

## **Rulemaking1CEm Resource**

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**From:** RulemakingComments Resource  
**Sent:** Tuesday, January 21, 2014 8:55 AM  
**To:** Rulemaking1CEm Resource  
**Cc:** RulemakingComments Resource  
**Subject:** PR-51 Waste Confidence  
**Attachments:** Comment of Kevin Kamps-9.pdf

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Re: Docket ID No. NRC-  
**Fax Cover Sheet** 2012-0246

From: Kevin Kamp

To: NRC Nuclear Waste Confidence  
Directorate & Secretary

Date: 12/20/13 US NRC

Re: NUREG-2157, WC DGEIS

# of pages:

Cover sheet + 1 page cover letter + 3 page

Notes: memorandum = 5 pages total

1/17/01 MEMORANDUM from Dr. Ross  
Landsman, NRC, to Bruce Jorgensen,  
NRC, with handwritten notes by  
Oscar Shirani

Re: Docket ID No. NRC-2012-0246, WC DGEIS, NUREG-2157

Dec. 20, 2013

Dear NRC Nuclear Waste Confidence Directorate,

In support of public comments I just filed by email to [Rulemaking.Comments@nrc.gov](mailto:Rulemaking.Comments@nrc.gov) at 4:40 PM, Dec. 20, 2013 [subject line: Docket ID No. NRC-2012-0246, public comments on NRC WC DGEIS -- Oscar Shirani's whistleblowing revelations on Holtec dry cask QA violations], please find attached a copy of a three-page Memorandum, from Dr. Ross Landsman, now-retired NRC dry cask storage inspector for NRC Region 3, to his superior, Bruce Jorgenson, Chief, Decommissioning Branch. In the memorandum, Dr. Landsman expresses his full support for Commonwealth Edison/Exelon whistleblower Oscar Shirani, and Shirani's quality assurance allegations against the Holtec storage/transport casks.

Please note that the handwritten notes were made by Oscar Shirani himself, mentioning the devious manner in which Exelon Nuclear orchestrated his firing and defended itself against his wrongful termination lawsuit.

Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Kamps". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Kevin Kamps  
Radioactive Waste Watchdog, Beyond Nuclear  
6930 Carroll Ave., Ste. 400  
Takoma Park, MD 20912

UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION III  
801 WARRENVILLE ROAD  
LISLE, ILLINOIS 60532-4861

January 17, 2001



MEMORANDUM TO: Bruce L. Jorgensen, Chief, Decommissioning Branch  
FROM: Ross Landsman, Decommissioning Branch  
SUBJECT: ATTENDANCE AT HOLTEC USERS GROUP MEETING

R.B.K. 1/17/01

In my quest to become as familiar as I can with the cask world, I attended the Holtec Users Group Meeting in November 2000. During the meeting, I became aware of the following issues.

- Plant Hatch, while loading a Hi-Star Cask, dropped a tie-wrap into the cask. Instead of suspending loading until an analysis (a 72.48) could be performed, they continued to load, and proceeded to weld the lid on the cask. When questioned, Hatch stated that they were taking a chance that they would have to remove the lid. They saw nothing wrong with putting schedule ahead of quality. This is not a very conservative approach and should be stopped. This would never be allowed in Region III. During loading at Point Beach, when they thought that they might have dropped (but did not actually drop) a rubber washer into the cask, they stopped to make sure all the "Is were dotted and the Ts were crossed."
- Susquehanna blows hot air into their cask after draindown and before vacuum drying to pre-remove moisture to shorten the vacuuming time. Several other utility fuel people jumped up and indicated that this should not be done because of fuel cladding damage that might occur. Zirconium cladding doesn't get along with heated oxygen; it oxidized and degrades. Dresden was going to use hot air to try to pre-dry the cask because of all the trouble they had with vacuum drying; but when they heard all the arguments against, they switched to nitrogen. Susquehanna should be stopped; and what about the existing fuel that's already been oxidized in casks?
- During discussions, a Comed QA auditor indicated that U.S. Tool & Die (the fabricator of the Holtec casks) appears to have a broken corrective action system. just received a copy of the audit and discovered that the corrective action system wasn't the worst thing broken.

