

DAN GLICKMAN
FOURTH DISTRICT—KANSAS



1507 LOWMYER BUILDING
WASHINGTON, D.C. 20515
(202) 225-6216

COMMITTEES:
AGRICULTURE
SCIENCE AND TECHNOLOGY

NATIONAL ALCOHOL FUELS
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ADMINISTRATIVE ASSISTANT
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EXECUTIVE ASSISTANT

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C. 20515

U.S. POST OFFICE AND COURT HOUSE
BOX 403—ROOM 22A
WICHITA, KANSAS 67201
(316) 262-8300

607 WOODCOTT BUILDING
201 NORTH MAIN
MURCHISON, KANSAS 67501
(316) 669-9011

June 21, 1979

Honorable Joseph M. Hendrie
Chairman
Nuclear Regulatory Commission
Washington, D. C. 20555

Dear Chairman Hendrie:

As you may recall, in April I sent you a copy of a letter I addressed to President Carter calling for on-site inspectors to be assigned to nuclear power plants presently operating or under construction. While I have not yet received a written reply to my April letter, my staff has had a number of informative conversations with NRC staff members about the status of the on-site unit inspector program and the personnel and financial constraints the NRC is facing in moving ahead with locating such inspectors on-site.

In light of the information my staff and I were able to gather in this regard, I offered an amendment to the Energy and Water Appropriations bill for Fiscal 1980, H. R. 4388, to add \$5 million to the NRC appropriation to permit the Commission to move ahead with the necessary hiring and training of inspectors so they can be on-site by the end of FY 1981. So you will have the necessary background on the amendment -- which was adopted by the House with only ten dissenting votes, I am enclosing copies of the pages of the Congressional Record covering the debate on the amendment.

I intend to do what I can to assure that comparable funding is included in the Senate version of the appropriations bill, and I trust that you and the NRC staff will move expeditiously to see that the necessary Commission activity will commence to assure that the end of FY 1981 goal can be reached.

The NRC staff was most responsive to informational requests from my staff and I, and I look forward to seeing this program -- which I feel is most important to the protection of the American population -- put into operation.

6/25 -- To EDO for appropriate
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With best regards,


Dan Glickman

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Energy

ENERGY AND WATER DEVELOPMENT APPROPRIATIONS, 1980

Mr. BEVILL. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4388) making appropriations for energy and water development for the fiscal year ending September 30, 1980, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 4388, with Mr. SHARP in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee of the Whole House rose on Friday, June 15, 1979, the Clerk had read through line 23 on page 27, and pending

was an amendment offered by the gentleman from Kansas (Mr. GLICEMAN).

The Chair recognizes the gentleman from Kansas (Mr. GLICEMAN) for 5 minutes in support of his amendment.

Mr. GLICEMAN asked and was given permission to revise and extend his remarks.)

Mr. GLICEMAN. Mr. Chairman, the amendment my colleague from Washington (Mr. DICKS) and I are offering today will add \$5 million to the NRC's enforcement and inspection division budget to allow that division to move ahead with a program to put unit inspectors on site at all nuclear powerplants in operation and in the final stages of construction across the United States. Some time ago the President called for Federal inspectors at nuclear plant sites, and the NRC has a goal of having the inspectors on site by the end of fiscal year 1981. It should be noted that the Three Mile Island plant did not have such a full time inspector.

Without this amendment, that goal will not be able to be met. It takes nearly 2 years to complete the training necessary to get these people ready to handle an onsite job accurately. That training is obviously essential; the alternative is that the Government would be creating a sense of false security by locating these people onsite. And the training needs to start now if the fiscal year 1981 goal is to be met. Inclusion in a fiscal year 1980 supplemental or in the fiscal year 1981 budget would push the target back by at least a year. I, for one, am not willing to ask my constituents to wait for this modest increase in precaution.

It has traditionally been the NRC's practice to place responsibility for maintaining quality assurance of plant operations on the operating utility and to spot check the utilities' quality assurance activities to see that they are adequate. In short, the NRC has been auditing the utilities operations.

