SEABROOK PUBLIC MEETING

ATTACHMENT 3

UNITED STATES
NUCLEAR REGULATORY COMMISSION

PUBLIC HEARING TO DISCUSS THE RESULTS OF NRC REGION 1 ON SEABROOK UNIT 1 AND RECEIVE PUBLIC COMMENTS	:	Docket No. 50-443

Pages: 1 through 185

Place: Durham, New Hampshire

Date: September 6, 1989

HERITAGE REPORTING CORPORATION

Official Reporters

1220 L Street, N.W., Suite 600

Washington, D.C. 20005

(202) 628-4888

UNITED STATES NUCLEAR REGULATORY COMMISSION

PUBLIC HEARING TO DISCUSS THE RESULTS OF NRC REGION 1 ON SEABROOK UNIT 1 AND RECEIVE PUBLIC COMMENTS	:	Docket No. 50-443

Wednesday,
September 6, 1989

New England Center
University of New Hampshire
Great Bay Room
Durham, New Hampshire

The hearing commenced, pursuant to notice, at 7:00 p.m.

APPEARANCES:

ON BEHALF OF THE NRC:

THOMAS MARTIN
JON JOHNSON
PETER ESELGROTH
VICTOR NERSES
NOEL DUDLEY
ANTONE CERNE
EDWIN REIS

ON BEHALF OF NEW HAMPSHIRE YANKEE:

EDWARD A. BROWN
TED C. FEIGENBAUM
JOSEPH GRILLO
BRUCE DRAWBRIDGE

SPEAKERS:

MR. MOYER
MR. TRAFICONTE
MS. WEINHOLD
MS. MUDGE
MS. DUNFEY
MR. BROWN
MR. WIGHT
MR. WEINBERG
MR. JACQUES
MR. MONTVILLE
MR. BESWICK
MR. CURTIS
MS. MAHON
MR. PAGE
MR. EATON
MR. BORGENSON
MR. JANIK
MR. COLT
MR. SLESINGER
MS. DOUGHTY
MR. PERRY
MS. KOSKI
MR. FALLLON
MS. FALLON
MR. GILMORE
MR. BACKUS

- - - - - - - -

P R O C E E D I N G S

MR. MARTIN: Good evening, gentlemen. My name is Thomas T. Martin. I am the Deputy Regional Administrator for the King of Prussia office, the Region 1 office of the United States Nuclear Regulatory Commission.

The purpose of tonight's meeting is to gather information regarding the conduct and license response to the June 22, 1989 natural circulation test at the Seabrook Station.

The meeting will be divided into two parts. The first part of the meeting will involve a presentation by the licensee with discussion between our respective staffs regarding the results of their post-trip reviews and their plans and schedules for corrective action.

This will be a normal technical management meeting between the NRC and the licensee for the purpose of assuring our common understanding of the licensee's performance, their plans and activities.

Following a short, 15-minute break, during which the licensee will be dismissed, the NRC staff will then receive comments and questions from the public regarding the same issues of licensee performance during the test and the adequacy of their plans for correcting the problems that were identified.

Both parts of the meeting will be transcribed and

we will make a copy of the transcript available to the public as an attachment to the meeting report which we generate.

For those that are interested in providing comments during the second part of the meeting, I would ask that you sign up at the meeting desk, there is a desk right outside, indicating your desire to make a presentation.

At this time, I am going to request that the NRC and then the licensee staff identify themselves to the public in preparation for the meeting.

Noel.

MR. DUDLEY: Noel Dudley, project engineer, Region 1.

MR. NERSES: Victor Nerses, Seabrook Licensing Project Manager from NRC Headquarters.

MR. JOHNSON: Jon Johnson, Chief, Projects Branch, King of Prussia, Pennsylvania.

MR. ESELGROTH: Pete Eselgroth, PWR Section Chief, Region 1, and AIT team leader.

MR. REIS: Edwin Reis, Deputy Assistant General Counsel, Nuclear Regulatory Commission.

MR. CERNE: Tony Cerne, Senior Resident Inspector for the NRC.

MR. MARTIN: Mr. Brown?

MR. GRILLO: Joe Grillo, Operations Manager, New

Hampshire Yankee.

MR. BROWN: Edward Brown, President, New Hampshire Yankee.

MR. FEIGENBAUM: Ted Feigenbaum, Senior Vice President, Chief Operating Officer, New Hampshire Yankee.

MR. DRAWBRIDGE: Bruce Drawbridge, Executive Director, Nuclear Production, New Hampshire Yankee.

MR. MARTIN: Mr Brown, do you have any questions on what we are trying to accomplish tonight?

MR. BROWN: No, sir, I do not.

MR. MARTIN: At this time, I would like you to start your presentation.

MR. BROWN: Good evening. My name is Edward Brown and I am President and Chief Executive Officer of New Hampshire Yankee.

New Hampshire Yankee is the managing agent for the joint owners for the operation of Seabrook Station.

I know that the representatives of the NRC who are here tonight are quite familiar with the details of the reactor shutdown that occurred on June 22nd and the subsequent reports that we have submitted on the subject.

However, for the benefit of the public who are here tonight, we asked some members of our staff to explain exactly what happened that day and in the hours immediately following.

But before we do that I would like to take a few moments to make some remarks.

On June 22, the low power physics testing was complete and there was an additional test to be conducted. The reactor was at about 3 percent of power. And before the task was completed, a steam valve on the non-nuclear side of the plant malfunctioned.

This caused the plant to reach a condition which called for the operators to shut down the reactor in accordance with the special test procedures.

But the operators waited too long: about seven minutes after the test procedure dictated that they should have shut down the reactor.

Everyone who has assessed the situation agrees that, from a technical point of view, it was a relatively minor event, one in which the health and safety of the public was never at risk.

This view is held by the NRC, the State of New Hampshire, and as a result of our own assessments.

But that is not the point.

The point is that the failure to follow procedures was an event that should have made us immediately ask a lot of questions of ourselves, and to which our management should have demanded answers before contemplating restart of the reactor, before even bringing up that possibility with

the NRC.

It is a fact that a number of post-shutdown critiques and event evaluations were set in motion literally minutes after the event.

Once this occurred, our senior management people at the scene should have allowed the critiques and evaluation to be completed prior to discussing restart with the NRC.

Our management people should have focused squarely on the potentially broader issues regarding human performance and failure to follow procedures.

Apparently, the NRC sensed the narrowness of the view in our communications with Region 1 Headquarters. This caused an erosion of some of the confidence which we worked so long to develop. And this we deeply regret.

Whatever the controversy and emotion that surrounds Seabrook, we who have been responsible for its completion and now its operation have always strived for excellence, for more than meeting the minimum requirements.

This has been reflected in the ratings that the NRC has given in their systematic assessments of licensee performance.

My first and foremost objective as President of New Hampshire Yankee, and the first and foremost objective of every employee at New Hampshire Yankee, is to operate

Seabrook in a safe manner.

Safety comes from production, before schedule and before cost. This policy is written into our mission statement and has the full and unequivocal backing of the joint owners.

And we now have to re-establish full NRC confidence in our operations, and have made an agreement with the NRC not to restart the plant until we have done so.

To that end, I have directed a complete, top to bottom review of our way of conducting our business as a result of the events of January 22.

In a recent filing before the Atomic Safety and Licensing Board, the NRC staff said that the personnel involved in the operations of our power plant are well trained, dedicated, highly motivated and responsive to NRC concerns, and that what occurred was an isolated occurrence.

We agree with that.

We also agree with the staff that it is important that we correct our mistakes and prevent any repetition.

But more than that, we also realize that, with Seabrook, we cannot afford to be in the middle of the pack. We must and we will strive to be the best among the best.

Toward that goal, I would like to briefly describe some of the actions we have taken at the corporate level.

First, we have formalized a core values and work

ethic policy. This is a statement of principles that will guide us in operating and managing the power plant. It is also a written set of guideposts against which we can and will measure ourselves on a periodic basis.

This is a program that we embarked upon before the June 22 event. It was back in April or May that we began.

(Laughter)

MR. BROWN: My intention is to ensure that these principles are embedded in the attitude of every employee, and become as much a part of their daily activities at Seabrook as the air we breathe.

We must make certain that every action of every employee is based on the principles of excellence, professionalism, quality, and safety.

(Jeers)

MR. BROWN: I have also instituted changes in the executive management of the organization.

I have appointed Ted Feigenbaum as Senior Vice President and Chief Operating Officer. All operational, quality, engineering and administrative functions report to Mr. Feigenbaum. He has been with New Hampshire Yankee since 1984 and for the last three years has been Vice President of Engineering, Licensing and Quality Programs.

He brings nearly 20 years of experience in the nuclear industry. He was also a former manager of our

independent review team and, before he came to Seabrook, he was a project engineer for the very successful St. Lucie Unit 1 nuclear power plant in Florida.

Reporting to Mr. Feigenbaum and responsible for the operation and maintenance of the power plant is Bruce Drawbridge. Bruce comes to us from Yankee Atomic Electric Company where he is a Vice President.

For five years, he was an Assistant Plant Superintendent at Yankee Row, the longest operating and one of the most successful plants in the world.

The Executive Director for Engineering and Licensing is Jeb Deloach. Mr. DeLoach has over 20 years experience in nuclear engineering, in the design, construction and operational phases.

He has previously been Project Manager for all of Yankee Atomic Electric Company's engineering services at Seabrook.

Neal Pillsbury is the Director of Quality Programs. Mr. Pillsbury also has over 24 years' experience in the energy field. He is responsible for all quality assurance and compliance as well as for the self-assessment groups we have instituted.

Now, self-assessment has long been a standard and accepted way of doing business at Seabrook.

These groups are unaffiliated with line

organizations such as operations and engineering and therefore they provide an extremely valuable service of conducting independent reviews of issues that cross organizational lines.

I would like to turn over the meeting to some of the individuals I have just mentioned.

First, Ted Feigenbaum will describe for you what happened in the plant on June 22, what steps we took in the hours immediately following the event, and then summarize for you our own assessment of the event and the conclusions reached in regard to its implications.

Ted will then ask Joe Grillo, to my left, our Operations Manager, to narrate a videotape that was made in the control room during the event.

I would like to point out that the camera was aimed at the control panels, and it was there primarily to assist in future training of our operators.

It is not exactly top grade, quality videotape. But it is a tape that was taken during the event.

Certainly no one could have forecast that we would be showing it in a forum [such] as this. It does, however, give you a better feel than words could of the calm, cool, professional atmosphere in the control room that day, and what was, and perhaps contrary to some reports, was not happening.

Bruce Drawbridge will then brief you on some of the specific areas where corrective actions or improvements are being made in our operational and procedural programs.

Mr. Feigenbaum.

MR. FEIGENBAUM: Thank you, Ed. Good evening.

I recognize that this is an NRC/New Hampshire Yankee meeting. But I also recognize there are many members of the interested public here, and the media, listening to the discussion.

To help everyone better understand what happened on June 22, I am going to give some background on the event, the purpose of the test, what we were attempting to accomplish, and to answer any questions you might have.

So if I might take a moment to recap.

First of all, Seabrook received its low power license, allowing testing up to 5 percent of rated power, on May 26, 1989.

The unit achieved initial criticality on June 13, 1989, following successful completion of nine days of low power physics testing.

Our test program called for one additional test, a natural circulation test, which is performed one time only and is a requirement of our safety analysis report.

The purpose of the test is to demonstrate the ability to remove heat, or decay heat as we call it, without

the use of the reactor coolant pumps.

The test was also being used to collect data, such as temperature, pressure and levels at various points in the system, so we could input actual data into our simulator and help enhance our operator training programs.

In order to simulate the required decay heat that would exist following a normal plant shutdown, the unit was operating at a low power level of about 3 percent.

As the turbine generator systems were not operational during this period, the steam generator during the test would be bypassed to the condenser through a set of non-safety steam valves located in the non-nuclear portion of the plant.

I would like to point out that there were no safety systems or safety functions bypassed for the test. However, the plant was being operated under a special test condition which allowed the reactor to be at low power without the reactor coolant pumps operating.

The approved test procedure for conducting the test contains a clear and unambiguous requirement to terminate the test and trip the unit should the pressurizer level fall below 17 percent.

At the time the natural circulation test was initiated, at 12:19 p.m. on June 22, there were approximately 57 people in the control room, which included

startup test and operations personnel responsible for the conduct of the test and a number of operations personnel that were observing the test as part of their training.

To initiate the test, all four reactor coolant pumps were tripped as called for in the test procedure.

The pressurizer level at the start of the test was approximately 28 percent. Shortly thereafter, the reactor coolant loop average temperature began to increase, as the pressure level, showing signs of natural circulation condition being established.

About seven minutes into the test, the valves, the steam valves in the non-nuclear side of the plant began to modulate open and one valve failed full open resulting in an unexpected cooldown.

The increased steam flow from the steam generators caused by [sic] the reactor coolant system to cool faster than the reactor could heat the water. This caused the reactor coolant system volume to decrease. This also resulted in a decrease in the pressurizer water level.

During the cooldown event, the pressurizer level dropped below 17 percent at about 12:29 p.m. Approximately two minutes later, at 12:31 p.m., the operators had determined the cause of the cooldown as a failed-open steam valve and were able to close it from the control board. The pressurizer level began to recover, and the pressurizer

pressure began to rise.

During the cooldown, the pressurizer level reached a low point of about 14-1/2 percent. Although the pressurizer level recovered above the 17 percent level, the unit shift supervisor responsible for the operating crew ordered the unit tripped because the pressurizer pressure was rising to a point which would have eventually tripped the unit automatically.

At no time during the entire transient was a reactor protection or engineered safeguards feature activation setpoint reached, nor was the public health and safety in any jeopardy.

Nonetheless, New Hampshire Yankee management views this event as a serious matter, because the operators should have tripped the unit in accordance with the test procedure at the point the pressurizer level fell below 17 percent.

The delay in shutting down the unit was clearly an error that has been acknowledge by all involved in the test.

(Jeers)

MR. FEIGENBAUM: In addition, test personnel stationed in the control room should have been more aggressive in recommending to the operators that the tests be terminated when the pre-established limit was reached.

Also, operations management personnel observing the test in the control room should have interceded and

exerted their authority to correct the error that had occurred.

Before I continue to discuss New Hampshire Yankee's analysis of the event and the post-even actions, I would like to ask Mr. Joseph Grillo, New Hampshire Yankee's Operations Manager, who was in the control room the day of the event, to narrate a videotape that was made in the control room during the event.

The videotape was made for training purposes. The tape is being shown as it was shot. It is not of professional quality. And the audio portion is admittedly poor.

The camera was focused mainly on the control panels and instruments, and not on the operators, because of the training nature of the film. But I believe it is worth showing, since it does give one a feel as to the atmosphere in the control room during the event.

As you will see, the operators handled the event in a calm and deliberate manner. For the viewing public, you will note the periodic sound of horns and alarms. Please note that these loud sounds are a normal part of any control room environment.

(Laughter)

MR. FEIGENBAUM: When Joe has completed narration of the tape, I will come back and discuss the action we have

taken after the event, the immediate response of the senior managers on the scene, our communication with the NRC in our assessment of the event, and the lessons we've learned from it.

Joe.

MR. GRILLO: Thank you, Ted. And good evening. I am Joe Grillo, Operations Manager at Seabrook Station. I am responsible for the plant's operations staff, which includes all licensed control room operators and auxiliary operators.

I was in the control room as an observer on June 22, the day of the natural circulation test.

As Mr. Feigenbaum, mentioned, the videotape we are going to show is not broadcast quality. The sound is not always clear. And the camera work is sometimes not smooth.

This tape was originally intended for training purposes and was focused on the control panels, so that during later classroom sessions, operators could observe the dials and see how this test progressed.

As you will see in the tape, the control room operators were calm, competent and professional throughout the event.

I might add that no one was physically grabbed at any time, as some people have alleged. Public safety was never at risk. But unacceptable actions did occur. And we have taken the situation seriously.

During the tape, you will hear frequent, audible signals coming from the control panel. When you hear a large tone, it will sound dramatic, but in fact it is part of normal operations.

These loud sounds are the standard, automatic signals designed to keep operators informed of plant conditions.

Such signals are used in the control rooms of all electricity-generating plants, nuclear and non-nuclear plants.

We will start the videotape shortly before the pressurizer level goes below 17 percent. The audio portion of the videotape is difficult to decipher, so let me give you, ahead of time, some of the key statements you will hear during this segment.

VOICE: "Oh, my God!"

(Laughter)

MR. GRILLO: The unit shift supervisor says to the test director, quote: "I'm getting low on pressurizer level." End quote.

The test director acknowledges this.

Operator number one says to the test director, quote: "That's one of your stop criteria, right, less than 17 percent?" Close quote.

The test director responds that this is correct.

Then, a brief automatic signal sounds indicating the pressurizer level has dropped to 17 percent.

Let's take a look at this segment of the tape now.

(Videotape shown)

MR. GRILLO: Shortly after the signal sounds, the unit shift supervisor says to the test director, quote: "You're in one of your trip criteria." End quote. Meaning that the test procedure requires a reactor shutdown at this point.

Even though the unit shift supervisor realizes that the test procedure requires a shutdown, he does not order a shutdown, as he should have done.

After deciding not to shut down the reactor, the unit shift supervisor then says, quote: "I'm going to watch level." Close quote. Meaning the water level in the pressurizer.

For the next two minutes, the operators monitor the decreasing pressurizer level and take various corrective actions attempting to restore level.

After the malfunctioning valve in the turbine building is identified, the control room is immediately notified. At the end of this segment of the tape, you will hear a phone ring as this notification takes place.

Let's roll the tape.

(Videotape shown)

MR. GRILLO: Called by phone from the turbine building, the control room is notified that the valve is wide open. At this point, the pressurizer level is at 14-1/2 percent, the lowest it ever reaches during the event.

The operators immediately shut the malfunctioning valve. Within a minute and a half, pressurizer level is restored to a point above the 17 percent shutdown criteria.

At the same time, the reactor coolant system pressure also is increasing. As you will see in the next segment of the tape, the operators now turn their attention to the pressure increase. Because of the continued increase in pressure, and the difficulty in re-establishing pressure control, the unit shift supervisor determines that a manual shutdown of the reactor is necessary.

The unit shift supervisor realizes that without such a manual shutdown, the reactor will shut down automatically if pressure continues to increase past a predetermined point.

At the end of this next segment of tape, the unit shift supervisor indicates his intention to order a reactor shutdown.

Let's take a look.

(Videotape shown)

MR. GRILLO: The unit shift supervisor has decided to shut down the reactor.

However, in the next segment of tape, operator number one asks the unit shift supervisor to delay the reactor shutdown.

He says to the unit shift supervisor, quote: "Can you give me a couple of seconds more?" Close quote. He asks for the delay because he now realizes he is close to stopping the pressure increase. The unit shift supervisor denies operator number one's request to delay the shutdown and takes decisive action to direct the operator number two to initiate a shutdown.

Operator number two shuts down the reactor and normal audio signals sound.

Responding as trained to this shutdown, operators then initiate the shutdown checklist and report the different plant conditions to the unit shift supervisor.

Let's view the final segments of this tape.

(Videotape shown)

MR. GRILLO: As you saw, the control room remained calm, competent and professional throughout the event. Public safety was never at risk.

However, as you also saw, the specific procedure governing the test was not followed.

Speaking for my staff of operators, and for myself, I want to emphasize the seriousness with which we regard the events of that day. Since June 22, we have

analyzed the situation repeatedly, detail by detail. We have pinpointed the specific points when unacceptable decisions were made, and we have taken a number of significant corrective actions which will be discussed shortly.

We are committed to ensuring that such a situation will never occur again.

Thank you.

Ted.

MR. FEIGENBAUM: Thank you, Joe.

I would like now to take a few minutes to summarize what happened after the event.

As Mr. Brown mentioned, a number of evaluations and self-assessments were set in motion almost immediately after the termination of the test. This included a post-trip review, which is required after every reactor trip, and designed to gather technical data and analyze the event.

Other evaluations initiated include a station information report, an event evaluation which assesses the root cause of such incidents, and allows us to identify the lessons learned to prevent recurrence.

Also, a low power evolution self-assessment team analysis was initiated to assess our overall corporate response.

In parallel with these activities, internal New

Hampshire Yankee meetings and discussions with the NRC both onsite and with regional headquarters, were being held.

Before 3:00 p.m. that day, the station manager had assured the NRC resident inspector that restart would not occur prior tot he NRC being afforded an opportunity to review the data from our post-trip review.

Finally, at 6:00 p.m. on the evening of June 22 a call was made to the NRC regional headquarters to discuss actions being taken by New Hampshire Yankee to address the issues identified during the test.

It was during this telephone conversation that New Hampshire Yankee discussed restart of the reactor and rerunning of the test without having completed all the assessments of the procedure compliance and human performance issues raised by the event.

This was inappropriate and not consistent with conservative operational philosophy at New Hampshire Yankee.

In fact, following the event, we did not effectively communicate to the NRC the steps we had taken to really get at the root cause of the problem.

This led the NRC to question the completeness of our corrective action plan and eroded your confidence in our handling of this entire matter.