Regarding the corrective action system, the auditors had a finding early in the audit that was closed because of promised corrective actions in a licensee CAR (the document that the licensee uses to address findings.) When similar noncompliances were identified after the licensee dispositioned the CAR, a new finding was open. This issue involves bypassing witness hold points during fabrication which the CAR identified as "isolated" with no further action. The new noncompliances are indicative that the correction action system is broken and needs fixing which Comed says they can't push because of a schedule.

AIN

B. Jorgensen

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The issue more troubling is in the area of special processes, i.e., welding. The audit identified issues such as:

1. Verification requirements and documentation for Welding Procedure Specifications (WPS) is not being performed and not documented in the traveler (FWRP).
2. The supporting PQRs do not qualify welding without a subsequent PWHT.
3. WPSs need the proper qualification (after-the-fact).
4. NCRs permitted "welding-at-risk" without a qualified and approved WPS.
5. Inadequate information/documentation exists to determine whether or not welders have welded beyond their qualified thickness range.
6. The information in the Data Sheets recorded by the welders is out-of-sequence.
7. The Data Sheets do not reference the NCRs, Rework, Repairs, etc. making it extremely difficult to recreate the work activities.
8. Data Sheets for Hatch Unit 2 indicate the use of E81T1-Ni1 for a seal weld. UST&D cannot determine what this weld was.
9. Verification that the 308 did not encroach upon the carbon steel surface of the overpack is not done to provide assurances that 308 did not contact carbon steel.
10. UST&D knowingly performed welding without an approved procedure and used the NCR process for fabrication activities driven by schedule.
11. The existing system of documentation is ineffective in maintaining an accurate work history and the welders have filled out the documentation incorrectly.

Furthermore, words exist in the audit such as:

1. "needs enormous improvement in the areas of welding and corrective action program to implement its QA program."
2. "they have used the NCR process where it is not intended to be used, i.e., performing welding 'at risk'. They knowingly do welding without an approved procedure, violating both ASME and their own QA manual."
3. "The NCR process is used when errors are discovered in fabrication to justify continuing activities driven by 'schedule'."



The audit was done in June-July, 2000, and still the issues are not resolved. Worse yet, I just discovered that the Audit Team Leader is being moved sideways on site, out of the audit group. These findings will be dropped.

The audit stated that the NRC performed a paper audit in August 1999, and determined that the QA program meets regulatory requirements which was continuously thrown up in the auditor's face. This audit indicates that in no way do they meet our RII requirements in Implementation of the program. Cost and scheduling are controlling the work. This was illustrated by the quality of the first cask received at Dresden which had to have all the sealing surfaces re-machined on site. I did not look at the cask material or fabrication records to determine if the cask was manufactured correctly. I assumed, incorrectly, that the cask was constructed OK. If this was back in the old construction days, we would already have had issued a stop work order. These same fabrication issues are what got the original cask manufacturers in trouble and caused them to go under.

I think these findings alone justify going to owner's group meetings. They are not marketing meetings as Susan states. They are fact finding meetings, lessons learned to be used at our other cask sites. I also plan to attend the VSC-24 owners' group meeting-this spring.

SHIRAN'S NOTES

1. This letter was sent 2 days after OSCAR SHIRANI WAS REMOVED FROM NUCLEAR DEPT. to finance group. (JAN 15, 2001)

- where is the NRC's response to this letter? Nowhere. NRC ignored Dr. Landsman's letter.

2. THIS DOCUMENT SHOWS THAT THE OFFICE OF INSPECTOR GENERAL (OIG)'S INVESTIGATION WAS A LIE AND SHAM THAT SHIRANI NOTIFIED THE NRC IN OCTOBER 2001, ONE MONTH PRIOR TO HIS TERMINATION. NRC KNEW THAT EXELON HAD REMOVED SHIRANI FROM ITS NUCLEAR DEPARTMENT 8 MONTHS PRIOR TO <sup>THE</sup> SHIRANI'S TERMINATION ON OCTOBER 2001. EXELON JUST Clocked SHIRANI OUT OF <sup>THE</sup> NUCLEAR IN DECEMBER 2000 TO GET RID OF HIM AFTER 180 DAYS OF HIS WHISTLE BLOWER'S PROTECTION WINDOW EXPIRED FROM ITS FINANCE DEPARTMENT WHICH IS NOT A

Part of NRC