Ideally, that should have done the trick. But recent events make it all too clear that the present approach has not been enough. Recently, the Commission has been locating some of its audit-type inspectors onsite to reduce personnel hours needed for the function and to minimize travel costs. Having those people onsite has given them an opportunity to do a small amount of monitoring of actual plant operations. That small degree of monitoring has led to the recognition that it would be beneficial to do a lot more of that kind of "bird-dogging," of monitoring actual operations rather than relying solely on checking logs and so forth. The absence of any Federal onsite inspector at the time of the Three Mile Island incident reinforced the need for some meaningful Federal check of operations.

Our amendment would allow the NRC to fund 146 new staff positions; 100 would actually be new inspectors, the other 46 would provide support and training help. By 1981, there will be 108 nuclear plants nearing completion or in operation. By shifting other Commission staff, this amendment would provide adequate personnel to have one unit inspector at each site. That is not

enough to monitor every action at the utilities, but it would provide a reasonable—and I would add very reasonable—Federal presence at each site. Being immersed in the operation, unit inspectors would develop a feel for the way maintenance is done and precautions are maintained by utility employees. It would also ensure more careful handling of those functions by utility employees of frequent Federal review.

There is sentiment in this country that we need to move cautiously all as we pursue the nuclear energy program. Many of us are not convinced where this should all be headed. There are plants out there operating today that the Federal Government which licensed them—has an obligation to see are not posing an undue risk to the American population. This amendment would provide the NRC with the resources it needs to move ahead meeting that obligation.

Mr. BEVILL. Mr. Chairman, will the gentleman yield?

Mr. GLICEMAN. I yield to the gentleman from Alabama.

Mr. BEVILL. Mr. Chairman, I have no objection to this amendment. It is a good amendment. It emphasizes safety. We could accept it.

Mr. MYERS of Indiana. Mr. Chairman, will the gentleman yield?

Mr. GLICEMAN. I yield to the gentleman from Indiana.

Mr. MYERS of Indiana. Mr. Chairman, the minority accepts the amendment. Actually, the committee that set up the resident inspector program a year and a half ago. The Commission has had some difficulty in securing training qualified individuals for those positions. We agree with the principle of this amendment and are willing to accept the gentleman's amendment.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. GLICEMAN. I yield to the gentleman from Washington.

Mr. DICKS asked and was given permission to revise and extend his remarks.)

Mr. DICKS. I would like to say that the amendment provides us with preventive medicine. Had we had resident inspectors at Three Mile Island, there is a good chance that NRC regulations would not have been violated and we would not have had this crisis.

I think by adding \$5 million for these additional inspectors to cover all of these operating reactors and plants in this country, we are doing the Nation a great service.

I want to commend my colleague for offering this amendment with me.

I strongly recommend that my colleagues pass this amendment. I do not think we can have an acceptable nuclear option without it.

It seems obvious to me that one of the most appropriate Federal responses to the kinds of problems we experienced at Three Mile Island, and units in New Jersey and Arkansas recently is to provide a fully implemented Nuclear Regulatory Commission resident inspectors program.

Mr. Chairman, the NRC now

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tains resident inspectors in 22 plants. They cover only a fraction of the 108 operating reactors and plants in late construction stages.

With the \$5 million provided in this amendment, by 1981, the NRC would be able to place 187 inspectors in the field, one for each plant site and an inspector for each reactor unit on that site.

Without the amendment, the NRC would be restricted to 87 new inspectors in the field. Each operating site and plant in late construction stages would be covered, but there would be much less flexibility, much less effective inspection in the resident inspectors program.

The amendment also allows the NRC to hire people to train new inspectors and to accelerate the training of the inspectors themselves.

The chain of events at Three Mile Island, barely skirting a tragedy, may have been prevented if we had had the kinds of independent review and procedural verifications an onsite resident inspector provides. We need an inspector at each unit, Mr. Chairman.

From time to time over the 20 years commercial plants have been operating, we have survived the small, isolated failures licensees discovered themselves. Plant operations have gotten past the sealing fractures, the locked pumps, the incorrectly positioned and maintained safety backup systems—the small patterns of failure that can occur in any technology.

