

From: David Vito *ET*
To: [REDACTED]
Date: 9/30/03 8:14AM
Subject: Re: URGENT--Please convey to Mr. Hub Miller

Kymn,

I was not in the office yesterday. I'm sorry I was not here to field your request. Hub will not be in the office until later this week, but I will make every effort to convey your information to him in the interim.

I am currently in the process of gathering and cataloging all of the information you have provided so that I can develop a letter to you that is as comprehensive as possible in acknowledging your concerns. Please know that we understand your level of concern and the actions that you believe are warranted. We are making every effort gain a full understanding of your position in this matter by reviewing all of the documentation you provided, in addition to the information you provided during the interview here on September 9, 2003. As we discussed during a conversation last Friday, the NRC is in the process of determining a course of action that will enable us to explore and validate whether the work environment at Artificial Island is in the state you describe. We believe that such an effort needs to be undertaken before we can render decisions with regard to potential action against PSEG.

>>> [REDACTED] 9/30/03 01:52AM >>>
Hubert J. Miller, Regional Administrator
Region I
Nuclear Regulatory Commission

Mr. Miller,

I asked to meet with you today (Monday, September 29) so I could convey my thoughts and feelings to you in person. Since that did not work out, I will resort to a far less engaging medium--email--because I consider the matters I want to speak with you about to be both important and urgent. Please bear with me as I cover several topics.

First, I appreciate the attention you and many others at the NRC are giving to the issues at PSEG. I also appreciate you taking the time to introduce yourself to me and express your concern for the matters involving Salem, Hope Creek, and PSEG. I was quite gratified to meet you, especially after hearing about you for the past five years.

I also want to make you aware of the enormous difference Eileen Neff is making. In my nearly 26 years in the public and private sectors, I've not met anyone more professional, more thorough, more trustworthy. Because of her, I chose to entrust you and the Region I team with my issues and concerns involving PSEG. Having read much "negative press" regarding the NRC, I was reluctant to speak with anyone from the agency...until I met Eileen. I am more grateful than I can express for the person she is, the job she does, and the integrity with which she does it.

In addition, I want to acknowledge Dave Vito and his team for their commitment and dedication to listening intently and asking probing questions so as to thoroughly understand the issues, the dynamics, the work environment at PSEG Nuclear. Ray Lorson, Dan Orr, Jeff Teator, along with Dave and Eileen, conducted a most professional and thorough interview of me. While I left drained after the emotionally intense day, I knew I was in good hands and, more importantly, the nuclear safety, SCWE, and leadership issues I have long struggled with

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at PSEG are now in the hands of people who can do something about them. Please let Dave and the team know how grateful I am for the job they do and how they do it.

As you may know, my civil complaint was filed today in Morris County. I now expect PSEG's nuclear safety and other issues to soon receive media attention. I believe the NRC is well-positioned to grow public support and confidence by being out in front vs. reactionary to this matter. If confidence in the NRC wanes, that hurts everyone, including the general public's trust of the nuclear industry, the people who work in it, and the people who regulate and oversee it. I told Dave Vito the day we met that I realized the NRC had a "black eye" of sorts over the Millstone matter. I do not want to see history repeat itself. I believe the NRC deserves to be viewed not as an adversary of those in nuclear power (as was true at PSEG) but rather a welcomed safeguard for the public, the employees, and the company (which was what I witnessed at Oconee Nuclear Station this past summer). That is certainly how I see the agency and want to encourage others to view the agency likewise.

Tonight [REDACTED] PSEG Nuclear until the recent reorganization, told me that issues at the site, including nuclear safety, "aren't going to be brought up. The environment is not conducive to bringing issues to the forefront. People who spoke up have been berated too long. We are deteriorating under the surface, just like Davis-Besse. I don't know who is 'watching the store' now. Most of those who did are now gone." Given all this and the fear, distrust, and silencing of people that we witnessed, [REDACTED] and I both fear what may happen next.

I am asking for your immediate intervention.

I firmly believe the NRC already has enough compelling and credible evidence in its hands to warrant an immediate shut down of the Salem and Hope Creek facility.

Consider the weight of the following:

1. [REDACTED] saying (on tape) that he was pressured by [REDACTED] to restart the Hope Creek unit prematurely, when revenues of \$3 million per day were at stake.

2. [REDACTED] (on tape) saying the site was "dangerous" from a nuclear safety perspective, giving the NRC "grounds for taking the keys away."

3. PSEG Nuclear's own Employee Concerns Safety Conscious Work Environment survey results in which scores of people report not feeling it is safe to speak up about safety concerns.

4. [REDACTED] (on tape) saying "That's a bunch of bullshit" when nuclear safety concerns are expressed to him. He goes on to make disparaging comments about PSEG Nuclear's operators who don't "know shit from shy-no-lah." Should any plant be on line whose operators "don't know shit," according to the top guy?

Frankly, Mr. Miller, I cannot fathom why this information alone, totally irrefutable by the parties involved, is not sufficient for the NRC to halt production at Salem and Hope Creek. Until all the issues underlying these comments

are addressed and corrected, the health and safety of the public is in jeopardy if PSEG Nuclear is permitted to continue operating. While further investigation by the NRC will ultimately be helpful and provide additional evidence to answer any company "push back," I urge you to act now. No judge would side with the company over the NRC given this evidence. Do not wait. Do not wait for another significant event. The reactivity management event of March 16, 2003, at Hope Creek was enough. This event, as detailed by the Operations Superintendent on shift that morning, reveals how the "production at the expense of safety" mindset has permeated the site--its leaders, its operators, its engineers, its technicians, its trainers. No one--Reactor Operator all the way to Vice President--stopped an evolution that was ill-conceived, ill-planned, and ill-executed, even when they knew things were awry from the beginning. Basic nuclear safety principles were ignored at this former INPO 1 plant as they have been at Salem over the years.

Need we wait for another event to force the NRC to take the keys away? I sincerely hope not. The next event could be disastrous.

Please...don't wait. Act now.

Respectfully,

Kymn

N. Kymn Harvin, Ph.D.

CC: Eileen Neff

Mail Envelope Properties (3F7973B1.716 : 21 : 34876)

Subject: Re: URGENT--Please convey to Mr. Hub Miller
 Creation Date: 9/30/03 8:14AM
 From: David Vito

Created By: DJV@nrc.gov

Recipients	Action	Date & Time
kp1_po.KP_DO	Delivered	09/30/03 08:14AM
ARB BC (A. Randolph Blough)		
BEH BC (Brian Holian)		
SLJ BC (Sharon Johnson)	Opened	09/30/03 08:32AM
	Deleted	09/30/03 08:33AM
aol.com	Transferred	09/30/03 08:14AM
Drkymn (Drkymn@aol.com)		
nrc.gov		
kp1_po.KP_DO	Delivered	09/30/03 08:14AM
DJH BC (Daniel Holody)		
EPW BC (Ernest Wilson)	Opened	09/30/03 08:15AM
EXN1 CC (Eileen Neff)	Opened	09/30/03 09:33AM
GSB BC (Scott Barber)		
GWM BC (Glenn Meyer)		
HJM1 BC (Hubert J. Miller)		
JTW1 BC (James Wiggins)		
LMH1 BC (Leanne Harrison)	Opened	09/30/03 08:28AM
RKL BC (Raymond Lorson)		

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		aol.com
kp1_po.KP_DO	09/30/03 08:14AM	nrc.gov

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MESSAGE	12194	09/30/03 08:14AM

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