On the next day, New Hampshire Yankee agreed to complete our evaluations of the event and review the results

and the actions we proposed to take to correct the issues identified with the NRC Regional Administrator before the restart of the reactor.

This agreement was formalized in a confirmatory action from the NRC to us.

Since that time, a number of reports on the event have been completed. New Hampshire Yankee analyzed the plant response, we looked at the human performance and the effectiveness of the relevant procedures involved in the event. The management oversight aspects were also analyzed extensively.

The conclusions of these three reports are documented in our response to the NRC confirmatory action letter and they are contained in a consolidated report, transmitted to the NRC on July 12, 1989.

The NRC also conducted its own thorough investigation using an augmented inspection team that spent the following week at the station collecting data and conducting interviews. The NRC's report was issued on August 17.

New Hampshire Yankee provided a response to the NRC augmented inspection team report and supplemented our corrective action plan on August 25, 1989.

The State of New Hampshire also conducted its own independent investigation on the matter, including

interviews and discussions with NHY and NRC personnel, and that report was issued on August 23, 1989.

The overall conclusion we reached after our study of the event is that errors were made by certain operators and management personnel, and some improvements in our programs and procedures are necessary.

I believe it is fair to say that the event has been extensively examined and that each of the investigations identified a common set of concerns and identified areas where our programs and procedures should be strengthened and approved.

As the new Chief Operating Officer at New Hampshire Yankee, I view the implementation of our corrective action plan as my highest priority, and I want to assure you that, once implemented, we will continue to monitor the effectiveness of our programs to assure that these problems identified by this event do not reoccur at Seabrook Station.

Our corrective action plan will be fully implemented by November 30, 1989.

At this point, Bruce Drawbridge, the Executive Director for Nuclear Production, will now discuss the identified areas of concern and the comprehensive corrective action program we have developed to address each of them.

Bruce?

MR. DRAWBRIDGE: Thank you, Ted.

We have reviewed the June 22 event in great detail and we are committed to correct the issues raised by that event.

We have characterized these issues into six categories. The six categories are: procedural compliance, equipment readiness, pretest preparation, startup program, post-even management, and management involvement.

I'm going to go through each one of these categories and discuss their root cause and some corrective actions that we've taken.

The first issue, procedural compliance.

There was a failure of the operators to shut down the reactor at the startup test procedure trip setpoint. The root cause of this was a misunderstanding by the operators that the startup test criteria must be followed just like other operating procedures.

To prevent any misunderstanding that startup test criteria are to be treated just as other operating procedures, the following corrective actions are being taken.

The New Hampshire Yankee policy on adherence to procedures has been clarified and strengthened to cover all situations. This enhanced policy has been explained to all shift crews and all other New Hampshire Yankee personnel.

Appropriate manuals and procedures are being revised to reflect this emphasis on procedural compliance.

In addition to enhancing the existing compliance procedure, two new programs are being implemented that will result in improved procedure compliance.

One is the core values and work ethic program that was discussed earlier. And the other program is the human performance evaluation program.

The second issue identified involved equipment readiness. The startup test pre-requisite confirming availability of the steam dump valves was signed off as available for use despite an open work request requiring a final strobe test.

The startup test program did not require that open work requests be identified or evaluated as a pre-requisite for the test.

Decisive and positive action has been taken with regard to the steam dump valve situation that initiated the specific problem leading to the shutdown.

These steps include the following.

We are evaluating and reworking all 12 steam dump valves. We will be dynamically testing all 12 of these steam dump valves. And we are evaluating all other valves of a similar design to the steam dump valves.

In addition, our action plan items will help

prevent equipment readiness problems in the future.

They include evaluating the need to increase the maintenance frequency of these valves and requiring verification of plant material condition prior to testing.

The third issue identified involved pretest preparation.

The pretest briefing was fragmented, abbreviated and insufficient in detail. There was also a lack of recent classroom and simulator training.

The root cause of this issue was a lack of coordination to conduct the briefing prior to going on watch for that particular test. As part of our corrective action, to ensure that our operators are better prepared to perform all types of specific tests, the following actions will be implemented.

We will require comprehensive pretest briefings for the entire test crew prior to the shift.

We will require simulator training for test crews before they actually perform complex tests. And we will require specific training within three months of the power ascension tests.

The fourth issue identified involved our startup program.

No interruptions or termination actions were initiated by the startup organization when the 17 percent

setpoint was reached.

There was no counsel given by the startup people to the operations people that a reactor shutdown was required.

The root cause of this issue was that the startup people were not aggressive in implementing their responsibilities for actively directing the termination of the test and recommending the reactor shutdown.

Our corrective action plan to encourage more aggressive interaction between the startup test personnel and plant operators includes full integration of the startup procedures into the normal station operation procedures. Thus both types of procedures will carry the same importance for all involved.

We will be giving the operations department a sense of ownership and responsibility for correctly implementing the startup test procedures.

We will also be using the startup personnel as part of the operating team in a technical support capacity.

And we will finally provide explicit instructions to the startup crew on test interruption and termination criteria.

The fifth issue identified was post-event management.

The initial management thrust was to resolve the

equipment problems necessary to resume testing. There was no indepth review of causes prior to initial management decision to restart. The Vice President of Nuclear Production did not recognize the seriousness of the procedure noncompliance.

Our correction action plan focuses attention on thoroughly reviewing all factors before restarting the reactor including human performance issues to be evaluated as part of the post-trip review prior to restart.

In addition, as a result of the June 22 shutdown and subsequent activity, the Vice President of Nuclear Production was also reviewed of his duties.

The Operations Manager and Assistant Operations Manager were not knowledgeable of the trip criteria and therefore were not prepared to order a reactor shutdown.

Our corrective actions include the following.

Management is encouraged to be in the control room for normal operation and special evolutions, and expected to be cognizant of safety and operational limits.

I have established an office right within the plant site. I and other senior management will be intimately involved in plant operations. We are initiating production workshops and courses to reinforce a conservative operating philosophy that is questioning, self correcting, and always trying to improve.

We feel that the corrective actions that I have just highlighted, in addition to others contained in our full corrective action plan, will ensure that the problems that occurred on June 22 will not occur again.

(Jeers)

MR. FEIGENBAUM: And now, for a few closing remarks, I will turn it over to Mr. Brown.

(Jeers)

VOICE: There's a hundred people upstairs that can't get to this so-called public meeting.

(Applause)

(Jeers)

CHORUS: Hold the meeting, hold the meeting, hold the meeting!

MR. MARTIN: May I have your attention, please?

VOICE: Let the people in.

MR. MARTIN: This is a public meeting.

VOICE: Well, let 'em in.

MR. MARTIN: But there is not sufficient room for public safety in here. They have to limit the number of people.

(Jeers)

VOICE: We don't have a chance to speak today.

MR. MARTIN: You have a chance in Part II.

(Jeers)

VOICE: We don't have a prayer with you folks. We understand this. So what we're going to do now is that all the people who really have legitimate concerns have to go somewhere else to speak about this, because we can't do it here.

These people are feeding us lie after lie after lie.

(Jeers)

VOICE: This company is not concerned about safety first. This company is concerned about dollars.

(Jeers)

MR. MARTIN: I respectfully request order in this meeting so the NRC can conduct the Government's business. We have asked that the public comments be delayed until Part II. We will be happy to listen and answer your questions that we are capable of answering.

VOICE: Is New Hampshire Yankee going to answer my questions?

MR. MARTIN: No, sir.

VOICE: Why not?

MR. MARTIN: Because it is our meeting, and we are not here to subject the licensee --

VOICE: And we are the public.

MR. MARTIN: That is correct. And we are your public servants.

(Jeers)

VOICE: The NRC works for the nuclear industry.

(Loud jeers)

MR. MARTIN: Mr. Brown, before you have your closing remarks, there are some issues that I have not found addressed --

(Applause)

(Jeers)

VOICE: Do you believe your own lies or do you just spew them out? That's what I really want to know.

VOICE 2: Get him out of here.

(Jeers)

VOICE 2: You've had too much cocaine.

VOICE: Spew and spew and spew day after day after day after day.

VOICE 2: Throw him out.

VOICE: Do you really believe it?

VOICE 3: Get him out.

MR. MARTIN: Mr. Brown, in reading our report, in reading your report, there are a number of other issues that neither report addresses that I think we need to get clarified tonight.

With regard to the test procedure that was utilized, what was its genesis; what was the basis for the 17 percent trip; did the people reviewing the procedure and

recommending its approval understand it; and was that information communicated to the operators?

MR. BROWN: I'd like to ask Mr. Drawbridge to respond to that question.

MR. MARTIN: That's fine.

MR. BROWN: Mr. Martin, as you are probably well aware, a number of these type of natural circulation tests have been done in the industry.

One test that was done was at the North Ann plant. We looked at the procedure that was utilized at North Anna and in that procedure they concluded the 17 percent trip criteria.

There were other procedures utilized in the industry that did not need or did not have, include, that 17 percent criteria.

In the case of North Anna, it is my understanding that they included that 17 percent criteria because they had other trip conditions that they had in bypass.

In our case, we had an individual that came from North Anna. We looked at the North Anna procedure when we were developing our own procedure.

It was felt at that time that it would be conservative to leave that trip in. It was not necessary in hindsight since we did not have the same type of trips bypassed as they did at North Anna. However, the trip was

left in as part of the criteria for that procedure.

The procedure was reviewed, reviewed at SORC, and it was then implemented.

MR. MARTIN: My question remains, though, when PORC, your onsite review committee, reviewed it, did they understand the reason the 17 percent trip was in there? And did they make an overt decision that that was the right trip to leave in that procedure?

VOICE: It's all lies. Don't listen to him.

MR. DRAWBRIDGE: To my knowledge, I am unaware of the specific SORC discussion that went on for that particular procedure. To my knowledge, I am unaware whether they specifically discussed that particular trip as it applied to North Ana.

MR. MARTIN: What do you regard as the onsite review committee's obligation when they review a procedure and run across a step of that nature? Are they expected to challenge it if they don't understand it?

MR. GRILLO: Mr. Martin, I'm Joe Grillo, the operations manager.

As a SORC member, we reviewed the test, and we viewed that as an enveloping criterion, and would not necessarily have questioned it beyond the fact that it enveloped.

Under normal operating conditions, we do not have

any low pressurizer level automatic trip.

MR. MARTIN: During this test, you operate without reactor coolant pumps. Therefore, you do not have the normal sprays for the pressurizer.

Therefore, when you isolate auxiliary spray, you lose letdown in the process, and you secure your heaters, you have lost pressure control.

That's the reason it was in the North Anna procedure. You were under the same situation. The fact that you didn't have strong pressure control was subsequently indicated when the steam dump valve was shut and the pressure came back as you continued to charge at a high rate, I think about 123 gallons per minute. And the pressure went right up and went on the high side.

That is the reason that trip is in there. It is needed in there. And I don't understand why the onsite review committee didn't, if they didn't understand why it was there, that they didn't challenge it.

MR. GRILLO: As Bruce mentioned, there are many other procedures out in the nuclear industry that do not have the 17 percent trip criteria. North Anna was the only one that we had been able to find.

MR. MARTIN: I recognize that.

The second area is that the shift supervisor allowed the initiation of this test without confirming that

an adequate briefing had occurred.

Do you understand that, why he allowed that to occur?

MR. GRILLO: The shift supervisor had discussed with his individual operators the test itself. They had performed natural circulation under decay heat conditions in the simulator many times.

He had known, it was known to him that the test director had talked individually to the operators.

MR. MARTIN: Was it not true that some of those operators did not get an individual briefing, that he didn't learn of that until after the event?

MR. GRILLO: That was the shift supervisor.

MR. MARTIN: That's correct.

MR. GRILLO: He would be the on-shift manager, yes. But he was not part of the individuals who were actually at the controls in the control room.

MR. MARTIN: I recognize that.

MR. GRILLO: But excuse me. We did learn from that, sir, and one of our corrective actions is to ensure that that is accomplished under any condition.

We have identified that as a weakness.

MR. MARTIN: The shift supervisor is your senior individual on shift?

MR. GRILLO: Excuse me, sir. That's the shift

superintendent. We have a unit shift supervisor.

MR. MARTIN: The senior individual, the shift superintendent I think is what you call that.

MR. GRILLO: Shift superintendent, yes, the shift supervisor.

MR. MARTIN: Being your senior individual on shift, is expected to provide that kind of oversight.

MR. GRILLO: Yes, sir, he is.

MR. MARTIN: And the fact that individuals were not briefed and he did not know it, is of significant concern to us.

MR. GRILLO: Yes, sir, and we have taken extreme actions with this. We have transferred the individual and we have established procedures that require a pretest review.

And we have counseled all operators to ensure that that review gets done.

MR. MARTIN: In the performance of the test, the unit shift supervisor chose to not honor what I understand he now believes was guidance on when the reactor should be tripped.

I guess I can understand why at that time you thought it was guidance. But what puzzles me was why he didn't take the action even with the guidance, the guidance that is approved by management, when in fact there was no

downside to tripping the plant.

Did you explore that?

MR. BROWN: Yes, sir. We concluded that the downside was personal pride in stopping the test. The individual has been counseled that he should have followed procedures. He felt comfortable in view of his normal operating procedures, knowing that he was within his design operating envelope. He was wrong.

MR. MARTIN: Does the individual appreciate that now?

MR. BROWN: Absolutely.

MR. MARTIN: Do his fellow unit shift supervisors appreciate that?

MR. BROWN: Absolutely. They questioned it even as we were doing our post-trip review.

MR. MARTIN: A third area that is of interest to us, we note that you have established a single point of contact for the NRC following transients.

Who is that individual going to be and is it going to be a person in the management chain who can give us definitive answers on what management's plans are for that plant?

MR. BROWN: Yes, sir. It's the station manager, the assistant station manager, or the on-duty, site emergency director.

MR. MARTIN: So it is the individuals that the resident inspector and regional management normally interact with is what you are telling me?

MR. BROWN: Yes, sir.

MR. MARTIN: In another area, you have taken the startup test procedures and you have seen fit to require that they be modeled after the operating procedures, to assure some ownership by the operators.

What about the maintenance procedures? What about the health physics procedures? Is it only the procedures that have been modeled after the operating procedures that the operators have to honor?

MR. BROWN: No, sir. The maintenance procedures, the health physics procedures, the I&C procedures have all been written under the guidance of the station management manual.

The startup procedures were written under a startup test program. That is the difference.

VOICE: Mr. Chairman, I don't like to interrupt you, but it is important.

I've been delegated by more than 100 citizens and representatives of local governments of the seacoast to come down here and to ask you to consider an alternative agenda for this meeting.

People here feel as though the credibility of the

NRC and of the plant operators at New Hampshire Yankee is almost nonexistent. There is a gulf between the people and this organization, a sort of two-sided promise to do well, a good boy, bad boy group, that is as wide as the Atlantic Ocean. And we want public participation on an even-Steven level.

This appears to be a completely organized for the media event, and not a democratic process.

(Applause)

VOICE: I have an agenda that I would like to propose to you, if you will hear it.

MR. MARTIN: During Part II, we will be happy to listen to your comments and your questions. The agenda has already been set. We are conducting what is normal Government business. We normally have management meetings with our licensee to understand their activities. We need to conduct this business. If I can't conduct it here, I will conduct it back in the King of Prussia offices.

VOICE: You can, sir. However, the people here want to question these members of New Hampshire Yankee as to what really went on there. We have town and city officials here who have no chance of questioning these people. And you are protecting them from those questions.

(Applause)

MR. MARTIN: The licensee has no obligation to sit

here and answer your question.

He is a private citizen --

(Jeers)

MR. MARTIN: -- of the State of New Hampshire. He is a corporation. And if they choose to walk out, I cannot demand that they stay here. That is their privilege.

VOICE 2: Open it up so we can all get in, then.

VOICE: You, sir, arranged the agenda. It is your agenda. You have summoned them to answer questions.

VOICE 2: Sit down. Sit down.

VOICE: You can bring the public into the process if you want to.

MR. MARTIN: I cannot subject them to questions that they choose not to be subjected to by you.

(Jeers)

VOICE 2: -- we want to hear it. Get out of here.

(Argument among members of the audience)

MR. MARTIN: I respectfully request --

VOICE: -- comments from the employees of New Hampshire Yankee and the nuclear industry don't count. We are talking about the general public.

VOICES: I'm general public and I --

(Argument among members of the audience)

MR. JOHNSON: Excuse me, Mr. Brown. We have an additional question in terms of your reviews. I guess, as

you go forward, what do you plan to do ensure that your --

(Jeers)

(Argument among members of the audience)

MR. MARTIN: We will be happy to hear from anyone who wants to speak during the second half.

(Jeers)

MR. JOHNSON: You've described several corrective actions you intend to take, and you've already taken.

What I'd like to know is how you are going to assure yourself that these corrective actions are going to be effective?

MR. BROWN: We intend to ensure ourselves that these corrective actions are taken by several mechanisms.

The first is that we have appointed an individual to follow the progress and to report to me on the progress being made in each of the areas and whether or not the target dates are being achieved.

We also have an independent review team that is following the progress and will be reporting to me on a number of the specific actions and the progress being made towards achieving them.

And finally, we are including in our performance appraisal system as a routine method of followup adherence to procedures, procedural adherence, and to the core values and work ethic policy that we have instituted.

Furthermore, we reorganized such that all of the operating functions in the company are reporting to a single individual now under Mr. Feigenbaum as a chief operating officer, so that all functions report through him with the exception of a couple of relatively minor functions that continue to report to me.

MR. FEIGENBAUM: Mr. Johnson, in addition to that, we have a three-level quality assurance program that performs inspections, surveillances, and audits of everyday activities at the plant, whether it be operations or maintenance or any area that is safety related and in some cases nonsafety related as well.

We get all that data, the reports from those individuals, which is a sizable group of over 60 people, and we will be trending and evaluating those trends on a periodic basis, and will be looking very closely for thing such as procedure adherence. And that is another check that we have on our effectiveness in the corrective action program.

MR. JOHNSON: Okay. I'd like to reiterate what Mr. Martin said, the question about the ownership. We've heard that one of the reasons why the operators did not feel this was an emergency or an emergency situation, and that the 17 percent trip criteria was for the startup test group, that they didn't feel ownership for that, and that you have

re-oriented the procedures and revised the philosophy so that the operators now feel responsible for those. And we are interested in your actions to ensure that people that are in charge of the whole station, like the shift supervisor, especially in times where there is no other management there, he may be the senior management person onsite, that he feels responsible for the other health physics procedures and maintenance procedures and so forth, that certainly are not in the operations manual, your checks of these types of activities. Are they going to look into that area?

MR. FEIGENBAUM: Since we've received our zero power license in 1986, we have actually been operating under operating-type conditions for that period of time for almost three years.

We've gone back and we've looked at our quality trends and our own inspections and our own evaluations of our operations personnel and their adherence to procedures, and we have not found any indication that there is any problem with an understanding on the part of our operations personnel and the people that run the plant on the back shifts and swing shifts, or during normal daytime hours, that there is any indication that they have a misunderstanding with dealing with other department procedures.

They understand their responsibilities for operation of the plant in accordance with procedures. What we had during this event was somewhat of a unique condition on their understanding of test procedures as guidance.

It was more than just ownership. It was a feeling that as long as they were in their operating space, they felt comfortable and that they could carry on the test and continue operation.

That was a mistake, as Mr. Grillo and all of us have said, a misunderstanding. But as far as adherence to procedures in the broad sense, we have not witnessed the problem in the larger sense in the past three years.

MR. MARTIN: Vic, do you have any questions?

MR. NERSES: I just need a clarification from Mr. Drawbridge or Mr. Grillo.

When you spoke that other plants did not have the trip criteria, were these plants in a condition that they were at critical, like 3 percent power with the pumps off, or were they using decay heat?

MR. DRAWBRIDGE: It is my understanding that they did have the reactor critical and they were using that to simulate decay heat.

MR. NERSES: Okay. Thank you.

MR. MARTIN: Noel?

MR. DUDLEY: I'd like to touch a moment on the

actions taken after the post-trip. You mentioned four items and reviews, evaluations that took place: your post-trip review, your station information report, your event evaluation, your low power assessment team analysis.

Which one of those four would have picked up the root causes that you later picked up during the weekend and the following week?

And if none of those would have picked up the depth of the problem, could you go through the evaluations you have in place now that will catch those problems?

MR. FEIGENBAUM: We have put into place months ago an event evaluation procedure program which is specifically there identified to root out the root causes, to find the root causes and contributing factors to this kind of an event, a safety injection initiation or an unplanned trip.

This was already in our programs and we had initiated in fact this event evaluation and root cause analysis which is written right into the procedure, almost immediately following the event.

So ultimately, I believe that we would have found the root causes and would have gone through this detailed evaluation, although it does take time and as I mentioned earlier in my presentation, senior management was discussing restarting the unit and considering restart of the unit before that event evaluation was complete.

But the process is there and I believe if we followed through, we would have found the same root causes.

MR. DUDLEY: Thank you.

MR. MARTIN: Pete.

MR. ESELGROTH: I had a question on procedure noncompliance, some of its broader implications.

As you know from the report we issued on August 17, we identified the differing levels of significance that people had been identifying with respect to test procedures and normal procedures, and that that had crept in, and was incorrect, as you have acknowledge, also.

