

From: Ray Gallucci
To: James Bongarra
Date: 3/4/04 11:16AM
Subject: FYI RE: FP Manual Actions- SOME REAL FOOD FOR THOUGHT !!

I think the time has arrived for the industry to start defending their position that these OpManAx can be performed safely. We can make the case for them, but should we? They've been holding their threat of "1000's of exemptions" over our heads like the Sword of Damocles rather than emphasize that these actions can be done safely (what the public reacts to - the public cares not about exemption burden).

As with anything nuclear, the form always rules the substance, and the way the rulemaking presents itself (NOW we're going to allow OpManAx where they were not allowed before) looks bad. Once the conditions are provided (with fire detection and automatic suppression, with the acceptance criteria, as only one additional option to III.G.2 IF the previous are met, etc.), the substance can take hold. But politicians looking for headlines know they can always wave the nuclear alarm flag and get instant attention. Hillary pulled the same bull with Indian Point (shut it down - we can't evacuate NY city!).

Unless our upper management reacts, "Metti il somaro dove vuole il padrone." (Sorry, that's from Naples, not Sicily)

>>> James Bongarra 03/04/04 09:28AM >>>
yea but, who knows what administration we'll have running things after November ?!?! It's seems like when Markey speaks, people (here, anyway) tend to listen...what effect do you think this type of comment/sentiment will have on the rulemaking? Any sense from your management?? Maybe this type of concern/high-level opposition should cause us to think further about granting these types of exemptions/rulemaking and hold the licensees' fee to the fire (no pun intended)

>>> Ray Gallucci 03/04/04 09:21AM >>>
At least they were Democrats.

>>> James Bongarra 03/04/04 09:19AM >>>
From Today's Nuclear News Flashes:

--NRC SHOULD BE CRACKING DOWN ON REACTOR OPERATORS WHO AREN'T COMPLYING with

the agency's fire protection regulations rather than "weakening" the rules, argued two Democratic lawmakers. Reps. Edward Markey (Mass.) and John Dingell (Mich.) **condemned** NRC for proposing changes they say will water down regulations, in particular by allowing licensees to rely on reactor operators to shut a plant if a fire breaks out rather than ensuring fire protection through the use of appropriate barrier materials or physical separation of safe shutdown systems. The congressmen named 25 units that they said represented a "partial list" of those that are out of compliance with NRC regulations. Markey challenged the agency to reverse its course on this issue. "This month marks the 25th anniversary of the Three Mile Island- 2 accident," he said. "If there's anything that we should have learned...it is that we need both strong technical and safety systems and well-trained reactor personnel to assure nuclear safety."

CC: Alex Klein

N-73