But Three Mile Island taught us that a licensee caught up in the hundreds of tasks required to keep a reactor going every day may not be able to stop that one-in-a-million sequence of events that can lead to a breach of containment, a venting of radioactive steam, or a partial meltdown.

The NRC resident inspection program is designed to accomplish one essential thing: Detect the little slips, the unnoticed shortcuts in operator procedures that might—just might snowball into a major problem.

You need the onsite, independent inspector to do this. Anything less than this kind of onsite inspection removes a critical layer of review.

In the past, for lack of adequate inspection and enforcement personnel, the NRC was forced to rely on time-consuming reviews of licensee documentation of events after they occurred. As one inspector told me, the burden of inspection was placed on the licensee who does not have time to do it adequately.

The inspector explained:

It is our job to detect as early as possible any deterioration in a licensee's performance. We play a preventive role. We make sure that plant operators and support workmen live up to their qualifications in running a nuclear plant. We see things and do things before a situation becomes critical and threatens to get out of control.

Another inspector told me that:

We look over shoulders . . . and this has a very positive effect on the licensee. It plants the idea in the operator's mind that he must adhere strictly to NRC procedural requirements. If we know a licensee is going to do something requiring oversight, that licensee knows we plan to be there.

When a powerplant is working, not much really goes on, this inspector points out, "but we literally make sure the operators stay awake."

Mr. Chairman, the NRC's 5-year-old resident inspectors program vastly improves the NRC's review and instant response capabilities. It enables this agency to go from snapshot inspection review after events have taken place to a continuous, balanced procedural oversight.

A resident inspector in Michigan sums up this program for me. He said:

I used to be a regionally based inspector. I would look at a unit every three months or so. But in the resident inspectors program, I've developed much greater confidence in what I know about a particular plant. I get to know the licensee. The operators and workmen open up to me. A rapport is developed, and I get an excellent exchange of information. The licensee knows that he has a much better access to the NRC. Best of all, I get a very good feel for the way things ought to be by simply being there. There's no doubt in my mind, that this program is the way to go.

Mr. Chairman, if this Congress really means to do something to boost public confidence in the nuclear option, I urge my colleagues to pass this amendment.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from Washington.

Mr. McCORMACK. Mr. Chairman, I thank the gentleman for yielding.

I rise in support of the amendment and congratulate the gentleman from Kansas (Mr. GLICKMAN) and the gentleman from Washington (Mr. DICKS) for cosponsoring it. It is quite obvious from the hearings on nuclear powerplant safety that have been conducted by the Subcommittee on Energy Research and Production and especially on the Three Mile Island accident that the greatest weakness at the present time in the system is the interface between the machines and the operators. The primary contributing fact to the seriousness of the Three Mile Island accident was operator error.

I think it is quite obvious that much of this operator error could have been avoided if we had had inspectors on site and if they had insisted on a routine that would have eliminated some of the problems that existed there at the time.

Accordingly, I think the proposal made in this amendment is a good one. I think it is important that we have the inspectors on site at the earliest reasonable moment and they be trained and given authority to handle situations involving anomalous activity and anomalous situations in nuclear powerplant operations.

Mr. MAGUIRE. Mr. Chairman, will the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from New Jersey.

(Mr. MAGUIRE asked and was given permission to revise and extend his remarks.)

Mr. MAGUIRE. Mr. Chairman, I thank the gentleman for yielding.

(Mr. MAGUIRE addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.)

□ 1240

Mr. CLAUSEN. Mr. Chairman, would the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from California.

(Mr. CLAUSEN asked and was given permission to revise and extend his remarks.)

Mr. CLAUSEN. I want to associate myself with the remarks of the gentleman and commend him for his amendment, and also the committee for accepting the amendment. I, too, am involved in this Three Mile Island inspection in my capacity with the Committee on the Interior and I want to commend the gentleman.

Mr. RITTER. Would the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from Pennsylvania.

Mr. RITTER. Mr. Chairman, I rise in support of this amendment.