But that was a unique cause. Procedure noncompliance is something that many people grapple with, different nuclear facilities as well as non-nuclear.

The question I had was, which stems from the old saying about it is cheaper to learn from others' mistakes than one's own, to what extent are you looking into the other causes that people have had that have led to procedure noncompliance?

I'm not ignoring the fact that you have already stated that you are stressing across the board as a corrective action the importance of adherence to procedures, but to what extent are you looking at some of the more root causes that others have experienced, and going forward and looking specifically for whether or not you are covered in

those areas, or need to take some corrective actions?

MR. DRAWBRIDGE: One of the areas we are initiating is a series of seminars and workshops that are very similar to those that are used by INPO in their senior management course.

I've gone through that course. The workshops include looking at other plant events that have occurred in the industry, determining their root causes, learning how something relatively unimportant can escalate on occasion and talk about the philosophies involved and the issues involved, how people got into trouble.

That same type of workshop, we will be implementing for our own people, not only the line management, operations line management, but as well as the actual operations people.

MR. FEIGENBAUM: One other thing I might add, Pete.

One of the things from my experience that we found, and from listening to other utilities, is the reason sometimes procedures aren't followed is because the procedures are difficult to follow and the procedures are not user friendly, or there is some problem with the procedure.

In fact, what we are doing as part of our corrective action program is providing our operations staff

with additional personnel and administrative help, assistance, so that changes to procedures to make them more usable and more user friendly and more correct, will be easier and more efficient.

So in that way, we will be removing one of what I believe to be the key reasons for lack of adherence to procedures.

MR. ESELGROTH: From what you've told me thus far, I can glean that yes, you are looking into the kinds of problems other people have had.

When you mention the workshops that you are holding, it is not clear to me at the moment whether or not the lessons learned elsewhere are things you are going out and actually looking for whether or not you have the problem, or not. I'm not sure.

MR. DRAWBRIDGE: You are saying on a pro-active basis?

MR. ESELGROTH: Yes.

MR. DRAWBRIDGE: Is that the genesis of your question?

MR. ESELGROTH: Right.

MR. DRAWBRIDGE: We do have a program already in place for reviewing other events that occur in the industry -- INPO, SERs, SOERs -- as well as information notices. And that program works well, where we feed back the information

that occurs in the industry, it gets reviewed and fed back appropriately into our training programs as necessary.

What I was referring to with these workshops are above and beyond that. It is a management tool, if you will, in order for people to really have that heightened sensitivity as to how you can get into trouble with a mindset.

MR. ESELGROTH: So the workshops are incorporating the lessons learned elsewhere?

MR. DRAWBRIDGE: That is correct.

MR. GRILLO: Excuse me. Mr. Eselgroth, I have communicated informally with other power plants, not only in this region but in other regions, as to procedural compliance.

As I say, it is informally. And I am getting their operating philosophies on procedure compliance and adherence.

MR. ESELGROTH: Okay. Thank you.

MR. MARTIN: Tony.

MR. CERNE: This is a followup to Vic's question on the conduct of the tests at power or on decay heat.

Mr. Drawbridge stated that one of the issues with respect to the pre-test preparation was the lack of recent training.

It is unclear to me whether the recentness of the

training is at issue here as opposed to the adequacy, because the training that was given, was it given with respect to this test specifically or was it done in accordance with EOPs which would have covered an already tripped reactor?

And the question is, even if the training that was given had been given recently, would it have adequately prevented what happened?

MR. GRILLO: Mr. Cerne, I can answer that.

I would have to go back and re-characterize a comment or a question from Mr. Jordan.

In the process of doing normal procedures, we normally can get into a situation where we have to exit those procedures, enter abnormal procedures, do what you have to do to bring the plant back to a stable condition and then re-enter those procedures you were already in.

The unit shift supervisor who was in charge that day felt that the startup test procedure was of a similar nature. He felt that he could exit that procedure, go into his abnormal for recovering from a loss of letdown, and as I stated before, this was a bad decision, because of the trip criteria. But he felt that in his mind he had the latitude to enter an abnormal procedure from that procedure and then re-establish letdown, re-enter the procedure again. He was wrong.

We are training in the future on the procedures as Mr. Cerne had mentioned by looking at the abnormal occurrences that could happen during a test procedure where you would have to make a decision on exiting the procedure or terminating the procedure.

In the training that we had, we did not test the envelope. It was a training where we discussed how we would get through the natural circulation, and didn't prove the what-ifs.

In the future, we will. That is our plan.

MR. MARTIN: Any other questions?

(Person dressed as puppet enters room)

MR. MARTIN: I respectfully request that you remove yourself from this area. This is a Federal Government meeting with their licensee.

Mr. Brown, the three reports of this event, the one by the State of New Hampshire, the one by your staff and by the NRC, come to very similar conclusions.

I agree that the safety significance of the actual event is minor. You should be aware, and I think you ably expressed it in your opening remarks, that it was our concern of how the operators would respond in subsequent events where they were similarly challenged to follow their procedures.

From what I have read, relative to your

establishment of new policies and procedure adherence, it looks like you are headed in the right direction. And we look forward to seeing how those are implemented.

Test programs are designed to identify problems in the facility personnel and management, and also as a side benefit, to provide training.

The test program that was conducted up to this point was remarkably free of errors. This particular test was very successful in identifying something that was endemic to your organization.

I was really puzzled at your operators' understanding of the necessity or lack of necessity of following procedures.

I'm glad we've found it now. The NRC did not operate more aggressively during the event, because we quite frankly recognized that it was not a very safety significant thing at the moment. But it was certainly something that needed to be addressed in the long term.

We were then puzzled when that was not the major focus of your management organization.

I would like you to carry a message back to your operators. The NRC operates in three separate roles.

In the first role, we monitor your performance. We assess your performance, we try to encourage your capability of self-identification of problems and correction

of those problems.

All our tools in the enforcement realm are oriented toward getting you to do a better job there.

We have a small staff, total in the country only 3500 approximately.

Compared to a licensee's staff, that is small peanuts. Certainly compared to the nuclear industry it is small peanuts. Therefore, we have to rely upon your capability.

So when we see that you don't have or you indicate some deficiency in your ability to self-identify, that is when it really causes us concern.

Now, there are occasions when NRC adopts the second level, which is recommendation.

Those recommendations are usually posed as questions because we don't have the knowledge of your operators on that plant. We are not trained on that specific plant type. We are not even licensed on that specific plant.

It would be folly for us at that point to give directions. We are acting here in terms of peer technical individuals raising concerns to you and making recommendations. And no operator and no manager should regard that as an order.

We expect you to assess it as another input just

like it was an instrument that was telling you something was wrong, in determining what needs to be done.

MR. MARTIN: The NRC does have the power to order. That is a closely held authority. Even in the middle of an emergency, the Chairman of the NRC holds that authority to himself and does not transfer that authority to the Director of Site Operations until the Director of Site Operations convinces him that that is a necessity to do. At that point you will receive if it ever comes to that a very formal order, and there will be no question in anybody's mind that it is an order.

We recognize the extreme weight of responsibility that we take on by giving such an order if we ever had to, but make sure that your operators understand that there are those three levels of NRC involvement.

Are there any other comments from the NRC side?

(No response.)

MR. MARTIN: Mr. Brown, I understand that you have some closing remarks.

MR. BROWN: In concluding New Hampshire Yankee's presentation here tonight, I would like to reemphasize some points that we have made. First at no time had the public health and safety or the plant systems themselves been endangered during the June 22 shutdown of Seabrook Station's reactor.

This does not excuse what did occur. Mistakes were made, procedures were not followed, and our

communications with the NRC simply were not clear enough. Since June 22nd, we have worked very hard to ensure that an incident like this cannot occur again. Procedures have been improved. We have a new management team in place. And our methods of communicating with the NRC have been strengthened.

As president of New Hampshire Yankee, I want to assure the NRC that we understand your concern over the events of June 22nd, and we recognize the serious task before us to maintain the NRC's full confidence in our operation. Since receiving a low power license some months ago, New Hampshire Yankee worked very hard to satisfy all of the regulatory requirements, and those requirements also included the NRC's confidence in our performance and abilities.

Our goal now is to fully implement our corrective action plan and to satisfy all of the NRC's concerns to rebuild the level of trust and to proceed through the licensing process to a full power license. As part of that goal, there is a new program at Seabrook Station emphasizing our core values and work ethic and reemphasizing our commitment to the safety, professionalism, excellence and quality.

We are dedicated to be the best among the best. Professionalism, safety, quality and excellence are being

emphasized not only for our sake but because these are the precepts that will ensure that we operate a safe, reliable, and efficient Seabrook Station for the benefit of all. And I thank you for listening.

MR. MARTIN: At this point, we conclude Part 1. We will be back here at 8:45 to start the second part. I would appreciate anyone who would like to make comments to please register at our desk indicating your desire to make presentations. Thank you. We will be back at 8:45 to hear your comments and questions relative to this licensee's performance on this test. Where we are able to answer your questions, we certainly will attempt to. But I would appreciate each of you holding your comments to those issues that are germane to the purpose of tonight's meeting.

(Whereupon, a recess was taken.)

MR. MARTIN: May I ask Mr. Herb Moyer, who is the selectman for the Town of Exeter to first come up and make his comments and statements.

MR. MOYER: Thank you. I have a broad concern about the comments and the framework of the comments that New Hampshire Yankee has made tonight. And it is an ongoing concern that I have after following their actions for the past eight years on emergency planning in our communities, Exeter among the other sixteen New Hampshire communities and six Massachusetts communities.

And there is a huge credibility gap between what is supposed to happen in various arenas, plant safety and evacuation planning, and what ends up getting created by this utility. It seems to be that Public Service and New Hampshire Yankee have created their own sense of reality and it bears very little relationship to the truth.

And I would like to know what you are going to do to protect the public from this condition of an addict in seek of a fix, and I am serious when I saw that. Public Service and New Hampshire Yankee appear to me to be in search of a fix, just as an addict is. In this case, they are seeking good news.

And what I would like you to do is to be aware that oftentimes they disguise bad news as good news, and it is your job to protect the public against that good news which in reality is something that we view as very hazardous to our health.

Furthermore I would like to ask that the NRC consider, and I do not know if this is the realm for you to consider this, but my community, I cannot speak for the entire community certainly, but a significant portion of my community would like some direct monitoring information so that when and if any events occur at New Hampshire Yankee that we have real time monitoring capability from that control room and do not have to rely on public relations

actions, or contro' room operators or anybody else.

It seems clear to me that that is the best way to provide for the public safety when we know what is happening directly in that control room. And I understand that the State of Illinois, some plants in Illinois, have some direct line and radiological monitoring capability. And I am not sure if you are the correct person to address this to or not, but I would like to see that happen.

MR. MARTIN: Mr. Moyer, you are correct. The State of Illinois has worked with their licensees to establish a data link from the licensee's facilities so that they c n monitor parameters in the plant. They have established a very large nuclear engineering organization within the state. They also have worked with the licensees to establish rings of radiation monitors around the facilities. Those are agreements that were worked out between the state and the licensee without NRC involvement.

MR. MOYER: Okay. Thank you.

On the matter of the steam dump valves which failed I guess partially leading to this condition. I am informed that somebody signed off on those steam valves as having been checked and in working o der when in fact there was an open work order for these valves which I guess was ignored.

Can you explain that, did somebody sign off on

these as being inspected and in working order when indeed they were not?

MR. MARTIN: I have with us the AIT team leader, and let me ask Pete Eselgroth to respond to that.

MR. ESELGROTH: That is true. One of the team's findings was that one of the check list items to be completed prior to the test was a sign-off that the equipment was ready, and in fact that was signed off inappropriately.

MR. MOYER: Has that event been recognized as a violation, is there any pending criminal procedure for this action?

MR. MARTIN: Mr. Moyer, it was not criminal. We have civil enforcement action. That particular violation is also discussed in the licensee's report. They identified the problem themselves. They provide an explanation for why it was done, but they acknowledge that it was wrong. That will be one of the issues that is covered in the enforcement conference tomorrow.

MR. MOYER: Can you explain to me why the control room operators only manually tripped the reactor as they approached this high pressure trip value; in other words the reason for the NRC concern was that the pressure levels were dropping, is that correct below 17 percent in the pressurizer?

MR. MARTIN: No, sir. The reason that we were concerned was that there was a very clear statement in the procedure, I admit that it was in the back of the procedure in Section 9.3, but it said that if you get 17 percent that you are supposed to trip the reactor.

MR. MOYER: And they went to 14.5.

MR. MARTIN: And they allowed it to go through that point. They recognized that they were below that criteria, and still they failed to trip the reactor. Now we have subsequently been told that the operators understood that as guidance and not as a trip criteria. And it is true that the 17 percent is not an unsafe situation. But the procedures were developed in a quiet period with management involvement and it was decided that that was the right thing to do.

For an operator in the middle of a transient to make a decision to differ from that when there is no rational reason for doing so, and I have yet to hear a rational reason other than the individual regarded it as guidance and he had pride. Well, fine, I understand pride. I am a prideful man myself, and that gets you in trouble. The individual has been reeducated. But I am glad that we identified the problem before there was a serious event.

MR. MOYER: I am just trying to understand the physics dynamics that are going on here.

MR. MARTIN: The physics dynamics is that you have a large surge tank.

MR. MOYER: The pressurizer?

MR. MARTIN: The pressurizer.

MR. MOYER: Initially when the plant was cooling down the water was contracting, so the water flowed out of the surge tank. Then when they shut the steam valves so that they were not removing heat anymore and the reactor continues to add heat and now it starts to heat back up, and they were adding water fairly fast trying to stop the level from going down, now the surge tank comes back up and it is like compressing a balloon.

MR. MOYER: In other words it was heading toward, I am not sure that unsafe is the right word, but let's say a lower level, an unsafe level, and in making a correction they went above another safe level that would have tripped the reactor, that is 2340 psi?

MR. MARTIN: Well, actually that is where they were supposed to trip it by the procedure. Again another part of the procedure says trip it here. Had they let it go and stood back, the plant would have tripped itself at I think 2485.

MR. MOYER: I guess that my question is that it appears to me from those events that in their "corrective action" to stop the loss of pressure in the pressurizer that

they indeed lost control of the situation and went over the upper trip limit or heading toward the upper trip limit.

Do you understand why they did not have control of the reactor when they began to initiate those corrective actions?

MR. MARTIN: Oh, exactly.

MR. MOYER: Can you explain that to me?

MR. MARTIN: When the level dropped to 17 inches, there is a set point that says --

MR. MOYER: In the pressurizer we are talking about?

MR. MARTIN: In the pressurizer. Which says I am about to uncover my heaters that are in the pressurizer. And these heaters are immersion heaters, they are used to being under water. So to protect the heaters, the heaters turn off. In addition because they do not want to lose any more water, the let down valve isolates, because that is a way that lifts water out of the reactor system to be cleaned up and pumped back in.

And obviously one of the things that might be causing the water level to go down is you are letting down too much water, so that valve goes shut. Well, unfortunately when that goes shut, that stops flow to the regenerative heat exchanger that they were using to heat up water before they injected it into the pressurizer to

prevent cold shock.

So now they have lost two things. They have lost the heaters which are used to increase pressure, they have lost the sprays that are used to decrease pressure, and they have very little control now over pressure. And what happened when they finally turned around and added too much water, the pressure came back very fast. Without pressure control, sure enough it was going up fast. It was going up at about 1.7 inches, 1.7 percent per minute or something like that.

MR. MOYER: Is it true that the main cooling pumps are shut off during all but natural circulation tests?

MR. MARTIN: No, sir, they are normally operating.

MR. MOYER: They are normally operating, but they were shut off in this case?

MR. MARTIN: Because it would not be a natural circulation test if they were running.

MR. MOYER: Okay.

MR. MARTIN: That is forced circulation.

MR. MOYER: Did that exacerbate the problem in this case?

MR. MARTIN: Certainly. Because normally when the pumps are running --

MR. MOYER: That gives an added measure of control.

MR. MARTIN: -- you have a tube that sits down in the main coolant that collects water, and that would have been used to inject into the pressurizer. Because the reactor coolant pumps were off, you did not have that source of pressurized water. So you had to use this spray water that came through this regenerative heat exchanger.

MR. MOYER: And they lost that?

MR. MARTIN: Yes.

MR. MOYER: One more question, does the NRC have any procedures to deal with a scenario in which the licensee ignores your third phase, the order from the NRC, and could you explain what that is?

MR. MARTIN: I happen to have my lawyer right here with me.

MR. REIS: If the NRC believes that there is a danger to the public health and safety in what is happening, it can step in and give the order. Normally that is reserved to the Chairman of the NRC. When an incident is happening, he has the ability to delegate that to the people on the site. Generally that is very closely held. It is closely held with the idea of having the utilities be responsible, because the government cannot run everything, and it is necessary for that reason.

But we do have the ability to do so. We have a data hookup into Washington with a control room in

Washington, in the suburbs of Washington, that monitors plant conditions in case of an incident so that we can monitor there as well.

MR. MOYER: Okay. I am not sure that you understood my question. Maybe you did, but let me clarify my question.

Do you have a procedure to deal with a scenario in which the license ignores your highest level order to activate and do something, and what does the NRC do if the licensee ignores that highest level order, and I am asking you for a procedure to deal with that?

MR. MARTIN: Ultimately we have the procedure for the removal of the license from that individual. We would have to go into federal court to force things if he did not follow the orders and it was necessary for him to follow those orders.

MR. MOYER: I was hoping that there was something more imminent to deal with that issue.

MR. REIS: I am sure that if an imminent situation arose that yes, we could take immediate action and do the action. There are problems in that. In the knowledge of NRC of particular plants in the United States, plants are different. So we do rely to a great extent on the licensees. But it is not just a case of post hoc we are going to fine them in a dangerous situation if they do not

obey an order.

MR. MOYER: I mean you clearly have security systems in place to deal with terrorism, potential terrorism, and to deal with other kinds of security violations.

Does the NRC have any sort of enforcement team where you have a pattern of violation of your orders, do you have any sort of enforcement team available to physically take control of the reactor if the licensee continues to do actions which in your opinion endangered the public health and safety, and if you have those procedures could I have a copy of them?

MR. MARTIN: We have the procedures. They are part of our enforcement process. But if you are looking for is there a team that can go in and operate that reactor and maintain it in a safe shutdown capability, we do not have people trained to do that, we do not in fact.

MR. MOYER: You rely on the licensee to obey that final order. I mean that is the bottom line. They need to obey that final order.

MR. MARTIN: We will force him to obey the final order, you are correct.

(Pause.)

MR. MARTIN: He is reminding me that that is the same basis for how the FAA regulates. They do not fly the

planes themselves.

MR. MOYER: Right. Thank you very much.

(Applause.)

MR. MARTIN: The next individual that I would like to call is Mr. John Traficonte, Massachusetts Attorney General's Office.

(Applause.)

MR. MARTIN: John, you have a following.

MR. TRAFICONTE: I have the benefit of not having somebody holding a sign immediately over my head too. I want to make a statement first very briefly because I do represent the Attorney General of the Commonwealth of Massachusetts, and I am going to ask some fairly technical questions.

So before I do that, I want to make two general statements. The first by now is rather obvious. That the Commonwealth of Massachusetts opposes the licensing of Seabrook Station.

(Applause.)

MR. TRAFICONTE: The basic reason that we thi[n]k that it should not be licensed is that we think that the site is inappropriate, and that there is no effective and adequate emergency plan in the event of a serious accident particularly in the summer. I will add however that the events at low power in our view cause us great concern about

the adequacy of operator training and management culture and a variety of other issues, which we are in the process as I am sure your attorney is aware of attempting to litigate before the licensing boards of the Nuclear Regulatory Commission.

The second point is a little bit less general and that is that I would like to express my frustration, and again representing the Commonwealth here, that I have to stand here in this format and ask technical questions which I think are better posed to the licensee directly.

(Applause.)

MR. TRAFICONTE: I am frustrated in having to do that because the questions that I am about to ask you are fairly technical and I am afraid that you may very well tell me that the best people to ask that are the licensee and they left sometime earlier this evening.

The reason that I bring that up is because under your own procedural regulations in order to litigate or have a hearing on these issues, we the Commonwealth as well as any other Intervenor must in a timely manner present adequate information to the licensing boards before the matter would be open for litigation. Yet at the same time, we are absolutely unable to get the information necessary to put the papers together, and to secure the hearing rights that Congress intended in the Atomic Energy Act. And that

simply is not appropriate and not in accordance with the congressional intent as to how nuclear energy was to be regulated in this country.

Now I have specific questions. I would like to ask you, Mr. Martin. You asked the licensee a very good question about their understanding of the safety correlation with regard to the 17 percent manual trip criterion. And I sat in the audience and was very uncomfortable with the answer. That is to say that I heard them talk about the North Anna circulation test. I heard a question from Mr. Nerses as to whether at other sites was the reactor critical or not critical.

I would like to put it directly to you Mr. Martin, is there something about the conditions of the plant when the pumps are down and you are conducting a natural circulation test when the reactor is critical, is there something about the 17 percent manual trip criterion that is actually safety connected, does pressure for example -- you already told us this evening that you lose let down automatically and I know that the sprays go down at 17 -- is pressure very volatile when the pumps are down such that if you do not shut down at 17 and you have the situation that they had and the pressure will rise very quickly and immediately ascend past the 2385 which is the automatic trip?

