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W. Mensah (TMC)

## NRCREP Resource

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**From:** Tom Gurdziel [tgurdziel@twcny.rr.com]  
**Sent:** Tuesday, September 21, 2010 10:06 PM  
**To:** Mensah, Tanya  
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**Subject:** 2.206 Comments 1

The nuclear world has changed over the last 10 years. There is now a fatigue rule and consideration of a safety conscious work environment. However the NRC's 2.206 process apparently has not.

I do not believe the NRC's 2.206 process is working as we need to have it work today. The reason, in my mind, is not the structure of the process: it is the current implementation. As presently implemented, only safety-related EQUIPMENT is considered important by the NRC. While this was initially thought to be appropriate, today, most of the trouble is with non-safety related equipment and other "soft" systems such as plant communication, command, and control.

Here are some examples of problems I believe needed NRC highest level management attention (and enforcement action) and did not get enough.

No midnight fire watch for 5 plus years; command & control non-safety related; fire protection non-safety related: SONGS

People, including an NRC inspector, trapped inside containment until heat stress became a problem; operable hatches (to leave) non-safety related: Palisades

100 ton cask fully loaded with spent fuel landed (dropped) on refuel floor due to no crane brakes adequate for that load; 100 ton load on refuel floor non-safety related; spent fuel non-safety related; crane over fuel pool non-safety related: VY

Information on buried or under-ground-level piping given to State of Vermont not complete; communication, command, & control not safety related: VY

Dramatic collapse of mechanical draft cooling tower cell; cell not safety related: VY

Leaking spent fuel left in leaky storage pool for 30 years; spent fuel non-safety related; leaks in spent fuel pool not safety related for 30 years; deteriorated spent fuel pool liner not safety related; inadequate perimeter under drain not safety related: Indian Point Unit 1

Unreliable rotating emergency sirens to warn millions of people need to be replaced and acquire full FEMA approval; today, years later, still NOT DONE: old emergency sirens not safety related; new emergency sirens not safety related: Indian Point Unit 2 and Unit 3

Do you see what I mean? High visibility or, in my opinion, high importance problems described on a 2.206 petition just hit a stone wall when they can be tied to a "non-safety-related" classification.

A second stone wall to 2.206 petitions is the perpetual request for (unspecified) additional information. Presently, the Petition Review Board does not specify where they need more information. Thus, it is impossible to satisfy their request. "Petition denied" would be a usual result (in my experience).

So, in summary, the process implementation needs to be changed to:

not differentiate between safety-related and non-safety related

not ask for additional information without specifying exactly what type of information is needed

not simply relying solely on the petitioner to provide all PRB-desired information.

Thank you,

Tom Gurdziel