

JAMES H. BILBRAY
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Congress of the United States
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November 8, 1989

The Honorable Kenneth M. Carr
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

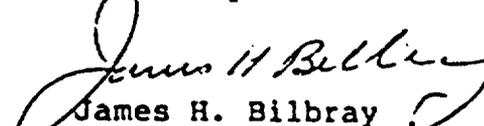
I am writing to you to bring to your attention a letter I recently sent to Secretary Watkins concerning alleged problems with personnel qualifications at the Yucca Mountain Project.

Given the troubled history of the Department of Energy's quality assurance (QA) programs at the Yucca Mountain Project, I would request that you direct your staff to investigate these serious allegations. In addition, I would like an explanation of the Nuclear Regulatory Commission's (NRC) policy for conducting QA audits, specifically for personnel qualifications at the Yucca Mountain Project.

It would seem to me that before any site characterization work can begin at Yucca Mountain there must be in place an acceptable and documented QA program which assures that every individual working on the project is properly qualified. Utilizing the highly questionable audits of the DOE and its contractors for accepting QA programs, rather than independent NRC audits, is tantamount to allowing the fox guard the chicken coop.

I appreciate your looking into this important matter.

Sincerely,


James H. Bilbray
Member of Congress

JHB:brh

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PDR COMMS NRCC
CORRESPONDENCE PDC

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12-22-89

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October 26, 1989

James D. Watkins
Admiral, U.S. Navy (Retired)
Secretary of Energy
1000 Independence Ave. SW
Washington, D.C. 20585

Dear Secretary Watkins:

I am contacting you to express my concern over apparent problems with personnel qualifications at the Yucca Mountain Project.

Mr. Donald Brown, a Senior Quality Assurance Engineer with the Department of Energy's Yucca Mountain Project, has notified my office of discrepancies between the documented qualifications of personnel and the minimum qualifications established by the DOE for their respective positions. Mr. Brown has been hampered in his efforts to audit personnel records by the issuance of a DOE letter declaring that "[d]uring an audit or surveillance, the cognizant manager can vouch for the qualification and training records of the employee in question, but cannot disclose that information." The DOE justifies this policy based on the limitations set forth in the Privacy Act of 1974.

If this is in fact the policy of the DOE, I am perplexed as to how a Quality Assurance Engineer/Auditor, like Mr. Brown, can adequately perform his duties. Since the Privacy Act was adopted, Mr. Brown has been auditing personnel records for the Nuclear Regulatory Commission and for the DOE at other facilities it operates across the country. Only recently has Mr. Brown been stonewalled in his efforts to audit personnel records for the Yucca Mountain Project, after he uncovered records which revealed that employees held positions for which they were unqualified. Consequently, Mr. Brown has been notified that he will be transferred from the Yucca Mountain Project to the Nevada Test Site.

The entire Quality Assurance program at the Yucca Mountain Project has been plagued with problems since its inception. New revelations concerning unqualified personnel working at the site only reinforce my belief that the DOE should reevaluate the entire site characterization process.

I would appreciate a response from you detailing the DOE's policy governing quality assurance auditing of personnel qualifications. Thank you for your consideration of this very important matter.

Sincerely,

James H. Bilbray
Member of Congress