunt asked Mr. Soukup about the memo dated January 7th, and had he approved it yet. Mr. Soukup said he had. Mr. Hunt said he had a meeting scheduled later that day with Florida Power, State, and FEMA, so Mr. Hunt could just hand them a copy and mail the rest, because the question would come up about radiological emergency training. Mr. Hunt hand delivered the memo to Florida Power, State of Florida, and FEMA that day.

January 23, 2002

Mr. Hunt was paged to call Mr. Soukup immediately. He called in and Mr. Soukup asked Mr. Hunt if all of the memos dated January 7th had been mailed out, and Mr. Hunt responded no not all. Mr. Soukup told him not to send any more out, that Public Safety had called, and that Mr. Hunt had stirred up a big political bee hive.

April 9, 2002

Mr. Hunt drafted and presented to Mr. Soukup a draft memo to Florida Power, Citrus County Sheriff Jeffrey J. Dawsy, the Citrus County Commissioner Gary Bartell, and Jim Soukup requesting a meeting regarding the lack of radiological emergency training and the 2002 federal exercise. Jim Soukup prohibited Mr. Hunt from sending this type of memo, saying the Board of County Commissioners and Florida Power didn't need to find out about this. Mr. Hunt argued that they should know because they are ultimately responsible for the failure to protect the Citizens. Mr. Soukup told Mr. Hunt that Commissioner Fowler and Commissioner Wooten knew of the problem, and that they were working on the problem. Mr. Soukup told Mr. Hunt that all he needed to do was train the Radiological Response Team and see to it that Citrus County passed the exercise, and they would fix the problem later. Mr. Hunt reminded him that the Radiological Response Team was disbanded after the 2000 exercise because Public Safety said it was a duplication of services. Jim Soukup told Mr. Hunt to do what ever he had to do, but not to fail the exercise, and that his career depended on it, and that Mr. Hunt should not forget that he was at the bottom of the political food chain, and he had "seen real funny things happen to the man at the bottom".

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Around April 24, 2002

Mr. Hunt contacted Scott Steward (NRC) at the Crystal River site, told him of Citrus County's continued failure to fix the problems with training of radiological emergency personnel, and asked Mr. Steward if he knew of any openings with the NRC in Nevada, that he was worried about his career.

April 29, 2002

Mr. Hunt received an email from Scott Steward saying that he had not seen any job postings but to send his resume to Arlington Texas.

May 13, 2002

Mr. Hunt met with FEMA to talk about the problem with training before the outside exercise activated.

May 28, 2002

On the evening before the Federal exercise Mr. Hunt met with the following persons: FEMA Divisions Director, Kelley Keikenburg; FEMA Program Coordinator, Conrad Burnside; FEMA Florida Representative, Tom Reynolds; FEMA trainee John (last name unknown); and St Lucie County Radiological Coordinator, Tom Christopher. One of the major topics discussed was the problem Mr. Hunt was having with training the radiological emergency personnel, and the "political bee hive" he finds himself in in Citrus County. Mr. Hunt pointed out that the response he was getting from everyone in Citrus County was, "well there's nothing I can do". Mr. Hunt also pointed out that the State of Florida Radiological Emergency Preparedness Plan is 6 years behind.

May 29, 2002 Federal Exercise

At the end of day one of the exercise, Mr. Soukup confronted Mr. Hunt as to whether he had spoken with FEMA the previous night about the radiological emergency training problems, and Mr. Hunt acknowledged that he had. Mr. Soukup instructed Mr. Hunt that, from that point on, Mr. Hunt was not to say anything to anyone about the radiological emergency training problem because Commissioner Fowler was asking Florida Power for money for a new emergency operations center.

After the Federal Exercise Mr. Hunt had set up a reception dinner for all players, State, FEMA, and local participants. Contrary to Mr. Soukup's prohibition, Mr. Hunt was very vocal in his attempts to make the appropriate people aware of the major problem with radiological emergency preparedness training, including the hand-picking by some departments of people to train to pass exercises.

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May 31, 2002

At FEMA's out-briefing Mr. Hunt expected that Citrus County would be cited by FEMA for its training failures, but the only FEMA citation was due to Hazmat failing to follow procedures.

November 2002

Mr. Hunt contacted Citrus County Sheriff's Office Human Resources Department and requested the required grievance forms for filing a grievance. When Mr. Hunt did not receive these forms Mr. Hunt sent a registered email to Human Resources on December 19, 2002; and when, in January 2002, Mr. Hunt still had not received the grievance forms, he drafted and submitted his Formal Grievance in his own format. (See Jan 18, 2003 below.)

December 16, 2002

Helen Wilgus from FEMA came down for the audit on Dec 17. Mr. Hunt requested a meeting with Ms. Wilgus. He told her of the historic and continuing deficiencies in compliance with NRC/FEMA regulations regarding the required training of emergency response personnel under the Radiological Emergency Preparedness Plan. Mr. Hunt told Ms. Wilgus that he had had this same talk with her predecessor, Conrad Burnside, over the years, and with Tom Reynolds after the 2000 exercise, and that nothing had been done. She agreed that this was a major problem and needed to be dealt with. Ms. Wilgus asked Mr. Hunt how the State of Florida did their annual letter of certification year after year if this has been going on for years. Mr. Hunt could only speculate that politics had a roll in it. Ms. Wilgus said she would have to talk to Mr. Hunt's boss or write Mr. Hunt up and send it to his boss. Mr. Hunt replied requesting that she not send the violation to his boss, but that she send it to the Sheriff, hoping that way something will get done. Mr. Hunt furnished Ms. Wilgus with the name and address of Citrus County Sheriff Jeffrey J. Dawsy.

