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FINAL REPLY:

Senator Joseph R. Biden, Jr.
Senator Thomas R. Carper
Representative Michael N. Castle

TO:

Chairman Diaz

FOR SIGNATURE OF :

** PRI **

CRC NO: 04-0677

Chairman Diaz

DESC:

ROUTING:

Salem-Hope Creek Nuclear Generating Station

Reyes
Virgilio
Kane
Merschhoff
Norry
Dean
Burns/Cyr
Dyer, NRR
Rathbun, OCA

DATE: 10/26/04

ASSIGNED TO:

CONTACT:

RI

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

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AUTHOR: SEN Joseph Biden
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SUBJECT: Salem-Hope Creek nuclear generating station

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ACKNOWLEDGED No
SPECIAL HANDLING: Co-authors Senator Thomas Carper and Congressman Michael Castle
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EDO --G20040733

Congress of the United States
Washington, DC 20510

October 25, 2004

The Honorable Nils J. Diaz
Chairman
U.S. Nuclear Regulatory Commission
Office of Public Affairs
Washington, DC 20555

Dear Chairman Diaz,

We are writing with new concerns about the Salem-Hope Creek nuclear generating station owned and operated by PSEG Services Corporation and located on the Delaware River in New Jersey. As you are aware, recent events at the three-reactor complex highlight various equipment, safety and management concerns and raise questions about the ability of the station's management team to operate the reactors safely. We expect that those reactors will operate according to the highest standards, and that is clearly not the case now. We will not accept anything less. It is imperative that you use your oversight authority to ensure that the plants' management and PSEG address these most recent shortcomings as well as institute much-needed overall reforms.

Recently, we have learned more about conditions at the Salem-Hope Creek station. As a result, we have several concerns to bring to your attention and to which we request your response. Specifically, our concerns are as follows:

1. Ongoing efforts by PSEG management to address concerns with the "safety-conscious work-environment" at the station have not yet achieved satisfactory results. It is imperative that all personnel at the station immediately report any safety or operational concerns to their supervisor. PSEG, the station's operator, has acknowledged recently that some employees continue to feel they cannot report concerns to supervisors without risk of retribution. We are encouraged that PSEG has initiated a broad effort to address this critical issue. However, we are concerned that it is not producing the expected results. We therefore have some questions about the Nuclear Regulator Commission's role in the safety-conscious work-environment review:
 - What actions has the NRC required the station's operator to take in order to address the safety-conscious work-environment?
 - Has the station's operator taken those actions?
 - How will the NRC monitor and enforce progress towards a safety-conscious work-environment?

2. On October 10th, a pipe containing low-level radioactive steam broke within the turbine building at the Hope Creek reactor. No workers happened to be in the vicinity when the steam leak occurred. However, serious injury or death could have occurred if people were working near that pipe. Based upon preliminary reports from PSEG, we have learned that a support for the pipe may have been left disconnected after a prior maintenance period. There is the possibility that this disconnected support may have gone unnoticed as far back as 1989. This is a very serious matter and raises several questions:

- What NRC regulations apply to inspections of piping and support mechanisms?
- Is there a required inspection interval for pipes and supports, and if so what is it?
- Who is responsible for inspection of pipes and supports, the plant operator or the NRC?

3. The steam leak and subsequent reactor shutdown occurred approximately ten days prior to a planned extended refueling outage. Following the steam leak, PSEG managers briefly considered repairing the broken pipe, addressing multiple operational deficiencies that occurred during the shutdown process, and then operating the reactor for the ten days remaining on its existing fuel supply. Ultimately, PSEG management chose not to restart the reactor quickly and instead began the planned refueling and maintenance period earlier than scheduled. We think that was the correct decision, but we are troubled that the operators might have restarted the reactor so soon. Again, this raises several questions:

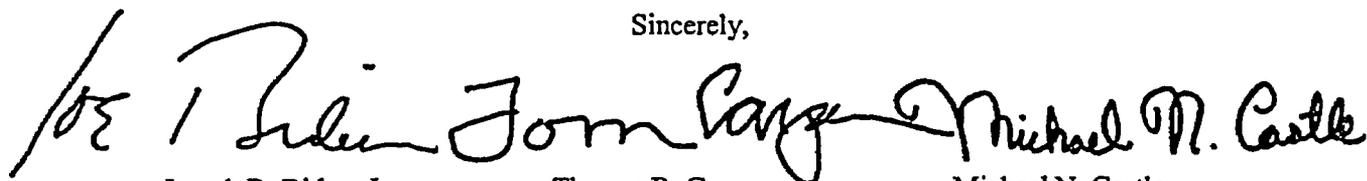
- What is the NRC's role following unplanned reactor shutdowns?
- Is NRC permission required prior to any reactor restart?
- Would the NRC have permitted the Hope Creek reactor to restart and operate for the ten days remaining on its fuel supply?

We fully support the decision of the NRC to conduct a special inspection of the Hope Creek facility, and we look forward to a report as soon as possible on your findings. It is our expectation that the decision to restart the reactor will not be considered until the NRC and PSEG conclude a complete analysis of the causes of the steam leak, take corrective action, and address other critical equipment and procedural issues at the facility.

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Thank you for your attention to this matter. We look forward to hearing from you in the near future regarding the questions we have raised, and your continued actions and oversight related to the Salem and Hope Creek nuclear generating facility. Please feel free to contact us through our respective staffs at the following offices: Ms. Tonya Baker, Senator Biden's office at (302) 573-6345, Mr. Jim Reilly, Senator Carper's office at (202) 224-2441, and Mr. Steve Scango, Congressman Castle's office, at (202) 225-4165.

Sincerely,

Handwritten signatures of Joseph R. Biden, Jr., Thomas R. Carper, and Michael N. Castle. The signatures are written in black ink and are positioned above their respective printed names.

Joseph R. Biden, Jr.
United States Senator

Thomas R. Carper
United States Senator

Michael N. Castle
Member of Congress