Perhaps the single most pointed issue that arose out of the Three Mile Island incident was the lack of a coordinated decision process and the lack of an effective overview of the procedures at Three Mile Island. So, I believe that the gentleman's amendment, my colleague on the Committee on Science and Technology and my distinguished colleague from Washington (Mr. DICKS) is a good amendment and I rise in support of it.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

(At the request of Mr. VOLKMER and by unanimous consent Mr. GLICKMAN was allowed to proceed for 2 additional minutes.)

Mr. VOLKMER. Would the gentleman yield?

Mr. GLICKMAN. I yield to my distinguished colleague from Missouri.

Mr. VOLKMER. I, too, wish to commend the gentleman from Kansas and the gentleman from Washington for sponsoring this amendment. It is of particular concern to me because as one who has a nuclear powerplant ongoing and under construction to go on line in 1981, I would like to advise the gentleman that I was just there this last Saturday while out in my district and talked to the company officials and discussed this type of procedure. They do not disagree with it. I think it is a wise thing to do.

They also feel there should be additional training for people who operate these plants, more so than there has been in the past. They concur in that, too.

They also feel and have ongoing with others a model for training for incidents similar to what occurred at Three Mile Island. This is a different type of construction. It is a Westinghouse-type operation and different from the operation in Pennsylvania at Three Mile Island. They are setting up a model now to try to develop a process for a safety system that will work. I would say to the gentleman that I believe this will help and not only provide the safety but also help people know that we are being safe.

Mr. GLICKMAN. I think the gentle-

man makes a good point. That is, regardless of our views on nuclear power, I think the public needs to believe that operating plants have a reasonable modicum of safety. I think this will help them have confidence that existing, working plants are safe.

Mr. WEISS.—Mr. Chairman, will the gentleman yield?

Mr. GLICKMAN. I yield to the gentleman from New York.

(Mr. WEISS asked and was given permission to revise and extend his remarks.)

Mr. WEISS. I, too, want to commend the gentleman from Kansas, as well as the gentleman from Washington (Mr. DICKS), for their efforts in this regard. I think it is long overdue and they are to be commended for having the capacity to persuade the committee to accept this amendment.

I only want to exercise one word of caution. I know that the sponsors of the amendment are fully aware of the fact that this is not the end-all and be-all, that there are other steps that must be taken, including perhaps termination of nuclear power down the line. I just want to be sure that those who are now supporting this amendment and are in support of the gentleman's efforts do not latch into this as being the final answer in guaranteeing nuclear power safety.

Mr. GLICKMAN. I appreciate the gentleman's comments.

Mr. BEREUTER. Mr. Chairman, I move to strike the requisite number of words and rise in support of the amendment.

Mr. Chairman, I rise to speak on this particular amendment based upon job experience and a special interest in this type of activity, personnel and physical security investigations.

I would like to review, first of all, a few details about what is involved currently in inspection of nuclear plants. Right now we do have a few onsite inspectors, but for the most part we have people coming in from time to time to make inspections on our nuclear powerplants. They are involved in investigating quality analysis, maintenance, actual onsite job safety and operation procedures.

I would like to point out there are some benefits in the current system of nonresident inspectors. First of all, experience has proven that observation powers are sharpened, when you have a nonresident inspector. Second, the personal relationships, either positive or negative, will often have a minimal effect upon the impact or the course of such an inspection. As a third point, it should be noted that the diverse specialists, which might be involved in an investigatory task force, have the opportunity to provide specific and specialized insight through the inspection process. Fourth, the quality of the inspection process should be more uniform, due to checks and balances provided through the involvement of diverse personnel.

There are disadvantages. Another way to say it, here are, for example, some disadvantages of an exclusive reliance on resident or onsite inspectors. First,

they could be a hindrance to the proper operating of the plant; the inspector who is present on a continuous may be a distraction to the plants' operators.

Second, the continuous presence onsite by an inspector may cause the inspector to be blinded to ongoing plant problems.

Third, the inspector will be isolated from appropriate, personal contact with other components and counterparts in the nuclear regulatory commissions.