MR. MARTIN: Let me respond to your question. It will not rise by itself, but you are right that the pressure is far more difficult to control with the loss of those systems. And it is our belief that that is an appropriate parameter to have in there. And we have heard the licensee's explanation and we chose to disagree.

MR. TRAFICONTE: I heard the licensee this evening more or less indicate, and of course the record will speak for itself, but I heard the licensee indicate that after review that they are of the view basically that it was not inappropriate for the operators to keep their eye on the envelope of the tech specs, i.e. the 5 percent cutoff, that the 17 percent trip criteria was guidance and really had no safety connection, and you are telling me that that is wrong?

MR. MARTIN: I am telling you that it is wrong, and I am also telling you that their documents do not say that now. That was their original position, I agree. That was the original position that was used as explanation to us of why operators performed the way that they did. The licensee has subsequently decided that it was inappropriate action, and they do see that there is some rationale there, but they do not see a strong safety correlation. The difference is that they say yes, it is more difficult to control but it is not mandatory for safety.

They are correct that there are other limits that are further out that would also be controlling. They acknowledge that those are controlling. That is fine. My concern remains that there was no reason to deviate from the procedure and they did, and therefore we will be seeing them in the enforcement space tomorrow.

MR. TRAFICONTE: The next question is having read your report, their report, and every piece of information that I obviously can get my hands on, that it is my understanding that the licensee has represented that the reason why the trip did occur when it did, and I think that the pressure was at 2310 when the actual trip occurred, they had represented in their papers that they did that because they were approaching the manual trip criterion of 2340 which is the natural circulation test criterion. My question is a rather obvious one.

MR. MARTIN: That is correct.

MR. TRAFICONTE: Okay, that is correct. My question is an obvious one. There is something frankly contradictory about them representing that on the one hand their operators treated these test criteria as guidance, i.e. they can be disregarded and we can go past 17 on the down side with regard to pressurizer level, but they are certainly not treating the same test criteria as guidance when the pressure begins to go up and gets to 2310 and they

manually trip before they reach 2340.

In exactly the same test the same operator treated one of the criterion not just as guidance but as something that required a trip, but with regard to another test criterion he treated it as guidance.

The question is how credible is their explanation that the problem was that they understood the criteria in the text as just guidance, is that a credible explanation?

MR. MARTIN: It is a credible explanation if you take into account that when they went through the first one that it was very slow, it only went down to 14.5 percent, and they actually turned it. They felt that they had control of it and were recovering. I do not think that they recognized though how sensitive the pressure control became. And when they started coming back in pressure, it came back very fast. And so if they did not trip it at the 2340, there is a trip at 2385. The plant would not have tolerated them sitting on their hands much longer.

MR. TRAFICONTE: You do not find an inconsistency?

MR. MARTIN: I do.

MR. TRAFICONTE: You do?

MR. MARTIN: It is prima facie to me.

MR. TRAFICONTE: The last question. I have many, many questions. Obviously there are many other people who want to ask you questions and comment. This is going to be

my last question, but I have many others.

You stated, Mr. Martin, that it is your view at least and perhaps the staff's in general, you stated that this test revealed and I quote "an endemic problem with your," and again you are talking to the licensee, "your organization." That was just a few minutes ago.

Could you identify for us on the record what the staff's view or what in the staff's mind is the endemic problem with the New Hampshire Yankee organization as revealed by this low power?

MR. MARTIN: In this particular case, I was focusing on the fact that a number of operators did not regard those trip criteria as requirements. And based upon our interviews, there was more than one individual who professed that it was guidance and that it was not a requirement. And that is completely contrary to their administrative procedures, and we just did not understand how they could come to such a conclusion.

Pete, do you have any comments on that?

MR. ESELGROTH: No, other than the guidance issue --

MR. MARTIN: Would you use the microphone.

MR. ESELGROTH: You were mentioning earlier the seeming contradiction on the one hand treating something as guidance and later on not. That is one way to look at it.

Another way to look at your observation is that you are reenforcing the team's finding which was that they were coming up with a hierarchy approach to their different limits and requirements, and that was one of the main problems that we saw.

MR. TRAFICONTE: Well, just to follow up. In fact the 2340 criterion is a test criterion and not a tech spec. So it is not as if they are using a different set of procedures when they tripped at 2310. They are using exactly the same test criteria, at one point treating it as guidance and --

MR. MARTIN: John, I acknowledge that. But the explanation again, the one I told you, had they not done something, it is an anticipatory type thing, had they not done something the plant no longer would have been tolerant. It would have taken them out automatically.

VOICE: How do you know that?

MR. MARTIN: Because I know what the trip set point is.

MR. TRAFICONTE: There is an automatic trip set point at 2385. The reactor would have automatically tripped.

I take it then that as the pressurizer level descended past 17 that there was no intolerance, is that the point?

MR. MARTIN: It just turned off the heaters and it isolated and let down, but it did not cause a reactor trip. So now you have got more sensitive pressure control. But now when you are coming back up in pressure, there is a high pressure trip.

MR. TRAFICONTE: Is there an automatic shutdown at five percent when the pressurizer level gets below five?

MR. MARTIN: There is a low pressure trip. If water were to continue to drop and pressure were to continue to drop, yes, there would be.

MR. TRAFICONTE: A pressure, I see.

MR. MARTIN: But not a level.

MR. TRAFICONTE: I see. Thank you very much.

MR. MARTIN: The next person that I would like to call is Dolly Weinhold, chairman, Hampton municipal budget committee.

MS. WEINHOLD: Yes, the name is Dolly Weinhold. I am chairman of the Hampton municipal budget committee, but I am here as a private citizen. My main concern was that after we discovered that there was a so-called safety problem at Seabrook, that the civil defense director was not notified, and no town official was notified, and as far we knew no one knew what had happened until they read it about it in the newspaper.

And I am wondering what is the protocol for such

an incident as this, you do not notify anybody?

MR. MARTIN: There is a requirement once they declare an unusual event to make certain notifications including the NRC, and they are specifically articulated in their procedures. It does not include though calls to each municipality.

MS. WEINHOLD: What should have been the protocol in this case, who was called?

MR. MARTIN: Noel, do you want to comment on the specifics of the procedure.

MR. DUDLEY: They did make an emergency notification system call to the NRC operations center.

MS. WEINHOLD: The NRC people were there, they are the ones who officially shut it down, is that not true?

MR. DUDLEY: No, we did not shut down the plant. The licensee shut down the plant. We were present during the event. We were able to observe and question the licensee on the events that were taking place during the natural circulation test, and they did make all the notifications required by procedures and regulations.

MS. WEINHOLD: So the only one that they had to notify was the NRC, and the Governor's office and the Attorney General's office of New Hampshire or Massachusetts were not notified?

MR. DUDLEY: That is correct. Because this did

not, as has been said before, did not carry a significant amount of safety concerns in terms of the technical aspects of the transient.

MS. WEINHOLD: I apologize if this was mentioned before. I do not know, I was upstairs with the hundred or so people who could not get down here, so I did not see the preview. When we had the plant officials come to Hampton and speak to the Hampton selectmen, very little was said at that time about why they did not notify anyone. I mean it was just gibber-jabbish as far as I was concerned.

Now the other thing is suppose it did go a little bit further than that. Why did not the NRC require some type of evacuation plan in effect, if it did proceed to a low power failure?

MR. MARTIN: Because under those conditions there is not sufficient energy to release anything beyond probably the building that it was in. It just does not have the capacity to cause any off-site consequences.

MS. WEINHOLD: And that is a definite positive statement that if that had gone any further that the five percent would not have gone beyond the building containment itself?

MR. MARTIN: Even it were to go on a very fast transient well beyond five percent. Because it had no built in fission products, it really has no capacity to deliver

any effect off-site.

MS. WEINHOLD: Then I would say that the mental attitude of the people once they discovered something had occurred there was kind of scary. The fire chief said what would we have done in case we were called. Nobody seemed to know that nothing could have happened. There was quite a scare in the town about what would have happened if we did have to evacuate and we had no evacuation plan. The civil defense director was not even notified that something could have happened.

So you are saying that with five percent power that nothing ever could have happened beyond the containment structure?

MR. MARTIN: We also specified a limit on how many effective full power hours that they could operate which determines how much fission products could be built into the core at the time of any event. And those were all part of the development of the rationale of why they could be licensed and could do the low power physics testing. And it was specifically looked at in terms of could this cause off-site consequences.

MS. WEINHOLD: Has anything like this ever happened before at any other nuclear facility?

VOICE: Chernobyl, and it was at five percent incidentally.

MR. MARTIN: If I may remind you, Chernobyl had been operating for a very long time and had a lot of fission products in it, and it had just come down from a very long high power run. So it had a lot of radioactive material sitting in that pot that was available for transport. That was not the situation here, and there is no connection between the two.

MS. WEINHOLD: I was under the impression that all of the fuel rods were loaded, is that true or not?

MR. MARTIN: You can take new fuel and hold it in your hand and it will not bother you.

MS. WEINHOLD: So it is only the five percent operating capacity that is the concern?

MR. MARTIN: It is the fact that once uranium has operated and been irradiated by neutrons and had fissions, then it builds up decay products, fission products. As the number of those fission products increases, the available material for release that could be of concern to the public does increase. So we set a limit on how long they could operate which would establish how much fission products could be built in, and we also established a limit on their power level which determines what capability that had to generate enough power to release.

MS. WEINHOLD: Say for instance there was contamination inside the containment structure, would the

Attorney General's Office or the Governor's office have been notified at that time or not?

MR. MARTIN: Very definitely. That would have gone well beyond the unusual event.

MS. WEINHOLD: But none of the towns would have been notified, you are saying that releases would not go beyond the containment?

MR. MARTIN: The systems are set up such that they have to notify the Governor for that level of an event, that they have to notify the NRC, that they work with the Governor and his staff to make sure that the state staff notifies the individual local municipalities that would have to take any action if such action was necessary.

MS. WEINHOLD: Then I might just make a statement too that since 1971 that I have been very concerned about number one the inadequate earthquake design of the Seabrook nuclear facility. And if you have read any of my comments that I have send to the NRC, you may have seen some of my statements regarding the 6.5 earthquake in Canada which supposedly got shot down to a 6.0.

And I think that this is my main concern all the way around with the NRC, that every time that we have concerns about something that we get shot down and are told that there is no concern and there is no problem. And we keep finding out later on that there is a problem.

MR. MARTIN: If you are seeking from us to overstate our case, you will never get that from the NRC.

MS. WEINHOLD: No, we never will, that is for sure.

MR. MARTIN: You will not. We are very careful to try to be as objective as we can. If the facts do not support a bigger statement, we are not going to make the bigger statement.

MS. WEINHOLD: Right. And if they do not support what the utility wants, then you change the rules. And that is what has happened all the way along. I thank you very much.

(Applause.)

MR. MARTIN: The next speaker is Elizabeth Mudge, Coalition for Reliable Energy.

MS. MUDGE: I am Elizabeth Mudge from New London, New Hampshire, and I am president of the Coalition for Reliable Energy which has a membership of about 23,000 or somewhat over that supporters who are concerned about the power supply of this section of the country. We have among our members people who are highly qualified technically. They have worldwide reputations in some cases. And we have many others like myself who have no technical background whatsoever but who are deeply concerned about the amount of power that is available to us for our living and our jobs.

(Disturbance from the audience.)

MR. MARTIN: Please.

MS. MUDGE: I think perhaps I should take possession of the microphone again and let you all get back to business. Our feeling is that the needs for power in this area are acute and we are anxious to have the plant licensed for operation because we feel that not only does public health and public safety require adequate electric supply but so do jobs. We know of cases where plants have moved out of the area or have failed to come in because of doubt.

MR. MARTIN: Do you have any comments about the performance of the licensee in this case? That is what we are seeking tonight.

MS. MUDGE: Thank you. I am sure that New London will be happy to have it.

VOICE: What about the nuclear waste, Elizabeth?

MS. MUDGE: I have been asked not to comment.

MR. MARTIN: Please allow each speaker the opportunity.

MS. MUDGE: I have been asked not to comment on such things. And much has been made of the recent incident during Seabrook's low power testing. But at no time we are told and our technical people who are not influenced by either of the groups that were here tonight have agreed with

them, at no time was there any threat to public safety.

The investigations of the incident by the NRC, by the State of New Hampshire, as well as by New Hampshire Yankee itself all reached the conclusion that there was no such threat. It is my understanding that the issue concerned procedure and nothing more. In any case, the company's response in correcting such a procedural shortcoming showed competence and the ability to act decisively.

The net result was an unfortunate incident that was turned into a positive learning experience. And I think that as is often the case when a mistake has been made that people perform better after the discipline of that mistake. We expect that to happen. Thank you.

Since there were various diversions while I was speaking, may I add one of my own. It seems to me unfortunate that in a matter as serious as this that there would be trivializations such as we have seen tonight. Thank you.

(Applause.)

MR. MARTIN: The next speaker is Victor A. Misek.

MR. MISEK: I do not have very many questions. The thing that impresses me about this is that the net result of this so-called accident is that the power company found out that there was a defective component, and also

they found out that one of the operators was defective.

As far as affecting the public safety, it seems to be a nullity. And it impresses me that this is just a tempest in a teapot mostly. And I wonder if you would have any comments on that.

MR. MARTIN: I do. The actual event itself I agree was of low safety significance. But had we not detected the problem with the operator's perception about procedures, that could have later on been very significant. The test program did its job in identifying that problem and giving us an opportunity now to root it out. So from that standpoint, it has a positive safety significance.

MR. MISEK: Is there any real reason that the plant cannot go forward as planned; as they have shaken out the problems, why can it not go forward right now?

VOICE: Because the people do not want it.

MR. MISEK: That is not true, that is a lie. These people have been waving their lies around here all evening. They act like a bunch of clowns. Look at these clowns over here, a bunch of anti-nuke kook clowns. That is all we have seen here all evening. I am sick of it.

(Applause.)

MR. MISEK: I came here to find out what was going on here. And instead of finding out, all we hear are these kooky jerks floating around the place.

MR. MARTIN: Hold on.

MR. MISEK: Good luck to you gentlemen. You will need it.

MR. MARTIN: The next person to the mike is Diane Dunfey.

MS. DUNFEY: I am very torn over whether or not I am wasting my time, and I am certainly convinced that I am. And I have a certain record to look back at which will lead me to my question. All I can think of while I am here is the number of times that I have been at meetings such as this and whether or not I have stood calmly to address people or whether I have requested respectfully to address people. You know, this situation is unchanged which is that you are not heard.

Tonight basically what I need to do is ask you in light of the fact that throughout the history of the nuclear industry that there has never been a nuclear power plant that has not been embraced and licensed by the Nuclear Regulatory Commission, that there has never been a nuclear power plant that has not fallen apart, and faltered, and had incident after incident after incident which certainly presents health hazards to the public and it is well documented that has not been relicensed or restarted, that every single safety precaution and every single safety standard that Seabrook Station has been unable to satisfy

has basically been eliminated by your Commission, in light of all of this I have to ask you how in the world do you expect us to look at you, and to talk to you, and to listen to you as though you have any credibility with us whatsoever?

(Applause.)

MR. MARTIN: Diane, I am sure that no answer would satisfy you. I cannot change what is in the past, and I do not have the same perception of that past that you do. There have been plants that have not been licensed. Midland is an example. Zimbar was also refused. There are a number of plants that have since been shut down because they did not have the safety improvements that are needed.

VOICE: And not restarted?

MR. MARTIN: That is affirmative. Indian Point 1 is an example. They could not afford the safety improvements that the NRC staff required. So you got your facts slightly wrong. But I agree that there are a lot of plants out there that have been licensed.

Dr. Gil Brown.

MR. BROWN: Thank you for this opportunity to speak. I am a citizen of Massachusetts and a nuclear engineer, and also a professor who teaches nuclear engineering courses and courses in technology and human values. I would like to start off by saying that as a

citizen of Massachusetts that I am in a strong majority of voters who have voted to maintain the operation of the two nuclear power plants in our state.

I am a citizen in a state that has participated in emergency planning for three operating nuclear reactors. In my opinion with all due respect to the Assistant Attorney General that the state's refusal to participate is not only inconsistent but ill-founded and irresponsible.

(Applause.)

MR. MARTIN: Dr. Brown, do you have any specific information relative to the event of the natural circulation test?

MR. BROWN: I am basically following the lead of the other speakers who have gotten to that point eventually. As a PhD nuclear engineer based on my understanding of the start-up testing and your conclusions, I agree that there was absolutely no safety problems and no safety risks. As a professor I can understand how the test procedures and the plant procedures were muddled. And just as you stated, the test program did its job. It uncovered a problem and in my opinion I think that problem was fixed. There were very serious managerial changes and very serious retraining efforts.

And in my opinion I think that the plant has done its start-up testing quite successfully, and we look forward

to the time that the plant will get its full power license. And I speak not only for myself but on the part of very many people both trained engineers and lay people that I come in contact with that want this plant to operate to supply the needs of New England. Thank you very much.

(Applause.)

MR. MARTIN: The next speaker is Arnie White, New Hampshire Radioactive Waste Commission.

MR. WHITE: Thank you very much, Mr. Chairman. I came over tonight because I have been intimately involved in state energy policy at Seabrook and nuclear waste disposal for thirteen years continuously. I did not know what went on during this low power test and I was very anxious to be brought up to date on it.

I have learned very much by being here listening to the company and listening to you and the thoughtful questions that you asked. I am quite satisfied with the way that the NRC is performing, and I just want to make it clear that that is the way that I see it.

It is obvious that there are many people in this room who are not satisfied with you, and that may be from a strong and different sense of values that they have as compared to me.

I have found that the most important thing that I hope will happen in New Hampshire and in this nation is that

we will come together with a desire to solve the problem rather than just obtain our own will. There is a very short scriptural selection that I think is important. It is namely that faith is the substance of things not known, and substance is the proof of the faith. I think that we all really must join hands to solve the problem. Thank you for coming. I have benefitted by it.

(Applause.)

MR. MARTIN: Mr. Doug Richardson, the Employees Legal Project.

(Disturbance from the audience.)

MR. REIS: Mr. Richardson please, Doug Richardson please.

Mr. Backus, if you want to speak, I think that you have to recognize that other people signed up before you. You will have your opportunity. I do not know who you gave your card to. You know that we work for the NRC, and you know that these people do not.

Mr. Richardson, do you want to yield your time to Mr. Backus?

(No response.)

MR. REIS: Who is the next one? Jason Weinberg.

(Pause.)

MR. CONLEY: If I could speak to the attorney from the NRC. I was here before some of the people who have

already been up here. I would like to know where my name is.

MR. MARTIN: What is your name?

MR. CONLEY: Steven Conley.

MR. MARTIN: It is about the sixth one down. The public officials were brought in first. I did move the public officials forward. But once they did that, then it was just first come first serve. That is the way it has been done.

MR. CONLEY: Well, they told me I was ninth. You know, these are your NRC employees. I mean I came a long way. I came here early, and I think that I ought to be in the order that they said that I was in.

VOICE: You are wasting time.

MR. MARTIN: Let's move on.

MR. BACKUS: Gentlemen, I am Bob Backus, and I represent the Seacoast Anti-Pollution League that has been a Seabrook Intervenor for almost twenty years. In fact, I would like to invite you to come to our Seabrook twentieth anniversary party this Saturday.

(Applause.)

MR. BACKUS: Each of your salaries far exceeds the salary of our staff members probably by a multitude and you could help us out.

One of the things that we learned from this

incident was that a very high ranking official at New Hampshire Yankee was fired, Mr. George Thomas, who held the title of vice president of nuclear operations. And my understanding from the New Hampshire Yankee report of this incident is that he was fired for being less than candid with the NRC at the time that he made his conference call reports on the event.

Well, just a couple of weeks ago in Bethesda before the Advisory Committee on Reactor Safeguards, Mr. Thomas' replacement, Mr. Fagenbaum, who led the New Hampshire Yankee team here before you had this to say and you were there, Mr. Reis. He said that Route 101-51 was a four lane highway in the major portion of the Seabrook EPZ.

Now if lack of candor on New Hampshire Yankee officials can result in the consequence of what happened to Mr. Thomas, why was that not called to anybody's attention, what are you doing to assure yourself that you are getting honest statements from his replacement, Mr. Fagenbaum, when he can make a blatantly false statement like that?

Everybody here I think knows that no part of Route 101 is a four lane highway anywhere near the EPZ. In fact it is sixteen miles from the plant before that road becomes a four lane highway.

Why are statements like that allowed to be made on

the record to the Advisory Committee on Reactor Safety and no action is taken?

MR. MARTIN: I was not there. I have not seen the transcript.

MR. BACKUS: Mr. Reis was.

VOICE: What does that have to do with the June 22nd incident?

MR. BACKUS: It has quite a lot to do with it, because we have to depend on these people for our safety. And there is a certain requirement for integrity and honesty in dealing with the regulator here. That is what it has got to do with it.

MR. MARTIN: You have made an allegation and we will follow up on it.