December 17, 2002

During an on-site visit auditing training records, Helen Wilgus of FEMA asked Mr. Hunt to pull all copies of training records. Mrs. Wilgus went page by page through the training records and asked to speak with Mr. Hunt's boss, but he was out. Ms. Wilgus then conducted an exit interview with Mr. Hunt, informing him that she was going to issue a letter of non-compliance regarding training, and send it to Mr. Hunt's boss. Mr. Hunt again requested that the letter of non-compliance be sent to the Sheriff. Mr. Hunt thanked Ms. Wilgus for issuance of the non-compliance letter.

January 8, 2003

Due to the months of stress caused by his employment situation and his concern over the safety of the community, Mr. Hunt decided he needed to seek medical attention. His doctor recommended that he take a leave from work until some medical testing could be done, with



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a recheck on Jan 17, 2003. Mr. Hunt was allowed to return to work under light duty until all testing was completed, and on February 26 Mr. Hunt was released to work.

January 18, 2003 Formal Grievance

Mr. Hunt submitted his Formal Grievance, in essence alleging: lack of support for the performance of his duties by management; prevention of the performance of his duties by management; blatant disregard of concerns for lack of radiological emergency training and for the safety of the citizens; prohibiting him from reporting appropriate agencies and from reporting violations of State and Federal nuclear safety regulations; being required to meet unrealistic goals; and an extremely hostile working environment, including threats against his job and his career.

January 22, 2003

During a conversation with Mr. Soukup, Mr. Hunt reminded him that back in 2001 Mr. Hunt turned Citrus County in to the Feds (Tom Reynolds and Conrad Burnside), and Citrus County got a verbal warning to get the training done in 2002, and that he turned Citrus County in again, and this time they got written up. Mr. Hunt also told Mr. Soukup that he was the one that told Helen Wilgus of FEMA to send the non-compliance letter to Sheriff Dawsy. Mr. Soukup responded, "Bill your playing a political game that I guarantee you will lose -- I told you before that in politics you are at the bottom of the food chain and I've seen real funny things happen to the small man."

March 18, 2003

Mr. Hunt was forced to resign his position of REP Coordinator with the Citrus County Sheriff's Office.

Mr. Hunt is informed that the failure of Citrus County to be able to train the radiological emergency response personnel continues through the present time. It is his understanding that since he left employment with Citrus County, his successor set up training with 40 persons signed up, and that only 5 firefighters showed up for the class. It is Mr. Hunt's informed belief that Citrus County has misled or deceived FEMA as to the number of firefighters trained for radiological emergency, in order to pass the recheck conducted in April, 2003.

Mr. Hunt maintains that these safety concerns can be substantiated through the records of NRC, FEMA, Florida Power, and the Citrus County Sheriff's Office, and through interviews with the persons mentioned above employed by the various agencies. The training deficiencies render the Radiological Emergency Preparedness program (a program critical to nuclear safety at CR3) inadequate, unreliable, and unsafe, and expose the nuclear workers and the surrounding communities to a potentially catastrophic situation. Florida Power has known of

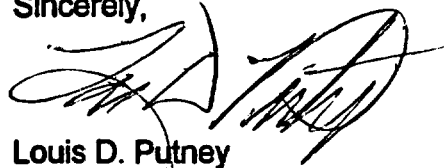
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**these deficiencies for years, and has done little or nothing to correct the deficiencies. Sheriff Jeffrey J. Dawsy, Cmdr. Wayne Burns, and the Citrus County Sheriff's Office are located at 1 South Park Avenue, Inverness, Florida 34450-4994. Please provide me with a copy of any communication directed to my client. If I can provide any further information to aid in your investigation, please let me know.**

**Specifically, in the course of the NRC's proceedings pursuant to 10 CFR § 2.202, it is requested that the NRC thoroughly investigate my client's allegations and, upon a determination that the allegations are founded, suspend or revoke Florida Power's operating license until such time as these serious security and safety deficiencies are corrected.**

**The NRC is requested to act quickly and decisively to protect public safety and the environment as a whole in accordance with it's Congressional mandate.**

**Sincerely,**



**Louis D. Putney**

**LDP/me**

**cc: Regional Administrator, U.S. NRC Region II  
The Honorable D. Robert Graham  
The Honorable Bill Nelson  
The Honorable Michael Bilirakis  
The Honorable Jim Davis  
The Honorable Ginny Brown-Waite  
The Honorable Jeb Bush  
The Honorable Ronald Kitchen  
Nuclear Information & Resource Service  
Public Citizen  
Union of Concerned Scientists  
Board of Directors, Progress Energy, Inc.**