



Union of Concerned Scientists

Citizens and Scientists for Environmental Solutions

November 9, 2007

Samuel J. Collins, Regional Administrator
U.S. Nuclear Regulatory Commission Region I
475 Allendale Road
King of Prussia, PA 19406-1415

SUBJECT: WEB WEAVING

Dear Mr. Collins:

Nearly two decades ago, I watched in amazement as David Copperfield made an elephant¹ disappear during his special on network television. Copperfield's performance was awesome, yet it spoiled magic acts since then. After watching him make an elephant disappear, seeing someone pull a rabbit² from a hat or a quarter from some kid's ear lost its appeal. The November 5, 2007, letter³ you sent to Christopher M. Crane at Exelon topped Copperfield's elephant act. He made an elephant appear to disappear. Poof! You wiped six months off the calendar. I am truly amazed. Move over David Copperfield, Sam Collins is here.

The fourth paragraph of your letter inform's Mr. Crane that "*you staff's prompt compensatory measures and immediate actions, in response to the videotaped inattentive security officers, were appropriate to ensure the stations' continued ability to properly implement the Security Plan.*"

Prompt compensate measures and immediate actions? I don't know where David Copperfield's elephant went, but it's obvious where it's scat's at.

The "*prompt compensatory measures and immediate actions*" in question, or being questioned, are further explained in the third paragraph on the first page of the enclosure to your magical letter to Mr. Crane:

Exelon formed an issues management team based upon NRC information passed verbally on September 10, 2007. ... On September 19, 2007, Exelon management and Wackenhut established enhanced security staff oversight at PBAPS, including Wackenhut corporate management providing 24-hour oversight and observation of the security officers. On September 20, 2007, Wackenhut implemented 24-hour on-site security supervision in the "ready room." By letter to the Regional Administrator, dated September 21, 2007, Exelon highlighted their immediate efforts to address security officer inattentiveness concerns and their investigation findings, to date.

Why, it's as if the six month period between March 12, 2007, and September 10, 2007, never existed and David Copperfield's elephant is suddenly six months younger.

¹ It looked like an elephant, but it might have been a pachyderm. Whatever it was, Copperfield made it vanish.

² It looked like a rabbit, but it might have been a hare.

³ Somewhat available in ADAMS under accession number ML073090061.

You know as well as, perhaps better than, I that Exelon knew about the inattentive security officers at Peach Bottom long before September 10, 2007 – so long before that no reasonable person on the planet could possibly say undeceitfully that Exelon took prompt corrective measures and immediate actions. You would have to, and apparently did, ignore the six month period between March 12, 2007, and September 10, 2007, in order to label Exelon's response prompt and immediate.

On page C-1 of the enclosure to your magical letter, it is clearly established when Exelon – and your staff in Region I – learned about repetitive instances of security officers sleeping at Peach Bottom:

March 12, 2007 – Five SOs [security officers] inattentive to duty in the ready room captured by a SO's personal cell phone. All five SOs are on Security Team No. 1.

March 27, 2007 – NRC receives concerns involving Peach Bottom SOs that are inattentive to duty at PBAPS.

April 2007 – SO shows videotapes of inattentive SOs to a maintenance technician at a little league ball game. Maintenance technician tells the SO to inform his security supervisor. The following day the maintenance technician informs his supervisor who responds that the SO's concern should be brought up to the security supervisor.

April 18, 2007 – Plant review committee rejects \$150K expense of further renovations to “ready room.” PBAPS senior management notified of decision not to fund improvements.

April 30, 2007 – NRC provided Exelon management with written referral for concerns associated with Peach Bottom SOs that were inattentive to duty.

May 30, 2007 – NRC received Exelon's response stating that three referred concerns associated with inattentive SO behavior were not substantiated. Exelon conducted interviews that did not substantiate the issue. Exelon referenced enhancements in their response that included radio check improvement and procedure changes to implement fixed post checks twice a shift. Exelon also referenced 15 minute stand-ups on back shifts and randomly on day shift.

June 9, 2007 – Three SOs inattentive on-duty in the “ready room” captured by a SO's personal video device.

Mid June 2007 – SO informs a field supervisor of inattentive guards on duty that were videotaped. Field supervisor told lead supervisor including names of guards who were inattentive to duty on video.

Late June 2007 – Security shift supervisor and lead supervisor of Team No. 1 inform SO to stop bringing video devices into the plant's protected area.

June 20, 2007 – One SO inattentive on duty in the “ready room” captured by a personal cell phone.

August 10, 2007 – Three SOs inattentive on duty in the “ready room” captured by a personal cell phone.

August 22, 2007 – NRC reviews Exelon response that did not substantiate inattentive SOs. NRC considers Exelon response acceptable after follow-up questions.

Prompt compensate measures and immediate actions? You would have to, and apparently did, totally ignore the reality of this six month chronicle in order to characterize Exelon's behavior as providing

prompt compensatory measures and immediate actions. Exelon was shown the video and told about the videos in April and mid June 2007 respectively, yet did nothing other than tell the individual to stop videotaping the wrong-doing. NRC formally asked Exelon on April 30, 2007, about the inattentive security officers and Exelon formally responded that the allegations lack substance. This is not the stuff of "prompt compensatory measures and immediate actions" unless one ignores them.

By any measure other than falsehood and deceit, Exelon did not take prompt compensatory measures and immediate actions regarding inattentive security officers at Peach Bottom. The period between March 12, 2007, and September 10, 2007, may be missing from your calendar and memory, but November 5, 2007, is marked on my calendar and burned in my memory as the day you lied to the American public.

Sincerely,

A handwritten signature in dark ink, reading "David A. Lochbaum". The signature is written in a cursive, flowing style with a large initial 'D'.

David Lochbaum
Director, Nuclear Safety Project