MR. BACKUS: All right. In terms of the regulator, Mr. Reis, you were at that meeting with the Advisory Committee on Reactor Safeguards, and you advised the committee and I quote if I can find it here that the evacuation at Seabrook presented no particular problems as to times or difficulties.

Now do you want to care to stand on that before this group of local citizens who know the situation around Seabrook and know the beaches? I will quote it, I will quote it exactly for you if you want it.

MR. REIS: Before you go on --

MR. BACKUS: "The staff does not feel that this plant is much different than any other plants either in times or difficulties of evacuation."

Is that the staff position, Mr. Reis?

MR. REIS: Mr. Backus, you know that it is the staff position. It has been in briefs for a long time. That is our position. And that is supported by the examinations of FEMA and other people.

MR. BACKUS: You heard it, folks, no particular problems around Seabrook.

MR. MARTIN: Mr. Backus, you know that the purpose of the meeting tonight is to discuss this particular event. If you have some comments, I would appreciate them.

MR. BACKUS: Yes, I have a particular question. The New Hampshire Yankee report of this incident reported that there were 57 people in the control room at the time of this incident including six management people. I would like to know if the NRC has any regulations concerning how many people can stand around the control room while a reactor is critical and under operation.

There seems to me that there could be two problems with that. Number one, I just do not know how much room there is, and it seems to me that it could be a problem simply getting places and doing what you need to do. The second problem which is raised in the New Hampshire Attorney

General's report which is a very interesting one is that there may have been a little subtle pressure with six management biggies somewhere in that control room to try to pretend that the problem was not really happening and was going on.

Are there any regulations about the number of people that can be in the control room and who they can be?

MR. MARTIN: The answer to your last question is no. The fact was that I was in there, Mr. Backus.

MR. BACKUS: Was it crowded?

MR. MARTIN: No, sir.

MR. BACKUS: The 57 people was all right?

MR. MARTIN: It was a huge control room. I was 25 feet from the panel and could not see the needles. All I could see was some displays so far away, and there was still plenty of room there. There was a FSAR commitment that required operators to observe certain portions of the test. They were all well outside of what is called the horseshoe area, the area for control of the reactor. That area is probably 20 feet deep as it is.

As you saw in the films, there was not crowding in there. There were a couple of operators next to the panel, and there were two test directors in the area, and there were a couple of supervisors inside the horseshoe area. The licensee has recognized that there needs to be some

additional controls on the number of people in the control room.

But to be quite frank, if you look at our investigation, I will tell you from personal experience because I was in there that it did not cause a problem. And to be quite frank, I disagree with the Attorney General. That subtle pressure has no basis for their failure to follow their procedure and I refute it.

MR. BACKUS: Incidentally, turning to the New Hampshire Attorney General's reports, sir, one of the conclusions in that report is that the NRC bears some of the responsibility for the miscommunications after the event.

Do you agree with that finding of the Attorney General?

MR. MARTIN: I disagree with that. And I have told Mr. Jeff Huntington that directly. Mr. Jeff Huntington has misunderstood what our role is. We cannot be in that control room every day to protect that licensee. We have to make sure that that licensee does his job to protect the public.

MR. BACKUS: Let me ask this then. Suppose that there was a situation where NRC people were the control room and they violated some standards of procedure for NRC personnel, are these enforcement proceedings involving NRC personnel who do not do the job properly?

MR. MARTIN: Yes, there is. We have disciplinary programs.

MR. BACKUS: Okay.

(Applause.)

MR. MARTIN: Mr. Doug Richardson please, Doug Richardson.

(No response.)

MR. MARTIN: All right. We will try again. Jason Weinberg.

MR. WEINBERG: I am very disappointed that the people at the plant either through being pressured by you folks or just out of their own interest, maybe they are tired of listening to people and that they just do not care, but I would have liked to have expressed my comments to them before they left.

You mentioned the word pride before. I watched moments after they had divided their first atom in the Seabrook nuclear power plant as they celebrated in the control room, it was on the news. And they stated and I quote that they had "proved" that the Seabrook nuclear power plant was a safe nuclear power plant. I see that as a statement of blind arrogance, totally insulting to the idea of science and physics. That by the example of that one atom that they felt that they were in safe operation.

Shortly thereafter I saw that they had been shut

down at the urging of the Nuclear Regulatory Commission because of their failure to follow procedures and guidelines.

How can we prevent this from continuing further on down the line, how will this kind of pride and arrogance be prevented from allowing them to fail in their ability to protect the public?

MR. MARTIN: The licensee has described a very comprehensive set of corrective actions that they believe if fully implemented will do the job. We the NRC will have to be there to confirm that.

MR. WEINBERG: If you do confirm that, will there be another low power test?

MR. MARTIN: That depends upon on what comes out of any subsequent hearings if there are any.

MR. WEINBERG: Let's just use an example. Let's say that somebody were to flunk their junior year in high school, and they said I realized that I failed, would you therefore advance them on to further levels?

MR. MARTIN: No, I would make them take the junior year again.

MR. WEINBERG: And will this happen, will they have to go back to Point A before they can go to any kind of full power licensing?

MR. MARTIN: We have to be satisfied that the

corrective action is capable of preventing recurrence and then we have to verify that the licensee has successfully prevented any future event. We are going to have to monitor their corrective action, that is fact.

MR. WEINBERG: And what standards are you setting for this other than just simply rubber stamping, I mean when will be know the results of this hearing?

MR. MARTIN: You have heard tonight, and you will also get a copy of the meeting report. There will be a transcript attached that will be in the PDR along with everything else. And there will be enforcement tomorrow relative to this event, and that will be in the PDR also.

MR. WEINBERG: I hope that you will do everything that you can to be vigilant in your enforcement and regulation. Thank you for letting me comment.

(Applause.)

MR. MARTIN: B. Roger Jacques.

MR. JACQUES: I have no authority other than my own, but I know that my neighbors and myself want power. They want complete safety and they want to be assured that there is enough facilities for power to continue our growth and to have our children and grandchildren live in New Hampshire as they would in competition with everyone else.

Now safety we want just as much as anybody else.

Probably all of these people are right. But we must not let it stop us from going ahead. Whatever corrections that you suggest to be made, I hope will be made. But we must keep on going ahead. We have no oil in New Hampshire and no real good facilities for getting it except at excessive costs.

MR. MARTIN: Mr. Jacques, do you have any comments about the licensee's performance in this case or his plans for corrective action?

MR. JACQUES: I presume that this dress rehearsal here like any other preparatory event was imperfect. The reason for the dress rehearsal, I call it that, or the low power testing was to find out the flaws. You have found it and they have found it, and I believe that it will be corrected, and I feel safe about it. I would like it continued.

(Applause.)

MR. MARTIN: Anne Arnold.

(No response.)

MR. MARTIN: Bruce A. Montville.

MR. MONTVILLE: Thank you. When I walked in tonight, one of the security guards asked me if I was a member of the NRC. How do you think that I ought to take that?

MR. MARTIN: Hopefully positive.

MR. MONTVILLE: Just to divert a little bit. Let

me introduce myself. I am Bruce Montville and I am a native of New Hampshire. I am a businessman on the seacoast, I am a Republican, and I am a graduate of this wonderful university.

Before I get into my main subject, I might say that even though I generally agree with Bob Backus, I have to disagree with his concern regarding the 57 people in the control room. Mr. Grillo has taken me through the control room. And I agree with you, sir, that there is plenty of room. That is quite a large control room.

I am speaking tonight particularly to this NRC board and the subject is credibility both of the Seabrook Station and the NRC. Let me begin with what brought us together this evening, and that is the incident that took place on June 22nd during the low level test of Seabrook Station.

Let me say that I was extremely surprised that the plant operators lost control of the test to the point that their only safe option was to shut down the plant. Secondly I was further surprised that when it was realized that the plant was in fact entering a critical stage of control that the operators hesitated in using the safety procedure which in fact they had developed to shut the plant down. Fortunately common sense prevailed and the plant was finally shut down.

And finally I was shocked to learn that the head operations person wanted to restart the plant without an analysis of what went wrong to begin with. Interestingly the subject of plant operation had always had credibility with me. If there was a single aspect regarding Seabrook Station which I felt comfortable about, it was the operators and their ability to do their jobs well. With a multi-million dollar control room simulator on site, years of training through the assistance of the University of Tennessee and prior experience in our nuclear Navy, I figured that they had very high credibility.

Mr. Chairman and gentlemen, they lost that credibility on June 22nd, and thank God that it was during low level testing and not at full power. While I am not anti-nuclear, I am certainly anti-Seabrook.

Let's briefly examine the other reasons why Seabrook has no credibility. The NRC has admitted that counterfeit substandard materials were used in the construction of Seabrook and other nuclear plants. There are no plans for replacement of these materials.

The emergency evacuation plan for the seventeen New Hampshire towns within the ten mile radius was submitted by our former Governor to the NRC without endorsement from those towns. Due to the extremely poor siting of the plant in a highly populated area with limited roadways, we have no

confidence of reasonable assurance that safe escape could be accomplished should evacuation be necessary. Further some say that the Seabrook site is on the earthquake fault.

Financial credibility. The lead owner, Public Service of New Hampshire is bankrupt.

MR. MARTIN: Mr. Montville, do you have any other issues relative to the licensee's performance or the adequacy of their corrective action program?

MR. MONTVILLE: Yes, I do. Please bear with me, Mr. Chairman. I will be through momentarily. Electric rates are sure to jump to pay for the $6 billion mistake. Power will not longer be affordable and will create high levels of unemployment particularly in energy intensive manufacturing firms. This finding was made by the Business and Industry Association of New Hampshire.

Power need. Although Seabrook could generate 1150 megawatts of power, our present Governor and chairman of Northeast Utilities who wants to buy PSNH both say that with or without Seabrook that we will have plenty of power into the next decade. You see, all of the electric utilities in New England belong to a compact called New England Power Pool which allows all of the states to wield power back and forth to each other's grid based on needs of the moment. Improved load management techniques are responsible for this reliability. My point is that

Seabrook is not needed for its power.

MR. MARTIN: Mr. Montville, I would appreciate it if you would limit your comments to the issues that we are trying to get information on tonight.

MR. MONTVILLE: This is all related very well, sir. And I would ask you to bear with me for no longer than 120 seconds.

MR. MARTIN: I have a large number of people who would like to speak tonight, and I hope that they are all planning to speak on the issues that we are seeking information on. I would appreciate it if you would restrain your comments to those areas.

MR. MONTVILLE: All right. I will not get into the fact that we have no place to store nuclear waste. And I will not get into the fact that the exhaust system for nuclear plants emit noble gases which are radioactive, and I do not think that we are interested in that tradeoff.

And finally, the continual rule changes in favor of the nuclear power industry which disregard public safety equally erodes credibility of Seabrook and the NRC. I suggest to the NRC that Seabrook simply has too much baggage. The combined risks that I have spoken of are overwhelmingly bad. Your regulatory agency has too much responsibility regarding safety matters to take a chance on such poor circumstances.

I recommend that the NRC deny full power licensing to Seabrook Station. You need to strengthen your own credibility. Thank you.

(Applause.)

MR. MARTIN: Mr. Steven Conley.

MR. CONLEY: I am Steven Conley from We the People, Inc. And I think that without question that the NRC is rather familiar with me and I am certainly familiar with the NRC.

I would like to start out by saying that in regard to the incident, in regard to Valve No. 3011, I would like to know why the NRC would not make that a criminal act when somebody signs off that that valve was checked. Now the Russian people are already guinea pigs. And our neighbors, and our families, and our communities should not be guinea pigs for the Seabrook operators to begin schooling and we are not going to put up with that.

MR. MARTIN: Mr. Conley, you need an answer to your question.

MR. CONLEY: Right.

MR. MARTIN: Would you tell them what actually was signed that indicated that that system was ready for operation, did it say that all of the maintenance work requests were closed, or did it say as the licensee's report indicated if I remember correctly that they had previously

used it in another test and that they felt that it was operable although they recognized that it might not have all of the maintenance requests complete, would you respond?

MR. ESELGROTH: The sign-off had to do with the readiness of plant systems for the test period. That was signed off. The work request on those valves that was still open and therefore was a reason for not signing that particular sign-off was a work request that went back some time and involved repacking of the valve. That work request could not have been closed out unless they had done some post-maintenance testing which is what they have not done. So those are the specifics of it.

MR. MARTIN: Noel, do you have some information?

MR. DUDLEY: The way that the step was written in the procedure was a very generic step. It was a single one and a half line statement that required the test director to verify that all systems required for the natural circulation test were available for the test. I am not sure how the test director determined that all of the required systems were available. I am certain that he did not go back and check open work requests.

MR. CONLEY: Right, but it was falsified either way.

MR. DUDLEY: It was an incorrect sign-off.

MR. MARTIN: It was an error.

MR. CONLEY: All right. It could be a very costly one, could it not? And I do not think again that our communities or our children should be the guinea pigs. We all know that Seabrook did not graduate in the highest class as far as their ability to run that operating room. And I think that it should be a criminal act in regard to that, because you have not set any deterrent to it. I mean it could happen again. And if an accident occurs and we lose land here in New England like Russia lost land for a thousand years, I do not think that is something that we want to experience.

MR. MARTIN: None of us want to experience that, sir.

MR. CONLEY: Well, I think that there ought to be a deterrent to it, and I think that it should be a criminal act.

MR. MARTIN: This does not rise to a criminal act.

MR. CONLEY: I see, okay. All right. Now given Chernobyl, you talked about Chernobyl and you said that that had run for a long period of time. That plant was less than two years old, was it not?

MR. MARTIN: One you have a hundred effective full power hours, you have built in all of the radioactive material and from there on it stays pretty much at equilibrium.

MR. CONLEY: All right. But I think that it was kind of misleading of you to say that it was less.

MR. MARTIN: No, sir, it is not misleading. If you go in and do the calculations, and you have got the engineers out there that can do those calculations, you will find that at about a hundred effective full power hours that you have reached about 99 percent of all of the fission products that you are going to have in that core even if you operate for a hundred years.

MR. CONLEY: Okay, all right. Now with regard to the counterfeit substandard materials that are in 59 plants across the country of which We the People forced the NRC to come out with that information and you know that, okay.

MR. MARTIN: That was a good finding.

MR. CONLEY: Pardon.

MR. MARTIN: That was a good finding.

MR. CONLEY: I guess it was. But on March 17th we took to Rudolph Giuliani and you saw it in the New York Times and then you started seeing that the word was out. And then you came out on May 10th with Bulletin No. 8805 listing Seabrook as one of the plants among the 59 plants that had counterfeit substandard materials in them that was listed as being U.S. made when it was not, and it was listed as being tested when it never was.

And at first your agency said search and replace

and find all of that equipment. And then the utilities get back to you some of them and said we do not even know where some of it is, and if we have to replace all of it we might as well shut them all down.

MR. MARTIN: Mr. Conley --

MR. CONLEY: And then Mr. Stello in his mandate to protect the people who is the executive director and your boss lowered the standards so that the utilities could keep the counterfeit materials inside. Now if that is protecting the public, I do not what the hell it is.

(Applause.)

MR. CONLEY: Now let me say this. You did not comment to Mr. Montville. You easily went over that. I do not know how the hell you go over it. But all I can say is this. I know firsthand, okay. I was never against nuclear power. I started out three and a half years ago and I spent 46 weeks in Washington, and I will tell you that I was not sun bathing, all right. We uncovered that evidence.

And I am going to tell you something else. Your agency is corrupt, and your agency covered up the counterfeit materials and suppressed that information to the public, because they did not want them to know.

MR. MARTIN: Mr. Conley --

MR. CONLEY: And your mandate is this, what the people do not know will not hurt them. Well, what the

people do not know is going to kill us, all right. And there is one thing that the NRC has forgotten.

MR. MARTIN: Mr. Conley --

MR. CONLEY: They think that they are in Russia. We are in America, and this country belongs to us.

MR. MARTIN: Mr. Conley --

MR. CONLEY: Not you or the nuclear industry. It belongs to us.

(Applause.)

MR. MARTIN: Mr. Conley, if you have those issues and if you have those facts, would you please take them to Congress so that Congress can root out whatever problems you think exist.

MR. CONLEY: I cannot hear you.

MR. MARTIN: If you have those facts, please take them to Congress so that they can do something about it.

MR. CONLEY: I cannot here you.

MR. MARTIN: If there are individuals as you charge that are corrupt in my organization, I want them out too. Take it to Congress if you have got the facts.

MR. CONLEY: I am going to tell you that I took it to Congress. And Senator Kennedy, and Senator Kerry, Mavroules, and Studds have already endorsed a congressional investigation.

MR. MARTIN: Well, great.

MR. CONLEY: All right. Now I do not understand, I do not understand whether you are programmed or what it is. I know that some people in the agency have pledged allegiance to the nuclear industry and their profits instead of protecting the safety of the American people. Now I formed an organization called We the People. Now to date the NRC are fining me $1000 a day, today it is an expensive night, okay. I am up to $28,000.

MR. MARTIN: I am well aware of that.

MR. CONLEY: And they are fining me $1000 because they want to destroy my organization. And they want to send a message to you and other people in the industry do not talk outside of the agency, because if you do you are going to suspend them just like you have Roger Fortuna.

MR. MARTIN: Mr. Conley, if I remember correctly, you have a subpoena against you.

MR. CONLEY: And it is not right.

VOICE: Stop ranting.

MR. CONLEY: Ranting? Did you listen about the counterfeit materials, do you want to live around a plant that has got counterfeit materials in it that have not been investigated?

Now look, I was never against nuclear power, but I am against it now. It does not make any sense whatsoever.

MR. MARTIN: Mr. Conley, do you have any comments

about the licensee's performance in this case or this corrective action?

MR. CONLEY: Sir, with all due respect, you do not think that counterfeit materials in Seabrook has anything to do with safety?

MR. MARTIN: It does not have anything to do with this event, Mr. Conley, and that is what I am here for.

MR. CONLEY: It does not, sir?

MR. MARTIN: That is correct, it does not.

MR. CONLEY: There are counterfeit valves, circuit breakers, blind flanges and pipe.

Do you remember James Palavano who was sent to jail in 1984 for falsifying 3000 welds in the Seabrook plant, do you remember him? Well, I remember him. Now some of the very equipment that he was working on are counterfeit materials, all right. Now are you going to sit here and say that that has not have anything to do with this hearing?

MR. MARTIN: That is correct, sir.

MR. CONLEY: That is correct. I will tell you that you have got more faith than I have got in this industry. And I will tell you, you know what has happened. This agency started out as a watch dog, and then it became a lap dog, and then it became a guard dog for the industry, and that dog is rabid.

MR. MARTIN: Mr. Conley, do you have --

MR. CONLEY: Because you see this iodine, they make people expendable. People who cannot be moved are going to be given a bottle of iodine to drink to be administered by a volunteer willing to stay behind.

MR. MARTIN: Mr. Conley --

MR. CONLEY: Now are you going to stay behind and take care of my residents that I have known for eighteen years; and do you think that iodine is good enough, sir? I want to know.

MR. MARTIN: Mr. Conley --

MR. CONLEY: I want to know, do you think that it is good enough?

MR. MARTIN: There are individuals who would like to speak.

MR. CONLEY: Would you answer that question, do you think that iodine is good enough for people who cannot be moved, do you think that is good enough, would you give that to your mother or father, would you do it?

MR. MARTIN: Yes, I would.

MR. CONLEY: What?

MR. MARTIN: If they could not be moved. If I am in the plume zone, I will take iodine too.

MR. CONLEY: Oh, you will.

MR. MARTIN: Potassium iodide blocks.

MR. CONLEY: Why do you not demonstrate it tonight

and let's see how good it is.

MR. MARTIN: Because there is no plume, sir.

MR. CONLEY: What?

MR. MARTIN: There is no plume.

MR. CONLEY: Oh, I see. And Chernobyl affected our cow's milk in Vermont and we talk about a ten mile radius. What is going on here, you know what is going on?

MR. MARTIN: Mr. Conley, you are off the subject.

MR. CONLEY: This is a democratic state. This is a democratic state.

MR. MARTIN: Would you please yield so that other individuals can talk.

MR. CONLEY: You put me behind, and I was supposed to be off anyway, because I am trying to have a job that pays $1000 a day.

MR. MARTIN: You are well beyond your allotment of time, sir. There are other people here who would like to talk.

MR. CONLEY: Sir, you know, you can be blind for so long. You know what bothered me the most tonight when I walked around this campus, are we giving them a fair shake, our kids. That is what this is about. It is about our kids. They need a shake.

(Applause.)

MR. CONLEY: I am going to tell you something

else. I have set up an office in Kennebunk, Maine, okay. And Mr. Bush has said that he cares about the flag. Well, I want to see him care about this Constitution, that is what I want. Now if we get 51 percent of his people that he has lived with since he was six years old I think that he should endorse --

MR. MARTIN: Mr. Conley, our Reporter is having a problem, and you hold on a second.

MR. CONLEY: Pardon. It is not running, can you hear me?

MR. MARTIN: Mr. Conley.

MR. CONLEY: I will yield, I will go. What I want you to do is I want you to wear this with pride, and I am going to send every one of you one of these. And I am going to tell you something else, I am going to tell you something else. I spent $270,000 of my own money, all right. And your agency is harassing the hell out of me, okay, and I do not like it. And some people have been out to my house, and i do not like that either. You ask the Secret Service at the White House what the hell happened on August 20, 1986.

