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NUCLEAR REGULATORY BREACHES IN REGION III

In a letter delivered today to Nuclear Regulatory Commission (NRC) Chairman Maxjo J. Palladino, the Government Accountability Project (GAP) of the Institute for Policy Studies called for an investigation of NRC Region III's (RIII) failure to respond in good faith to evidence of criminal falsification and a Quality Assurance (QA) breakdown at the LaSalle nuclear power station in LaSalle, Illinois. GAP charged that the NRC totally ignored or responded superficially to the evidence at the same time RIII Administrator James Koppler was recommending permission for LaSalle's owner, Commonwealth Edison to operate the plant beyond "zero power."

GAP Legal Director Thomas Devine charged--

Less than a year ago the NRC admitted that Region III investigators at the Zimmer plant failed to meet the minimum standards of any government agency. Now Region III has flunked again. But this time the NRC looked the other way at the critical moment -- just as a plant is about to open. This case involves deliberate, persistent refusal to look at the evidence while the NRC was rushing the plant into operation. How can the public have faith in nuclear power when the NRC's prioritization push public safety to the back seat, behind utility timetables?

GAP explained that RIII investigators have been "sitting" for 20 months on serious evidence of widescale falsification of QA records at the Zack Company, a heating, ventilation and air conditioning contractor for the LaSalle, Midland and Clinton nuclear power stations. On May 3, 1982 whistleblowers from Zack presented a 3-inch thick stack of documents to RIII officials. The documents provided evidence that records showed--

Clerical Errors - Lack of reference to "ASTM" revision year, or complete lack of standard designation.

Signature Missing - Lack of a written signature.

Signature Errors - Type signature and handwritten signature or initials are not identical.

Chem/Neut Test Data - Chemical analysis and/or mechanical test data missing and/or not in accordance with ASTM standard requirements.

Missing Certifications - Self explanatory. Certain packages lack certification for all, or for only certain items.

Alterations - Apparent alteration of certification by typed or handwritten additions.

Stickers - Gummed labels applied to certification or certification cover sheets.

ASTM standards - Authenticity of the signature, print name, and date.

The NRC did not respond to the repeated calls of the whistleblowers' spokesman, Albert (Terry) Howard. RIII investigators did not even copy any portions of the evidence. When it became clear that the NRC was not going to act, whistleblowers took their evidence to the press and to GAP.

GAP Chairman Clark Devine said, "After RIII learned the evidence would be on a TV expose, it decided to open an investigation. But not until then."

That is too late. Region III has already tipped its hand. We pleaded with them on numerous occasions to investigate the Zack evidence. They weren't interested. Why should we trust them now? The whole point of any RIII investigation now will be to justify RIII's failure to act when it should have.

GAP also charged that a recently-completed RIII probe into alleged concrete voids; holes core-drilled into the reactor pedestal; cheating on the masonry by diluting mortar or even not using mortar for some concrete blocks, among other issues; may have been worse than no investigation at all. Last fall NRC Executive Director William Dircks admitted that previous NRC probes relied too much on the utility's paperwork, while foregoing witness interviews and independent hardware tests. Dircks pledged that the NRC would not make the same mistake again, a commitment reaffirmed by Mr. Keppler in June 10 congressional testimony. "Unfortunately, the differences between 'old' and 'new' NRC investigations are cosmetic at best," observed Devine. "Whenever there was a conflict between eyewitnesses and utility paperwork, the paperwork won."

Specifically, GAP charged that RIII--

- **failed to take sworn statements from witnesses who had not already provided affidavits to GAP;
- **totally ignored issues that dealt with the causes of QA deficiencies at LaSalle, such as retaliation; and manipulation of the QA program through short-staffing, conflicts of interest, and advance warnings of QA inspections;
- **redefined the issues it did cover by omitting key facts, making it easier to reject the charges;
- **rejected witnesses' allegations on the basis of suspect utility paperwork or "independent" tests in fact controlled by the utility;
- **manipulated the evidence by failing to include key facts in the report -- such as its finding that approximately half of reinforcement bars were damaged -- while concluding the plant is safe; and
- **failed to independently learn the full extent of problems that were confirmed, before it dismissed those examples as insufficient by themselves to pose a public safety threat.

Ms. Garde concluded--

It is a disservice to rely on the utility's paperwork to reassure the public that LaSalle's safety is proven. As the Zack records indicate, the paperwork cannot be trusted. We are not saying LaSalle is unsafe; we are charging that RIII does not know. The Commissioners must take decisive action. The public no longer has valid grounds to trust NRC conclusions about nuclear safety.

REPRESENTATIVES OF THE ZACK FOUR WILL BE PARTICIPATING IN THE PRESS CONFERENCE AND WILL BE AVAILABLE FOR INTERVIEWS. DIRECT TELEPHONE LINES: 667-7904

234-1756