Now, despite what I have just said, I am speaking in support of the amendment offered by the gentleman from Kansas. The point I would like to make is this: I believe that we need onsite inspection and we need special, on-the-spot, unannounced task force and single-person inspections.

I would ask the gentleman from Kansas if he would engage in answering a series of questions?

Mr. GLICKMAN. I would be glad to.

Mr. BEREUTER. I understand from the intent of your amendment that you are not proposing that an onsite inspection process would negate or eliminate the possibility and the actual practice of unannounced inspections made by task forces or by individual inspectors from the NRC. Is that correct?

Mr. GLICKMAN. That is correct. In fact without the kind of spot auditing unannounced inspections, having permanent inspectors does not have a great deal of value. We must have that auditing function. It would be my intention that that would clearly continue and it is my understanding that it is the NRC's intention also.

Mr. BEREUTER. I thank the gentleman.

Further, based upon some recent information brought to the attention of the Energy and Environment Subcommittee of the Committee on Interior and Insular Affairs, it is quite clear that we have a very inadequate personnel security investigation process. Would it be your thought that the additional type of manpower provided to the NRC could also be addressed to personnel security questions as well as actual site and operational procedures?

Mr. GLICKMAN. I would say that, to the best of my knowledge, yes. I have not gone into great detail with the NRC of how specifically they propose to utilize these people, but I would say that the security problem is a serious one. What the amendment actually does is provide an additional 100 actual inspector people and an additional 40 support and training people. I would assume that the gentleman's point is a good one.

Mr. BEREUTER. Finally, just to confirm what the gentleman has already indicated, is it correct that the gentleman's amendment does nothing to distract or supplant the unannounced individual or task force inspection process. It is our understanding that such unannounced inspection would go on even though we would have onsite inspectors through the appropriation you are now proposing. Is that correct?

Mr. GLICKMAN. That is absolutely correct. Not only that, in my judgment

the resident inspectors or unit inspectors probably should be rotated there and should not be forever located particular plant. I think that is to a extent what the U.S. Department of culture does now.

Not only would I insist upon the rotating, but also retention and beefing up of the on-the-spot auditing function.

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. BEREUTER was allowed to proceed for 2 additional minutes.)

Mr. GLICKMAN. If the gentleman yield further, I would also insist on the fact that the NRC make a diligent effort to rotate permanent inspectors and resident inspectors, and I believe that that is in mind right now.

Mr. BEREUTER. I thank the gentleman from Kansas for his general observations. I think they are important. It is important we convey them to the NRC. I am particularly pleased that the gentleman made the point about the need for continued rotation of the onsite inspectors. I think that is the crucial point and I would hope this would be interpreted as the intent of the House representatives in adopting this amendment.

I commend the gentleman's amendment and foresight in recognizing the need for this kind of supplemental assistance to the NRC. It has brought to our attention, of course, recent events. I rise in support of the gentleman's amendment with this understanding we have established in the going discussion between the gentleman from Kansas and me.

Mr. GLICKMAN. Thank you.

□ 1250

Mr. ALBOSTA. Mr. Chairman, I move to strike the requisite number of words and I rise in support of the amendment.

(Mr. ALBOSTA asked and was given permission to revise and extend his remarks.)

Mr. ALBOSTA. Mr. Chairman, I rise in support of the amendment offered by our distinguished colleague, the gentleman from Kansas (Mr. GLICKMAN). I think his amendment speaks to a need that is very obvious which makes a tour of a nuclear plant, serves what has been going on.

On June 6, the Investigative Subcommittee of the Committee on Post Office and Civil Service, on which I serve, held a hearing on the subject of NRC personnel. In that hearing, I was joined by the Director of Nuclear Inspection and Enforcement Division John Smith, and his office is preparing a recommendation for teams of resident inspectors in nuclear plants, rotating teams of inspectors. I believe that is a real approach to this problem.

The public itself does not fully understand that nuclear power is safe, and I think that anyone can convince the public that the Federal Government's NRC. To do that, they need the type of inspectors, not only on going construction and operation, but also additional teams of inspectors which are unannounced at these plants while they are in operation. I