(Applause.)

MR. MARTIN: Mr. Paul Beswick. Paul, would you check to see if that microphone is working there first. If not, we will give you another one.

MR. BESWICK: Is it working, can you hear me all

right, can you hear me okay? First of all, I have got to say that that is a hard act to follow. I really cannot do anything like that. But I am a registered professional engineer from the Commonwealth of Massachusetts, and I own and run a small manufacturing business that employs twenty people in a business that is heavily dependent on electric power. We produce products for the high tech industry, medical industry, medical electronics, and things of that type using automatic spool machines, lathes, and machines of that type.

MR. MARTIN: Mr. Beswick.

MR. BESWICK: One of the things we have found we have had to do in the last few years is have some of our products made in a country like Taiwan, and one of the reasons is Taiwan has a bundle of electric power.

MR. MARTIN: Mr. Beswick, do you have any comments upon the licensee's performance or upon the corrective action that they are proposing?

MR. BESWICK: Yes, I do have.

MR. MARTIN: Would you try to limit your comments to those areas? There is a lot of people who would like to talk.

MR. BESWICK: I beg your pardon.

First of all, this is the first time I have never been to such a hearing, and I first of all want to applaud the NRC for pouring in as much detail in an incident as I see to be trivial as this one. And by doing so, you've given me a great deal more confidence in the effectiveness of your agency in administering the 110 stations that are running across the United States, and hopefully, in affecting the designs of the modular type stations that will be coming along in the beginning of the next cantury. So I, first of all, want to thank you for the oppo:tunity to witness such a hearing. And secondly, I am pleased and proud to see the way you have managed this incident.

Thank you.

(Applause.)

MR. MARTIN: Robert Curtis. Robert Curtis.

MR. CURTIS: Gentlemen, my occupation is that of a management consultant. I do not have any expertise as far as nuclear power is concerned, but I wanted to express my reaction to the corrective action plan that was displayed here tonight on the part of the utility.

My impression is that it is truly comprehensive. It appears to me they are employing advanced management techniques. They have reorganized the company and the facility. They have brought in improved direction of their employees, improved training. They have addressed the issue of motivation and guiding principles. They have established increased accountability and improved arrangements for communication.

On the basis of what I've heard tonight, I have a lot more confidence both in the NRC's approach and in New Hampshire Yankee's than I did before I came. And that's my impression and that's all I have to say.

Thank you.

(Applause.)

MR. MARTIN: Lee Mahon.

MR. MAHON: Hi. I'm Lee Mahon. I am a mother of two. I live in Portsmouth, New Hampshire. I have just

bought my first home within the 10-mile EPZ, and I did so only with the feeling that justice will prevail and that plant will never go on line.

I'm sitting here listening to this, and I can't believe I'm doing this again. I'm coming here talking to people who work for the industry, trying to convince them who get their pay checks from the government. They are appointed to work for this industry. And I can talk myself blue in the face about the incident or not about the incident, about the evacuation or not about the evacuation. You guys live in Washington and you don't care about us. And you are paid by them. You work for them. You work for the industry. Behind you, we have the puppets up there, NRC, PHNH, hugging and kissing. That wasn't meant to be ridiculous or to be childish. It was dramatic to make a point.

They are not being foolish. They are telling the truth.

MR. MARTIN: Do you have some --

MS. MAHON: Yes, I do.

MR. MARTIN: Please.

MS. MAHON: How are we supposed to trust in you to evaluate this accident at the plant when you are hand in hand with them?

You change the rules every time something comes up

that they can't handle. You just change the rules.

How are the people supposed to have confidence in you? You are supposed to be working for us. I pay your salary with my taxes from my meager salary which probably is less than a week's of yours. I pay your salary with my taxes. Why aren't you working for me? And how are we supposed to trust in you?

(Applause.)

MR. MARTIN: Lee, I am working for you. I'm also working for everybody else in this room. My obligation is to be as objective as I can be. And if that means I am hard on the licensee, so be it. If that means I don't agree with you, so be it. But I will try to be as objective as I can.

And I'll be quite frank with you. Of the 3,000 people I work with, I think most of them share that burden and feel that same way.

Now you may feel that we are biased because we don't happen to agree with you on every point that you have. But to be quite frank, we regard ourselves as safety professionals, and we try very hard. And if sometime we can't receive their same decision, it's because we have probably a different set of facts.

We are not paid by this industry. We have no interest in keeping this industry alive, and we don't give a damn whether they stay alive or not.

MS. MAHON: Without this industry, sir, you would not have a job, because there would be no nuclear weapons or power plants.

MR. MARTIN: I can assure you I am a very good electrical engineer, and also a very good programmer. And I can make excellent money that way, and I have been considering changing jobs.

MS. MAHON: Well, I think that would be a good idea.

(Applause.)

MS. MAHON: Why can't we have some people who do not believe in the nuclear power industry on the NRC? Why can't we have a little fairness on the NRC? Why can't we have a group with Democrats and Republicans, a group with anti-nuclear and pro-nuclear on there to make some real decision instead of just rubber stamping everything they want to do?

MR. MARTIN: We do. If you recognize the way the Commission is set up is a mixture of Republicans and Democrats. I happen to be a Democrat. I'm not a Republican.

MS. MAHON: Why don't you have more than white men?

MR. MARTIN: I have females and I have males on my staff. They don't happen to be here tonight.

MS. MAHON: Why not?

They happen to be very good professionals who are working elsewhere on NRC business.

MS. MAHON: I was told earlier today that the utility has been giving boxes to day care centers and industries within the area that did not come up with their own evacuation plan, and telling them that they would receive three hours prior notice in the event of an accident. And I want to know why certain people are being these and certain people aren't.

MR. MARTIN: I have no idea what you are talking about.

MS. MAHON: Well, I think you ought to investigate it.

MR. MARTIN: That is not an issue that we are involved in.

MS. MAHON: Well, you should be. Most definitely, you should be. It involves evacuation.

MR. MARTIN: That is not the issue that we are discussing tonight.

MS. MAHON: Well, it's all part of the same thing. If they can't even get through low power testing without screwing up, how are we going to expect them to full power license? I live less than 10 miles from that plant.

(Applause.)

MR. MARTIN: Understood.

MS. MAHON: My insurance company -- I just bought a home two weeks ago. I asked them, can I get insurance for a nuclear accident. Do you know there is no insurance company that will insure my home for that? There is good reason for it.

MR. MARTIN: Because it's covered under Price Anderson.

MR. MAHON: Yes, and do you know what you get? Do you get the value of your home, the full market value of your home?

I don't think so.

(Applause.)

MR. MARTIN: Mr. Lincoln Page.

MR. PAGE: I'm Lincoln Page. I am a resident of New Hampshire. I was born here. I have worked in the nuclear, directly or indirectly with nuclear affairs since May of 1942. And if there is anybody else here who has had as much experience as I have, I would like them to come up here and refute what I have to say.

I have worked not only in the business of finding uranium, but in the business of testing it underground, on the surface in reactors, and studying for all sorts of peacetime uses.

Fifteen years ago I made an examination of

Seabrook from the point of view of the geologic safety of it. At the same time I happened to be on the committee for disasters, and I had to study the meteorological conditions and everything else for Seabrook.

Now, to get to the point and what I came for, is to commend the NRC for setting up a system whereby before a reactor goes on full power, they test all parts of it at various levels.

And apparently this is what has been done, and they found that some public citizen has sold Public Service Company some faulty materials, and it's the people that are responsible for that faulty material, not the company, not NRC.

MR. MARTIN: Mr. Page.

MR. PAGE: I'm going to quit right now. Thank you.

MR. MARTIN: Do you have some information about faulty material that affected this?

MR. PAGE: Only what I heard tonight.

MR. MARTIN: Okay. We are not aware of any faulty material.

MR. PAGE: I am sure, knowing the people of the United States, that somebody somewhere has put a faulty nail or screwdriver or weld or something else in the Seabrook reactor. But it's neither here nor there. As Shakespeare

says in a play, "Much ado about nothing."

MR. MARTIN: Bruce Eaton.

MR. EATON: Thank you, gentlemen, for the opportunity to speak this evening. By the way, I'm a licensed professional engineer, retired from Massachusetts. I do some consulting work on the side just to keep active.

However, I have a keen interest in both nuclear power and especially electric power which is needed throughout this region as you know, and I know you know, whether or not you want to admit it, for this region to remain a viable manufacturing area and to provide jobs for my children and my grandchildren, and hopefully their children.

I came to learn about this issue because it's been, as usual, somewhat distorted in the press. And in reading the references and all, I wasn't able to ferret out just what went on.

So in coming to learn, I thought I was going to come to a well organized and respectful meeting. Unfortunately, it was rather disrupting and difficult to hear and learn. And whereas I respect everyone's view to be pro, anti or anything else they want to be, I do feel that they should respect my rights as well. And I found it very difficult with idiots disrupting an orderly meeting.

I find that in the discussion and in your

questioning that there very definitely were some weaknesses uncovered in this nothing event. It became a something event because those weaknesses were discovered and that I appreciate and that I am grateful for.

I believe that New Hampshire Yankee has, by virtue of their testimony here, and I'm sure by reports to you gentlemen, they have in fact addressed most, if not all, of the issues in a satisfactory way. And I'm sure if it isn't quite satisfactory, you, as the regulatory agency, will insist that it be satisfactory to you.

We must remember something about this whole operation which everyone seems to be forgetting. If I board an airplane, I'm not fearful. Why? I'm going to go 44,000 feet in the air in a 747 which could come down like over Lockerbie, Scotland. However, I'm not fearful because I know that the pilots up front have their own well being in mind more so perhaps than my own. They are going to make sure the ship is right. They are going to make sure they operate it according to systems, to standards, and in a way that's going to be safe for them and me. I am safe.

I think the same thing holds true here where our operators at this plant, be it any plant, are going to operate that so that their safety is in fact taken into consideration and protected. And they have the systems. They have the training. And I'm sure they are going to do

it and that, in turn, will protect us all in the surrounding environment.

They know they must follow these systems meticulously and operate that plant safely. I hope that because of the necessity of additional power in this area to keep it viable, that the NRC will see fit to quickly issue a full operating license.

Thank you.

(Applause.)

MR. MARTIN: Janet Charron. I apologize if I'm mispronouncing it. C-H-A-R-R-O-N.

MR. BORGESON: My name is Paul Borgeson. I live in New Market, New Hampshire. And I thank Janet for yielding to me.

I would like to get back to the valve MSPb 3011 that was brought up by Steve Comley, and the situation about the counterfeit parts. You seem to have this list of 59 plants, and Seabrook is one of them that's on this list that contains counterfeit parts, or counterfeit materials or poor workmanship.

You seem to know, therefore, that there are some parts that do exist in Seabrook that are counterfeit and are faulty and have not been tested properly.

Is this particular valve, MSPb 3011, one of those parts?

MR. MARTIN: Mr. Dudley?

MR. DUDLEY: No, it is not.

MR. BORGESON: Since there is information that there are counterfeit parts in Seabrook, what is that list of counterfeit parts?

MR. DUDLEY: That came out in an information notice that Mr. Comley called out the number. I think it's 8804. That information notice has been dispositioned by the licensee.

MR. MARTIN: That's 5, 8805.

MR. DUDLEY: 8805, I'm told.

Tony, correct me if I'm wrong here. But that has been dispositioned by the licensee. They actually took a lead position of the utilities in the United States of doing a record search and identifying any parts that were delivered to the site by the vendor called out as providing counterfeit parts.

MR. BORGESON: Now, were any of those parts put into the plant?

MR. CERNE: My name is Tony Cerne, resident inspector.

In response to the bulletin which called for the plants that had potentially fraudulent material, the licensee did a check of various components in the plant; did find some substandard parts and replaced them.

MR. BORGESON: They did replace all counterfeit parts in the plant?

MR. CERNE: All that were identified, that's correct.

MR. BORGESON: All that were identified.

So there could be parts that are not identified.

MR. CARNE: We don't know of any. As a result of the information notice bulletin, the parts -- the inspections were done to find all the parts. Those that were found were replaced.

MR. DUDLEY: If there is any additional information on what type of parts are believed to be counterfeit, we do follow up on them.

Just last month we did follow up on an allegation that valves used in an auxiliary feedwater system were counterfeit, and there was an inspection, a two-day inspection that went into depth on verifying that those parts were directly from the manufacturing, tracing back both the number that was cast into the valve and comparing that to the purchase order that was provided by the vendor.

So any time we do get information that there possibly could be a counterfeit part in the plant, it is followed up in detail.

MR. BORGESON: Now, the regulation exists that you have lowered the standards for some of these parts since you

have encountered the notification that there are counterfeit parts. You changed the regulation, did you not?

MR. CERNE: What you are referring to is the change in some of the engineering criteria --

MR. BORGESON: Right, you changed regulations that lowered some of the standards for some of the parts required for nuclear power plants.

MR. CERNE: Engineering decisions were made as to the acceptability of some components which were tested to be below the standards that were first put out as criteria. Those engineering evaluations identified those parts. They were evaluated, and identified to be acceptable and were left in place.

MR. BORGESON: Now, did that include parts that were listed as counterfeit parts?

MR. CERNE: What you are identifying as counterfeit parts --

MR. BORGESON: Well, you had a list of counterfeit parts and a supplier that was providing you counterfeit parts before you changed the regulation.

MR. CERNE: What we were looking for --

MR. BORGESON: And then you changed the regulation. And at that point, when you changed the regulation, were there parts that met the new regulation standards that were part of the counterfeit parts?

MR. CERNE: Okay, I think the focus on counterfeit parts is incorrect in the sense that we are concerned with substandard parts. Whether they are counterfeit or not doesn't matter.

MR. BORGESON: Well, these counterfeit parts --

MR. CERNE: The fact is the substandard parts were replaced.

MR. BORGESON: Well, these counterfeit parts were substandard.

MR. CERNE: The substandard parts were replaced. There were engineering evaluations done to accept some parts which were not substandard, which didn't meet the original criteria.

MR. BORGESON: But used to be substandard. There is a previous regulation, and then you changed the regulation so a part --

MR. MARTIN: Let's quit speaking in engineer and let's talk practical.

What a second. Give me a chance.

MR. BORGESON: I'm trying to talk practical here.

MR. MARTIN: Give me a chance.

MR. BORGESON: You've got parts in the Seabrook Nuclear Power Plant --

MR. MARTIN: Give me a chance.

MR. BORGESON: -- that meet new regulations that

you have said which are lower standards --

MR. MARTIN: Give me a chance to explain what you are talking about.

MR. BORGESON: -- than previous.

MR. MARTIN: Let me explain what you are talking about.

MR. BORGESON: I want to know what you are talking about.

MR. MARTIN: That's right. And if you will let me, I'll tell you.

MR. BORGESON: I want to know about these parts that meet the new standards that don't meet the old standards.

MR. MARTIN: The engineering design criteria has large safety factors built into it. Sometimes on the order of three to five.

MR. BORGESON: I just want to know about those particular parts that meet the new standards that did not meet the old standards, those parts. That's what I want to know about now, and if they still exist in the Seabrook Plant and how they relate to the incident that took place. And were they used in the testing in the way that you ran the test?

MR. CERNE: All the parts that were identified that are still in place in Seabrook are acceptable. They

meet the design criteria and they have no relationship to the incident.

MR. BORGESON: But were they used during the test?

MR. MARTIN: No, they had no involvement in the event.

MR. BORGESON: Those particular --

MR. MARTIN: They had no involvement in the event, sir.

MR. BORGESON: Were they used during the test?

MR. MARTIN: If you mean was there something out in some structural member that may have been a substandard bolt, that may be true. That is possible.

MR. BORGESON: That's what I want to know. I want to know what those parts are.

You have the list of those parts that were substandard.

MR. MARTIN: Well, the list that we had, every deficiency that was identified, you heard the staff tell you, every deficiency that was identified was evaluated and either replaced or found acceptable as is.

MR. BORGESON: Was that inspection done after the new regulation, or before the new regulation?

MR. MARTIN: I don't know what regulation you are talking about changing.

MR. BORGESON: The new standards that you set for

the parts.

Was the inspection of these parts done before that new standard set or after that new standard was set?

You've stated that these parts met the standard.

MR. MARTIN: The basis for accepting as is, which was discussed in the bulletin, articulated an engineering analysis that would be acceptable to the staff, that if used by the licensee and found to meet that criteria, could be used as is.

MR. BORGESON: So this was parts meeting the new standard that you had set. You set a new standard for parts that were previously substandard. You set a new standard. Then they did the inspection based upon the new standard; is that correct?

MR. MARTIN: If you have got a device that is holding up 100 pounds and it's capable of holding up a thousand, and then somebody says, oh, it's not really capable of holding a thousand, it's only capable of holding 500, 500 is still well above 100 pounds. It is acceptable to be used as is. It didn't meet the original standard. That is what we are talking about, sir.

MR. BORGESON: That's what I wanted to know. Thank you for answering that question.

Now, what about the reports that were falsified or signed off incorrectly, what action is being done for those

people who signed off those reports incorrectly? And what is being done to check previous reports?

MR. MARTIN: That is being considered in the enforcement conference that will occur tomorrow, and we do not normally take action against individuals. We don't license the individuals. We license the licensee, which is a corporation.

MR. BORGESON: What are you going to tell the licensee to do about the bad reports that you know about that are in your report here?

MR. MARTIN: The licensee already identified that fact also.

MR. BORGESON: What are they going to do about it?

MR. MARTIN: What they are going to do about it is they have established a new process to determine when systems are ready to be operated.

MR. BORGESON: How different is that from the old system?

You've got people going in there. Who is going to check on a person signing off on a work order?

MR. MARTIN: It is done as part of the quality assurance checks. It's done as part of the quality assurance checks.

MR. BORGESON: You've had up to this point hundreds of --

MR. MARTIN: It's done by the supervisors.

MR. BORGESON: -- quality assurance checks that you've assured the public have existed that no kind of an accident would occur, and you've had accidents all over the country. And you still continue to say this is done with quality assurance, and they continue to falsify reports and sign off things they should not sign off on.

MR. MARTIN: Sir, do you have any specific information about this event or the licensee's performance in this event, or his corrective action?

If not, I would appreciate you yielding the floor.

MR. BORGESON: I just want to make one more statement.

What you are doing here in your own report, in the attorney general's report, and your meeting tomorrow is going to affect me, my children, and everybody else in this room who lives in the 50-mile radius. I'm not talking a 10-mile radius. Your own reports from years ago state 50 miles could even be more dangerous than living within two miles of a plant.

What's happening in this report, at this test, with these valves and the parts that are still in the plant that were substandard, which of course are not substandard any more, are endangering my life and my child's life. You people have admitted 20 years ago to killing 4,000 children

in this country.

MR. MARTIN: Would you please yield the floor to the next speaker? We have a lot of people who would like to talk.

MR. BORGESON: I know you do. There are thousands and hundreds of thousands of people that want to talk to you, but are you really going to listen when you know you are killing children and you still do it.

(Applause.)

MR. MARTIN: Mr. David Colt.

MR. COLT: I'm David Colt from Hampton, New Hampshire. And I would like to apologize publicly to the assistant attorney general for urging him to go home. I really wish him well in politics.

MR. TRAFICONTE: You don't have to do that.

MR. COLT: I also want to apologize to you, Mr. Chairman, for our bad manners here. I didn't think New Hampshire was this rude to visitors, and I'm sure that you could do much better in private industry, and I thank you for your diligent work in the Commission.

I was concerned when I heard about this test trouble on the low level testing and what had gone wrong. And so we came to this meeting, and we got the answer. We know nothing's perfect. But we are really assured that the standards here are well above any safety standard for any

other type of plant than nuclear. And I feel that this plant is -- well, I recommend that you proceed with the licensing procedure.

MR. MARTIN: Macy Morris? Is Macy Morris available?

VOICE: He's not here.

MR. MARTIN: Laural Cappelle?

Don Janik?

MR. JANIK: Thank you.

New Hampshire Yankee tonight presented information to help us understand what went on during low power testing. And part of that information was selected video tapes.

Could you or would you require that a video tape system be present in the control room on a 24-hour basis so that we could have some quality video tapes of the operations? And in this case, it would have been very helpful for the public to review those tapes to see what actually did go wrong.

MR. MARTIN: If your question is could we, yes, we could go through rulemaking. We actually considered that several years ago, and decided it would not assist us in the review of the events.

MR. JANIK: My further question would be, if we are trying to establish some credibility with the public, could you or would you require this utility to lease or make

available some cable vision channels to those communities within a 10-mile radius so that we could watch the control room?

Again, it wouldn't be any more boring than this. Could you do that?

MR. MARTIN: Again, I suspect that we would have to go through rulemaking there. But the bottom line is we do not think that that would be appropriate.

I'll tell you my concern that you don't maybe recognize. It was an Iranian who reminded me of this when I was over in Vienna.

MR. JANIK: Could you answer the question, please?

MR. MARTIN: Yes, I will.

The answer is I don't think it's appropriate, and, no, I will not recommend that they put cable TV in so that you can watch the control room.

MR. JANIK: Is there somebody else we could talk to that might be able to do this?

MR. MARTIN: You can always petition for rulemaking. That is your right.

MR. REIS: Under the NRC regulations, and if you go to a public library, you can find them, in 10 CFR, that's Code of Federal Regulations 2.800 is a proceeding to ask the Nuclear Regulatory Commission to adopt regulations. And what you are asking is that new regulations be adopted.

Now, I am not sure that our -- we would have to find that the public health and safety would be advanced by having the control rooms on cable television in order to do that and have the authority to do that. But it's certainly something you can file a petition for and ask that we consider it. I'm not sure we have the authority to do it, and that would have to be part of our consideration.

MR. JANIK: My only concern is --

MR. REIS: But anybody can petition for us to adopt certain rules and regulations.

MR. JANIK: The utility tonight presented selected video tapes in an effort to help us understand what went on, and we accepted that. And now we have a chance to completely cover the control room, and we're walking away from that.

Thank you.

MR. MARTIN: The question that Mr. Reis was answering is there is a lot of data that is gathered automatically in the plant. There is a computer which runs a complete log of the alarms. There are strip charts that monitor individual parameters, and the recording pins record on them. It is through these analysis of these records that we reconstructed events, that along with interviews of operators, examination of procedures, et cetera.

We also have resident inspectors who spend a great

deal of time of their time in the control rooms observing activities; also out in the plant observing activities and attending meetings. So it's not that we don't have any access to the information.

But with regard to is there a complete set of information, are there video tapes, is there a black box type, no, there is not. That has not been something that required. And again, if there is a strong feeling that that is necessary, and there is a route under the Administrative Procedures Act which has been enabled through our regulations as petition for rules. And that is available to every citizen to exercise that right. I wouldn't recommend it in this case. I don't think it's the right thing to do.

Ted Van Nahl?

David Slesinger?

VOICE: He's here.

MR. SLESINGER: I obviously don't know you folks personally, so I don't really know what your level of integrity or intentions and concern for public safety is. It may be very high.

My opinion of your organization is that it's no better than the gangsters down in Colombia. Haven't the slightest interest in how many people are slaughtered. And I don't think -- I do think that the people in the NRC rationalize anything they can.

When John Gothom was appointed to do the study on radiation and human cancer causation by the AEC --

MR. MARTIN: Mr. Slesinger.

MR. SLESINGER: I'll be quick, but I'm only going to talk about what I want to talk about. I'll be quick, though.

MR. MARTIN: Then I ask you to yield the floor. We are specifically here to gather information relative to the licensing --

MR. SLESINGER: I won't, but I will be very quick. I won't yield the floor, but I will be very quick.

You ignored what John Gothom's study found, and he was appointed by the ACE to study the relationship of human cancer causation and radiation, and he was ignored and his funding cut off.

And it's constant within the industry and the NRC that people ignore. They don't really believe that radiation is dangerous. And the main point I want to make is that even if the NRC doesn't care how many people die, it will care if there is a major meltdown in this country, because there will be very, very serious political implications, and that's all the NRC and the people who really control things really care about.

(Applause.)

MR. MARTIN: Mr. Slesinger, you had the

opportunity of expressing your opinion. You are wrong. I wish I had an opportunity to talk to you about it.

Tony Fallon?

MR. FALLON: Hi, I'm Tony Fallon, and I am a resident of Stratford, New Hampshire.

You know, I've often driven down the car and listened to the British parliamentary processes and always heard that shouting and ranting and raving in the background. I always wondered what it would be like. So it's neat to see it firsthand, and that it could still accomplish some things, I hope.

I guess my question is, we have talked about this incident and said that there were two things that went wrong. And because it was during a low power test, it only went up to 17 percent or something. I don't know all the details.

MR. MARTIN: It was less than 3 percent.

MR. FALLON: I'm sorry?

MR. MARTIN: Less than 3 percent power, and it dropped below 17 percent water level.

MR. FALLON: Okay. If we are at full power, what would this -- this would have been a more dangerous situation on a regular operating day, right, if these two things had gone wrong during the --

MR. MARTIN: The transient would have moved a lot

faster than it did.

MR. FALLON: I'm sorry?

MR. MARTIN: The transient would have moved a lot faster than it did.

MR. FALLON: I'm sorry. I don't understand what you mean.

MR. MARTIN: It's the difference between driving a car at five miles an hour and driving it at 60 miles an hour. At five miles an hour you have a lot more control over the car. That's the difference.

MR. FALLON: Okay, so I'm just trying to establish that if what happened during this incident happened at 100 percent power, there would have been a danger to the area; is that correct?

MR. MARTIN: No, sir, it would not.

Again, if they had did the exact same thing, went through the exact same parameters, it would have moved around faster, but they would have either tripped out on low pressure automatically, or because they decided to do it, or it would have tripped out on high pressure automatically, because it hit the high pressure point, or because they decided to do it. Either way there were all sorts of backups and defense in depth to prevent any consequences outside that plant.

MR. FALLON: In a layman's term, I can't

understand how two things went wrong at low power. And if the same thing happened at high power, there wouldn't have been something more dangerous in the normal operatior

MR. MARTIN: The difference is driving down the road at five miles an hour and slamming on the brakes, and driving down the road at 60 miles an hour and slamming on the brakes. And in either case, there was nobody around you to see this event. Both times the car comes to a stop. One, it slides a little further.

MR. FALLON: Granted, at 65 miles an hour --

MR. MARTIN: My staff reminds me that they would not be permitted to perform this test at 100 percent power. You are not -- the special test exception only applied at low powers. Normally you are not allowed to operate without reactor coolant pumps running. This was a very special situation to test the characteristics of the plant.

MR. FALLON: Okay, I'll let that one lie.

I guess what I wanted to talk about was to just be a little bit graphic was that I have four generations at the beach. You know, we have had many discussions with you with regards to evacuation and if it's possible. I grew up working there. I just really don't think that something like that is possible to really evacuate the beach.

And we're talking here about -- although you say that it wasn't any more dangerous, there wouldn't have been

danger at full power, you are saying that somebody did make a mistaken. That could have happened at full power, not through that particular channel, but --

MR. MARTIN: Let me use my analogy one more time. I used this when I talked to Congressman Markey.

The event, as we observed it because we were in the control room, was like you're sitting in the passenger seat of a car that's coming onto an expressway, and you are in the acceleration lane and you come down and there's a yield sign.

Now when I'm trained and when I got my license, it said that you don't go above 15 miles an hour when you go through that yield sign. You look both ways and you do all the right things.

Now you're riding with this guy who is driving, and he doesn't look both ways, and he goes right through that yield sign at 30 or 40 miles an hour.

Now, the NRC says, wait a second. Didn't you see that yield sign? Don't you know what's expected of you? This time it didn't have any consequence. There was nobody around. There was nobody on the expressway.

But if I don't correct that issue right then, what about the next time he comes down that yield sign, and maybe I'm not there. And there's a big Mack truck coming up that line. That's what we are worried about.

The operator in this case did not understand what was the right thing to do that would normally provide that administrative control to protect him. In this case, it meant nothing because there was no Mack truck coming. Great. I'm glad for him. But he had an opportunity to correct the situation here, and that was the issue.

MR. FALLON: But if there was a Mack truck, there would have been a problem.

MR. MARTIN: Sure would.

MR. FALLON: Okay.

MR. MARTIN: He would have really have disliked that.

MR. FALLON: If they were at full power, there would have been a problem.

MR. MARTIN: No, sir. Again --

MR. FALLON: I don't understand.

MR. MARTIN: -- we build these plants with multiple tiers of levels of defense. There are all sorts of automatic systems that back him up if he fails to do the right thing. In fact, when this operator finally decided to rip it at 2340 -- is that the number -- when he finally decided to trip it, had he not the automatic system was waiting.

MR. FALLON: Okay. I guess the thing that bothers me is that we're talking about evacuation. We're talking

about percentages. We're talking about multiple backups. We're talking about protecting people's lives for something that to me, and I am not in favor of atomic power, it's dangerous, and I don't understand why we are trying to produce power this way. I don't understand why we are all sitting here worrying about how these lights are lite, when there is many -- please, you have interrupted me a couple of times. I just want to say a few things. When there are many safe ways to generate the power without endangering people's lives, without wasting our time, without coming here to try to protect ourselves over something as background as mundane as producing electricity.

The largest -- this one you might be able to correct me on -- as I understand it, the largest electrical power plant in the world is in the Soviet Union and it's a hydro plant.

Sure, a dam can break. Sure, people can die. But it's limited, and it's not going to last for millions of years.

That's all I have to say.

MR. MARTIN: Thank you, sir.

MR. FALLON: That's why I am concerned about this incident. I just think, although you assure me if it was at full power, it wouldn't have been the same, I just don't -- a lot of people think if something tragic would happen in

the United States that we would finally wake up and say, okay, we will not deal with this anymore. We will shut them all down. I would rather that we listen to a small problem and stop licensing these plants at this time before we have a major catastrophe.

Thanks.

(Applause.)

MR. MARTIN: Andrew Tomlinson?

I'm going to apologize for this pronunciation ahead of time. Lily Esmiol?

Mike Vensel?

Jane Doughty?

MS. DOUGHTY: Gentlemen, I am from the Seacoast Anti-Pollution League. My name is Jane Doughty, and I have a few questions about the specifics of this event.

At 0730 there was a telecom with the NRC project chief, Mr. Wiggins, and apparently the NRC staff sought a commitment from the licensee having to do with the RHR operability issue.

Would you explain to me what your concerns are with the residual heat removal system?

MR. MARTIN: Noel just left. Where did Noel go?

We will get an answer for you when he comes back in here.

Mr. Dudley?

MR. MARTIN: Mr. Dudley was the resident. I think he was even on the conference call at that time.

MS. DOUGHTY: Okay. Another thing I noted in the video tape was that it appeared that the control room operators had no idea that the steam dump valve is the source of their problem in terms of -- I forget the particular term I want -- but in terms of why they were losing water level in the pressurizer.

MR. MARTIN: Why the plant was --

MS. DOUGHTY: Steam demand, I guess, is what I'm trying to think of, why there was excessive steam demand.

And is there any way they are able to determine that those particular valves are functioning properly from the control room without relying on a telephone call from the turbine building? And why didn't they notice that, if there is?

MR. DUDLEY: That is part of the concern, because there are lights in the control room that identify whether a valve is open or shut.

MS. DOUGHTY: Is that related to the containment isolation display, by any --

MR. DUDLEY: No, it's not.

MS. DOUGHTY: It's not. It's a separate valve display system?

MR. DUDLEY: Yes, it is. For the steam dumps

itself.

MS. DOUGHTY: Would you describe that display for me?

MS. DOUGHTY: It's a Roll White. It's about so long. You have two lights for each steam dump. A red light for open. A green light for shut.

MS. DOUGHTY: Where are those generally located on the main control board, if you remember?

MR. DUDLEY: They are in the center of the main control board above the main steam isolation valve displays.

MS. DOUGHTY: Excuse me. Just one moment.

(Pause.)

Were those lights actually functioning during the test properly, and it was a case of the operators not seeing them, or was the failure with the light indications?

MR. DUDLEY: That's what prompted the operator to go out into the turbine deck to check the position locally.

MS. DOUGHTY: I see. So an operator actually had to exit the control room to go look himself from the --

MR. DUDLEY: He did raise the question. He did raise the question to the operators on the panel, or to the operator next to him. Again, there was other licensed operators observing the test. And he questioned the individual next to him in the main control room, isn't that steam dump open. And the understanding was that they had

had problems with the indications during the low power testing, and it was an indication problem.

MS. DOUGHTY: I see. So they weren't convinced of the reliability of their own indication system at that point in time?

MR. DUDLEY: Yes, that is another problem that fell out of this was a very basic principle of nuclear power that we believe your indications until proven otherwise.

MS. DOUGHTY: Okay. Was this some kind of thing that would also have been displayed as any kind of a parameter indication on the safety parameter display system?

MR. DUDLEY: No, it's not. It's not a safety related system. It's on the steam side.

MS. DOUGHTY: So even though it might affect the primary coolant system in terms of pressure ultimately, it's not reflected on the SPS indications.

MR. DUDLEY: That's correct.

MS. DOUGHTY: For critical safety functions.

MR. DUDLEY: And that's normally steam -- the dumps themselves go right into the condenser, and they are downstream of the MSIVs, the main steam isolation valves.

So if the main steam isolation valve goes shut, or if you are unable to control your vacuum and your condenser, the valves become useless to you.

So most accident scenarios will either shut your

main steam isolation valve or lose vacuum in the condenser. So they would not come into play in many of the accidents that are analyzed, and they aren't taken credit for in the analysis.

MS. DOUGHTY: Okay.

MR. MARTIN: Do you want to ask your question to Noel about the RHR system?

MS. DOUGHTY: Yes.

The first question I had before you were back in the room had to do with the 0730 telecom headed up by Mr. Wiggins wherein the NRC staff sought a commitment from the licensee to resolve the "RHR operability issue".

And I'm wondering what the concern is about the residual heat removal system.

MR. DUDLEY: They found, again as part of the test program, that there was some leakage, back leakage through a check valve between the accumulators and the RHR system that resulted in the relief valve on the section side of the RHR pump to lift.

The concern was how did that affect their accident analysis. Since then the licensee did go out to Westinghouse who did an analysis, and confirmed that the leakage by the valve, by the check valve was bounded by their small break LOCA analysis.

MS. DOUGHTY: Is that a Westinghouse valve?

That's why Westinghouse was called upon to do the analysis?

MR. DUDLEY: No, it was Westinghouse who designed the plant.

MS. DOUGHTY: Yes.

MR. DUDLEY: I don't know whether the valve itself was made by Westinghouse. There are many different vendors of valves.

MS. DOUGHTY: Okay. But the vendor for the plant does the analysis and determines that that's within the --

MR. DUDLEY: Yes, because the --

MS. DOUGHTY: And that's acceptable to NRC. You don't do an independent check yourself. You allow the vendor of the reactor to do that?

MR. DUDLEY: Yes. Yes, we do. The licensee doesn't have the staff in-house to do those accident analysis reviews.

MS. DOUGHTY: And you are confident that there is no problem with the valves in the RHR system having to do with the low pressure injection system?

Are you confident that there is no valve problem there, leakage or anything of that nature?

MR. DUDLEY: No, not that would affect accident analysis.

MS. DOUGHTY: I want to just emphasize a point Mr. Backus made earlier, because I think the relevance of his

comment about Mr. Feigenbaum's statement at the ACRS meeting may have been lost on people.

The organizational chart changed. The New Hampshire Yankee shows that Mr. Feigenbaum has been put in between Ed Brown and the other people on he operations staff. So all information is going to be conduited up through Mr. Feigenbaum. And we believe that he made a material false statement before the Advisory Committee on Reactor Safeguards with regard to Route 101 and Route 51.

And I would urge this panel to go take a look at the entryway from Route 51 from the beach. At the very point of entry, which is the choke point for evacuation time estimates, that is a one-lane entryway between two buildings, and trucks can't even make a turn into that exit off the beach.

And so for him to make that kind of a statement, I believe it would be characterized as a material false statement under your regulatory definition, and I think it's a very serious matter.

MR. MARTIN: Based on the discussion with Mr. Backus, we already have that as an issue --

MS. DOUGHTY: Yes.

MR. MARTIN: -- to bring to the allegation panel.

MS. DOUGHTY: Yes, right. It's going to be a very easy allegation to check. It's not a sworn deposition

transcript or anything of that nature. But it was a meeting that was transcribed, and you can go and look at the beach and see that the statement is materially false.

The fourth thing I would like to raise is that the vice president of nuclear production, who was released from this as a result of this incident, is the person under the FSAR who determined whether or not people have the qualifications to be eligible to be trained to be an operator.

So all of these operators for the plant were -- Mr. Thomas has been around awhile, and I assume he was the person that determined that they were eligible for training. So I wonder what the NRC is doing to take that next step back to look at the operators to see if they are indeed capable and have the qualifications to know --

MR. MARTIN: Mr. Eselgroth, would you address that?

MR. ESELGROTH: Certainly.

The operators are actually licensed by us. That individual you are referring to certainly has a role and a responsibility in training them, making them ready. But in fact we license each of the operators.

MS. DOUGHTY: So it's the licensing exam that you see and that's the -- to what extent does NRC involve itself? I would like to be informed as to how much of an in

depth involvement you have in assuring that the operators are appropriately qualified, technically qualified.

MR. ESELGROTH: Well, we give a very extensive examination. They get a written examination which lasts about six hours. They are taken through drills on a simulator which for each of the candidates can last two to three hours of involvement. Then they are taken on a plant walk-through and given an oral examination. It's really quite extensive. I'm not sure any other exams in the country are quite as exhaustive as our examination process.

So your concern about that one particular individual who may have been involved in one manner or another in getting people ready, and his no longer being with the company isn't really a concern with us as far as the individuals being checked out, et cetera. We have done that ourselves.

MS. DOUGHTY: I have one last question I would like to ask that relates to what Mr. Fallon was asking about before.

If we had a situation where the reactor coolant pumps tripped so you were forced to operate on natural circulation, pressurizer dropped below the operating -- the pressurizer water level dropped below the operating limits and the plant -- due to improper maintenance the scram mechanisms didn't function, what would happen?

MR. MARTIN: Noel?

MR. DUDLEY: In that case, they would be thrown into their emergency operating procedures. About the first step in the procedure is to ensure that the reactor has tripped. And if the reactor has not tripped, then the procedure transitions them into FSRS-1, which is functional recovery for reactivity.

That subprocedure then goes through about a dozen different means of tripping the reactor from manually opening the breakers to deenergizing the bus which the breakers are powered off of. If none of those -- if you are unable to get the rods in, then you begin to add boron to the primary, which will then add negative reactivity. And you continue adding boron until you have shut the plant down and your source range meters come on scale.

MS. DOUGHTY: I believe at the Salem plant there was a problem with reactor operator inattention, and it took him awhile to scram -- well, no, I guess they did. They rapidly manually scrammed the reactor, but what if these operators were inattentive, and didn't?

MR. DUDLEY: What happened at Salem was that they manually scrammed. It was only --

MS. DOUGHTY: Yes.

MR. DUDLEY: -- during a way to review did they realize that the breakers did not open on the automatic

signal.

MS. DOUGHTY: But posit a situation where the reactor operators were inattentive. How long would it take before things were out of control under the scenario I have already drawn up? How much time do the reactor operators have to react to a situation like that where the reactor doesn't trip itself automatically? How much time for the Westinghouse PWR?

MR. DUDLEY: Okay, you want to run through a scenario of where the reactor trips system does not automatically trip the reactor?

MS. DOUGHTY: Yes.

MR. DUDLEY: Okay. In order for that to happen, there will be no manual -- no operator action at all.

You will have --

MS. DOUGHTY: Well, we're trying to figure out how much time do the operators have to decide to take action is what I'm asking.

MR. DUDLEY: Okay. If the reactor trips system is functioning correctly, the reactor will trip itself.

MS. DOUGHTY: No, but I said the reactor didn't trip.

How much time before -- I'm trying to figure out how attentive on the stick these operators have to be. The reactor doesn't trip. We've already had a reactor coolant

pump trip. Pressurizer level had dropped below the operating limit.

MR. MARTIN: First of all, they are going to be hard to ignore. There is going to be a hell of a lot of alarms go off, and it looks like a Christmas tree. So they will know that they have a major problem.

At that point they are into their emergency operating procedures, and there are steps they have to follow to get the reactor under control.

If they do not immediately try to trip the reactor, then they are off on some other part of their procedure which will get them right back to that same place. It's an iterative process. It continually takes you back to the most safety-significant parameters and how you must deal with them.

MS. DOUGHTY: I'm just asking how much time do they have to work their way through those procedures and do that.

MR. MARTIN: Quite frankly, it depends upon the transient which initiates the need for the scam.

If you had a fast-moving event, that's the reason you have fast scram systems.

MS. DOUGHTY: But again, we've already posted the reactor coolant trip system didn't work, and we are counting on the operators to do it.

I'm saying how fast does that scram system have to be when it's the operator that's --

MR. MARTIN: YOu basically talking an Atlas even which is now being analyzed, and it's one of the issues that has been of concern to us.

MS. DOUGHTY: Yes, I think something like 90 seconds, as I recall, that NUREG.

MR. DUDLEY: Ninety seconds before what?

MR. MARTIN: It depends upon the transient. You know, there are some very benign transients that take a long time and will have a long time to --

MS. DOUGHTY: No, I was talking about this type, of the loss of the -- the reactor coolant pump operability and the pressurizer water level.

MR. MARTIN: It goes into natural circulation by itself.

MR. DUDLEY: It will remove the decayed heat through the steam generator. If it overheats, it will lift the safeties on the pressurizer. Once it depressurizes to a certain point, the safety injection system will come on which you will then put yourself into what is called a bleed and feed. You are bleeding steam out of the pressurizer. You are feeding with the safety injection system.

So the plant will take care of itself for hours. You will create a lot of damage to the containment due to

the release of the primary coolant into the containment. But in terms of keeping the core covered and preventing fuel damage, the plant should take care of itself with no operator action for hours in the scenario that you set out.

MR. MARTIN: There are plants that operate in this boiling water mode. That's really what you are at. And it can operate with natural circulation for some period of time. It's not what it was designed to do for long periods of time. It's not an efficient way of generating power. But it can do it.

MS. DOUGHTY: And it becomes very difficult for them to monitor the reactor coolant system pressure.

MR. DUDLEY: Oh, at that point you're not concerned about the pressure, and at that point you are concerned about removing the decay heat from the core, which is being produced by the rods being up.

MR. MARTIN: That's the hierarchy of safety functions. The first objective is to shut that reactor down. The second one, if you can't do that, is to remove that heat.

MR. DUDLEY: The only reason you are concerned about pressure is that you don't lift the safety valve on the pressurizer.

MS. DOUGHTY: Okay. But all these scenarios that you are talking about, all the bleed and feed, this all

happens after they have manually scrammed, right? They have to manually scram?

MR. DUDLEY: No, the reactor can stay critical while they are doing this.

MS. DOUGHTY: All right.

MR. DUDLEY: And the heat will also be removed through the steam generator on natural circulation. It will take about 10 to 15 minutes to set up, but that will be another heat removal mechanism besides the feed and bleed.

MS. DOUGHTY: Well, thank you for that explanation. And I would just like again to say that I am concerned that the fixes that the plant management has described to you are just not going to be sufficient to deal with the underlying, I believe Mr. Traficonte called it a cultural problem at the plant. I think there is a serious problem that needs to be examined more thoroughly, and just some shuffling in the organizational chart is not going to really address these problems.

Thank you.

(Applause.)

MR. MARTIN: Karolina Bodner?

Bob Perry?

MR. PERRY: Thank you for this opportunity, gentlemen.

Eighteen years ago I was a greenhorn court

reporter down in Florida, and I was assigned to take a hearing entitled "The Southern Conference on Environmental Radiation Protection from Nuclear Power Plants". And I heard from people like yourselves full of optimism, full of confidence. Every problem fixable. That was years before Chernobyl, years before TMI.

It seems to me that with the problems we have existing right now at Peach Bottom, Pilgrim --

MR. MARTIN: Bob, do you have comments relative to Seabrook, and specifically to the event we are trying to get information on?

MR. PERRY: I'm forming a basis for a conclusion that there is no way that that plant can operate without incident.

MR. MARTIN: Bob, that's not the issue that is being discussed today. We are trying to understand the adequacy of the performance of the licensee during the event which we have pointed out some deficiencies.

We are also interested in the adequacy of the corrective action that the licensee proposes when you have knowledge of what the deficiencies were.

Do you have any comments on either one of those issues?

MR. PERRY: I have the general comment that we are placing too much confidence in human nature and human

abilities. These plants can get out of control.

I understand Chernobyl went out of control in seven seconds, running at 6 percent capacity. And it was the operating error of -- six operating errors that caused that plant -- six major operating errors that caused that plant to go down. And I don't think there is -- I know there is no way -- I say I think -- there is no way that we as human beings can operate those plants.

I see the same -- as a matter of fact --

MR. ESELGROTH: Could I make just a short comment that might be of interest or value with respect to the references to Chernobyl?

It might be helpful for people to realize there is no reactor plant in this country operating today that is like that design of the Chernobyl plant. And it's important for people to realize that.

What occurred at Chernobyl and in that graphite moderated reactor, just isn't like the plants that we have, and some people may not realize that, because a nuclear plant is a nuclear plant is a nuclear plant is a nuclear plant. But it's important to realize that that's a fact.

MR. PERRY: I understand, but that doesn't explain away the basic flaw which was human error. That's the point I'm trying to make here. Eighteen years ago I heard the analogy that you gave, sir, involving the yield sign.

Were you at that southern conference 18 years ago?

MR. MARTIN: No, sir.

MR. PERRY: We had an unexpected guest upstairs who was one of the operators, one of the 57 operators during this incident. If I understand you correctly, you said that under the circumstances that existed at the time that that plant would have shut down automatically. The fellow upstairs said that it would not have shut down automatically.

MR. MARTIN: Then you must have misunderstood him, because it was headed for high pressure trip.

MR. PERRY: No, sir, there was no misunderstanding, and he's on tape.

MR. MARTIN: I understand, but that is not the case.

MR. PERRY: I would just like to quote, brief, 15 seconds, "Tom Johnson, mayor of Cleveland, 1901 to 1909. I believe in municipal ownership of these monopolies because if you do not own them, they will in time own you. They will destroy your politics, corrupt your institutions, and finally destroy your liberties."

And, sir, it's in progress. Thank you.

(Applause.)

MR. MARTIN: Michael Vinsel? Lily Espiol? Andrea Tomlinoon? Tom Daley? I really apologize, K-A-I-U-W-E

Allen, 10 Exter Street? Bob Perry?

MR. PERRY: I spoke already, sir. Thank you.

MR. MARTIN: Norma Koski? Macy Morris.

Oh, excuse me. Norma, sorry.

MS. KOSKI: Norma Koski, yes.

I know it's late and thanks for staying on, unlike some other people who were here tonight. And I would just like to ask from all this testimony tonight, would you say accidents could happen?

MR. MARTIN: Yes.

MS. KOSKI: Accidents could happen.

And what were you calling this, an unusual condition?

MR. MARTIN: Did it rise to the unusual event classification in this case?

MS. KOSKI: Unusual event, is that what you are terming this accident?

MR. MARTIN: I can't remember if it was classified under unusual event.

Pete, do you remember?

MR. ESELGROTH: No.

MR. MARTIN: We don't have an answer for you.

MS. KOSKI: To give you a little background, I'm from Portsmouth, New Hampshire. And if I could tell you all the people that I grew up with that said, it's okay, Norma.

It's okay. I'm working there to make sure that plant never goes on line. That's why I'm working there.

Do you know how many people I saw doing double shots of Jack Daniels, you know, on their way to work the night shift at the nuke, and about the beer bottles I've heard that are where rebar is supposed to be. And do you think any of these people are going to come up and say anything about it?

And I don't know if you've gone over every inch of that plant, but I tend to doubt it, especially from these people, and I know them well, growing up with them, and I would be -- well, that scares me in the first place, about what happened.

And also, China hit the billion mark last spring and that means more and more people. And if they ever wanted to live like we did here, that would mean a nuke on every corner, and you know that's not possible. And I think that you know as well as I do that the United States is on the forefront of the energy scene, and is there any other license being applied for, do you know, by any other nuclear power plant?

MR. MARTIN: Not to my knowledge.

MS. KOSKI: No new licenses.

MR. MARTIN: I'm not aware of any from any utility at this point.

MS. KOSKI: I think you know as well as I do what that means. It's a dead industry, and hopefully we won't have the body counts of dead people to go along with it. And I hope you guys will just take this home with you and really think about it, and where you are getting paid from, and this is just a speck in time you guys, but it's really going to have a lot of affect of what goes on. Every seed is here right now. Every egg is here right now of every person that's ever going to be. It's here right now. And you know that this isn't the way power lines strung across the country and stuff. It's archaic. You know it. It's obsolete. And so I hope you just -- thanks.

I don't think I can say anything you haven't heard.

MR. MARTIN: Thank you, Norma.

MS. KOSKI: Thank you.

(Applause.)

MR. MARTIN: Macy Morris? Laural Cappelle? Do we have any other cards, gentlemen?

MS. FALLON: Mimi Fallon.

MR. MARTIN: Mimi, please.

MS. FALLON: I just want to say that I'm rather confused because I signed a card upstairs, and Jeff promised the people that were upstairs that they would get a chance to speak. And if my card isn't there, I don't know how

many others aren't there.

I would just like you gentlemen to know that this was to be an open meeting for the people to come up here and speak to you. It seems that every time there are hearings there is a problem. In Concord, the people weren't allowed to speak. In Portsmouth, our cars were going to be towed. And tonight as we came into this meeting, and I was here at seven, and I came in the front door, and I was restrained. There were people there, some women. I don't know whether they work for the university or what. There was a policeman there with them, the university security.

And the only reason I'm in here now is chicanery, and I have to tell you that I said I wanted to sit down, and I went beyond the man, and this was at the front door. Many people turned and walked away because they were told that there was no way they could enter. This was the first checkpoint, and then there was a second checkpoint, and then there was a third one outside the door.

And I think it's really sad that people came from all over and were turned away at the door, thinking there was no hope that they could get into this meeting. And I just want you to go back to Washington, and know that there are a lot of people up here in New Hampshire, and some, I guess, came from Massachusetts that were disappointed.

And a man stood up here before and used some kind

of scripture. I think he said something about faith and the spoken word that is not heard. And it's very difficult for those of us who were not in this room and did not hear the discussion between the Public Service people and the NRC to ask intelligent questions.

And it seems to me that arrangements could have been made so that people could, if there were too many of us here, hear what was said in another room, so that we could enter into this discussion intelligently.

So I guess there are just two questions that I guess I will have to ask because I didn't hear what went before, and one of them that I've been concerned about or have questioned in my mind is, was Mr. Thomas ever questioned by you people here in the NRC? I know that he was fired. Did he fade away, or did you speak with him personally on this subject?

MR. MARTIN: The augmented inspection team did not talk to Mr. Thomas, but I think some of the other staff has talked to him since when he has returned to the office.

MR. DUDLEY: I would just like to say I was on site the day of the event and stayed over that weekend. During that weekend Mr. Thomas was interviewed. The contents of his interview was factored into the AIT team which arrived the next Thursday.

MR. FALLON: Okay, so you did speak with him and

that has something to do with the report you made, some of the things he said to you --

MR. DUDLEY: Yes, that's correct.

MR. FALLON: -- were taken into consideration?

MR. DUDLEY: That's correct. Even though he was not interviewed as part, or during a time frame that the AIT was on site.

MR. FALLON: Because as part of the general public, we just have the feeling that Mr. Thomas has faded away, and you know, we don't know where he is, and I am happy to know that you did speak with him.

Was he here tonight? See, these are the things that I --

MR. JOHNSON: I don't know if Mr. Thomas was here tonight, but Mr. Thomas, I think, has been made available a copy of our inspection report. He has read it. He has written us a letter and we've responded to him. And that letter -- his letter and his comments on the inspection report are made available to the public. That document is already publicly available. His views on the report are --

MR. FALLON: It is publicly available?

MR. JOHNSON: Yes, it is.

MR. FALLON: Okay, thank you.

And I guess the other question that I have to ask, because I do live between the plant and the ocean, and I am

well aware of the accusations on the drug scene, and I want to know if there were urinalysis done on any of those people in the control room at the time of that incident.

MR. DUDLEY: I can't say for certain. That's one thing we did not ask specifically to the licensee.

MR. FALLON: Well, the reason that I'm asking is I note that there was a five minute period of inaction. And I guess I associate that and sometimes with people being on alcohol or drugs that they don't react quickly. And I guess that was just in the back of my mind.

MR. MARTIN: I think we need to clarify that. There was not a period of inaction. It was a period where they had gone below the point where we believe they should have tripped the reactor, and now the licensee concludes the same thing. But there was still a lot going on, and there was strong command and control activity going on.

The unit shift supervisor was directing activities. People were calling out information to him, and it was done in a very orderly manner.

The video tape that was shown, and I apologize if you were not able to see that, you would have seen that it was not lethargy that was the cause of the problem.

MR. FALLON: Well, I just wonder whether you would consider from now on when situations like this occur, that really even for the protection of the plant, that they would

do some kind of testing, because, you know, when there are accidents in trains and things now, they check over the person running the locomotive. And I just think that it might be a very important thing to consider in the future, because it would be a protection against, you know, for the people there in the plant.

I mean, I was upstairs before --

MR. MARTIN: Mr. Reis has reminded me that --

MR. FALLON: Excuse me?

MR. MARTIN: Mr. Reis has reminded me that we do have a fitness for duty rule now that does require testing for cause. But that's a determination normally made by the licensee. If he believes that the performance could possibly have been affected by drugs, then that would be a required test that they would perform.

That rule is not in effect yet, although most licensees have programs already in place which are equal to or better than.

Tony, can you comment on their program?

MR. CERNE: The licensee does have a program of drug testing. It's done on a routine basis, and there is some random testing. Beyond that, the cause issue is something that has to be decided by licensee management based on the situation. I don't think our report -- as a matter of fact, our AIT report indicates the opposite in

terms of the command and control in the control room at the time of the incident was not such to cause suspicions that would raise drug concerns at that time.

MR. FALLON: Okay. Upstairs the same question was asked, and the same man that worked at Public Service asked me if I wanted a sample right now. And I told him that I thought that was very facetious, and the time was not now. It was then, and that's when I think things like that should be looked into obviously.

Thank you.

(Applause.)

MR. MARTIN: Are there other individuals that would like to come to the mike?

Please, sir.

MR. GILMORE: Hi. My name is Gary Gilmore. I am a state representative from Dover. I have two questions.

How many NRC personnel were within plant premises at the time of the event?

MR. MARTIN: There were three in the control room and had the other two gone? Let's see, there was one in the resident office who was doing the assessment, and there was one earlier, at 11:00, but was he still on site?

MR. DUDLEY: No, I think he had left since we were on 24-hour coverage.

MR. MARTIN: All right. So there were at least

four on site and the fifth one probably was headed back to the motel to get some sleep so he could be there for the midnight shift.

MR. GILMORE: During normal operation say if Seabrook was to go on line, how many NRC personnel would be on site, or how often?

MR. MARTIN: We have a senior resident and a resident assigned to the sites, and we have region-based inspectors that come up periodically.

The resident staff, senior resident, are there on a 40 plus hour week which they are required to have some of that time on back shifts. They are required to have some of that on weekends. And they try to have some overlapping periods so that they actually expand the total time of presence of the resident staff. With the resident staff and senior resident comes to about a man year's worth of effort.

MR. GILMORE: In that Seabrook has been such a divisive issue for so many years in this region, it would certainly behoove Public Service and the operators of Seabrook station to behave themselves during low power testing. In that there was ample NRC personnel on site at the time, it would certainly behoove PSNH to behave themselves. With the spotlight so brightly on Seabrook, and I quote your report, "Licensee personnel failed to follow through on a pending work order, failed to recognize and

resolve a maintenance problem with the steam dump valves. In addition, the licensee failed to adhere to test procedures by failing to assure that the required test prerequisites and initial conditions were met before commencing the test."

What are we to believe if the plant operates when there will no longer be such total NRC direct supervision and the spotlight has been turned off?

Gentlemen, I ask you what are we to believe?

MR. MARTIN: Well, first, NRC is not in a supervisory role.

MR. GILMORE: Okay.

MR. MARTIN: Okay?

That gives us a lot more credit than we deserve. We are not there to supervisor.

MR. GILMORE: Okay, the terminology is wrong. But you are there overseeing the --

MR. MARTIN: We are there on a sampling basis. We are not there for every activity. We are not in every compartment where licensee people are working. Therefore, the licensee must establish a program that expects of their people and requires of their people proper performance.

In this case, we detected examples of improper performance, and other people that held the same philosophy, and that needed to be corrected. It appears, from what the

licensee has proposed, that that is an appropriate set of planned corrective action. But that requires, just like training, you can't give training without testing. You have got to verify that it took.

The corrective action, we've got to verify it took, and so we will have to be observing their performance to make sure that it really has changed their behavior.

MR. GILMORE: So I guess I don't quite grasp your answer. It somehow alludes me. Is that what you would have us beiieve that --

MR. MARTIN: I'm not telling you that I'm walking away just because the licensee told me some good things tonight. I'm going to verify that it works. And if it doesn't, then we will take additional action.

MR. GILMORE: By verifying that it works, are you going to be requiring more low power testing?

MR. MARTIN: There is an additional low power test that their procedures currently require them to perform. That is that natural circulation test.

MR. GILMORE: What about --

MR. FALLON: And from the statements we have heard form the licensee, they intend to perform that test at some future date if they are given permission to do so.

MR. GILMORE: Would that be after the operating license has been issued?

MR. MARTIN: Don't know. They still have a legal authority to operate for a few more days at low power. We have an agreement with them that they will not until we give them permission to do so.

MR. GILMORE: And in terms of the evacuation test that they asked not to be graded on?

MR. MARTIN: It's my understanding it hasn't be ruled on yet.

MR. REIS: That matter is before the Nuclear Regulatory Commission to be ruled on. They have asked for a waiver of the regulations.

MR. GILMORE: Right.

MR. REIS: The staff filed a brief agreeing with Mr. Traficonte and opposing the waiver.

MR. GILMORE: I mean the issue is credibility.

MR. REIS: We look to people following regulations.

MR. MARTIN: Are there any other issues?

Yes, sir.

MR. LODER: Gentlemen, I'm John Loder. I live in Rollinsford, New Hampshire.

I would like to touch this subject at hand tonight but in generality, and perhaps this will be a summation of what has happened here this evening and what appears to be at issue.

You received orders from the NRC in Washington to come here to discuss and to gather data on the issue of why the incident happened at the plant on the 22nd of June. I have no doubt that within the parameters of this task you have been sincere. You have been hard working. I have seen this.

But I would like to talk about what you came to find. In my view, you have come upon a disease. It's a disease of this society. Specifically, it's an acute disease of this region. You came to gather data and to discuss and find out why a specific incident happened. This is commendable. It must be done, because there are small details as well as the largest generalities.

But with all of the noise here, the anger and the recriminations, the accusations of buffoonery and people who appeared silly and dancing around in costumes, there was a message. It's a message which in my three and a half years of being involved in this matter the NRC, whenever it comes, has uniformly failed to understand. And that is, not the details and not what, in a reduction of the scale appear to be trivialities, but the question that you have seen asked here, why is this thing here in the first place.

As I looked around this evening, I looked for any members of the general court who are either influential today or were in their positions at the time that Seabrook

Station began. I couldn't find any. I wanted to know from them what they felt about the mess that they had created.

The first town to vote in a town meeting against this plant was Seabrook. This was followed by, I believe it's 10 towns, who voted in sympathy with the Town of Seabrook. When this got to Concord some 20 years ago, the governor's reply was, well, that's tough luck fellows. You are going to get the plant anyway.

This is when the disease of this society began. The noise that you have heard tonight, the people constantly trying to ask this question, and your efforts, perhaps properly guided, perhaps misguided, but certainly out of a lack of recognition of this, the questions were: Tell us about this. We want to discuss it. We want to talk to the people who are influential in this. We want government to be straightened out. We want the opportunity to say no. We want the opportunity to decide ourselves.

Now, I've talked with a great many people who say it's not so much that they may be right. It's that we never had a chance to decide it. If this is a democratic republic, we have this right, the absolute right to decide whether we are going to have a nuclear plant here or not. We have never had this right. The debt is still owed us, and this is the flack that you are getting.

So when you go back to the NRC, tell them that

they will always have this drag on the line. There will always be resentment, especially if the plant is licensed, if it operates. Even if it operates perfectly until the end of time, there is always going to be the resentment that this public was done out of its absolute due right to decide.

Thank you.

(Applause.)

MR. MARTIN: Does anyone else have any closing comments?

If not, it's been a long evening. I appreciate those who stayed around to make their views know. Thank you very much, and this meeting is concluded.

(Whereupon, at 11:50 p.m., the public hearing was concluded.)

Certificate of Reporter, Transcriber and Proofreader

PUBLIC HEARING TO DISCUSS THE RESULTS OF NRC REGION 1 ON SEABROOK UNIT 1 AND RECIEVE PUBLIC COMMENTS

Name of Hearing

50-443

Docket No. (If applicable)

Durham, New Hampshire

Place of Hearing

September 6, 1989

Date of Hearing

We, the undersigned, do hereby certify that the foregoing pages, numbers 1 through 184, inclusive, are the true, accurate and complete transcript prepared from the reporting by KELLY LOUGHLIN in attendance at the above identified hearings, in accordance with applicable provisions of the current GSA professional verbatim reporting and transcription contract, and have verified the accuracy of the transcript by (1) comparing the typewritten transcript against the reporting or recording accomplished at the hearings and (2) comparing the final proofed typewritten transcript against the reporting or recording accomplished at the hearings.

9-7-89
Date

Name and Signature of Transcriber
Heritage Reporting Corporation

9-8-89
Date

Name and Signature of Proofreader
Heritage Reporting Corporation

9-6-89
Date

Name and Signature of Reporter
Heritage Reporting Corporation

ATTACHMENT 4

ERRATA SHEET FOR TRANSCRIPTION REPORT

SEABROOK PUBLIC MEETING, SEPTEMBER 6, 1989

PAGE	LINE	REMARK
2	--	Add Mr. Comley, Mr. Misek
3.	7	licensee versus license
16	4	post-event versus post-even
30	12	relieved versus reviewed
34	9	Anna versus Ann
35	14	Anna versus Ann
52	11	Johnson versus Jordan
99	11	Zimmer versus Zimbar
2	--	White versus Wight
92, pp.	24	Comley versus Conley
94	10	Feigenbaum versus Fagenbaum
124	2	Add Mr. Martin:
2	--	Borgeson versus Borgenson
149	21	trip versus rip
153	4	Mr. Dudley versus Ms. Doughty
155	18	row of lights versus roll white
155	18	suction versus section
163	3	ATWS versus Atlas
180	21	Martin versus Fallon
2	--	Add Mr. Loder