

UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of:)
PILGRIM NUCLEAR POWER PLANT)

Pages: 1 through 161
Place: Plymouth, Massachusetts
Date: September 6, 1990

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UNITED STATES NUCLEAR REGULATORY COMMISSION

In the Matter of:)
PILGRIM NUCLEAR POWER PLANT)
)
)

Thursday,
September 6, 1990

Plymouth Sheraton
Plymouth, Massachusetts

The above-entitled matter came on for hearing,
pursuant to notice, at 7:05 p.m.

BEFORE: TIM MARTIN
Regional Administrator
Region 1

NRC STAFF MEMBERS PRESENT:

FRANK CONGEL
Director
Division of Radiation Protection
and Emergency Preparedness
Office of Nuclear Reactor Regulation

JIM SNIEZEK
Deputy Executive Director of Operations

DICK COOPER
Deputy Director
Division of Radiation Safety & Safeguards
Region 1

JOHN ROGGE
Section Chief
Region 1

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1 still in the hands of the school committee and has yet to be
2 forwarded to the radiological emergency response planning
3 committee for review.

4 Plymouth continues to work with the Commonwealth
5 and Boston Edison to resolve concerns regarding egress from
6 Saquish-Gurnet Beach.

7 Four staff positions are currently vacant in the
8 emergency operation center and recruiting has commenced.

9 Refresher training is continuing.

10 The emergency operations center is fully
11 operational.

12 Plymouth reviewed and commented on the FEMA draft
13 exercise report.

14 That concludes our understanding of the status of
15 Plymouth.

16 MR. MARTIN: I understand representing Plymouth is
17 Ms. Thompson.

18 MS. THOMPSON: I am Alba Thompson, Selectman,
19 speaking for the Board of Selectmen of the Town of Plymouth,
20 America's hometown where it all began.

21 The invitation of the Nuclear Regulatory
22 Commission to attend this meeting for the purpose of
23 obtaining our views regarding the current status of off-site
24 emergency preparedness for the Pilgrim Nuclear Power Station
25 came as a perplexing and not unalloyed joy.

1 Pilgrim has been open since 1972. Eighteen years
2 later, the first area public meeting on our radiological
3 emergency planning is called by the NRC. Given the troubled
4 past history of Plymouth, one wonders why now?

5 A cynical view is that the recent Inspector
6 General's report shows such unsubstantiated, such
7 inconsistent, such inaccurate, such untrue reporting on the
8 status of the Town of Plymouth's planning by NRC staff that
9 some palliative action had to be taken.

10 Why are we here tonight? To pay for all of the
11 outrageous errors that placed our town at risk? NRC staff
12 gave untrue testimony at two hearings in October and
13 December of 1988. The Town of Plymouth sent an angry letter
14 of six pages pointing out the errors made by the staff in
15 that October 1988 meeting, to which Plymouth was not even
16 invited, although the subject was on the emergency off-
17 planning for which the Town of Plymouth was responsible.
18 But Boston Edison was invited.

19 As a result of our vigorous demands and because
20 local authorities responsible for planning had never been
21 consulted nor invited to testify at an NRC meeting on their
22 own plans, the NRC finally invited the officials of the
23 Emergency Planning Zone to the December 1988 meeting. That
24 took place in Rockville, Maryland and we all trooped
25 wearily, making a one-day trip so we wouldn't cause our

1 towns additional costs for hotel rooms.

2 Selectmen and civil defense directors tried to set
3 the record straight. This testimony was immediately
4 followed by NRC staff rebuttal, again presenting information
5 that was incomplete staff work, probably based on input from
6 Boston Edison which had no jurisdiction on off-site
7 planning. Worse, Boston Edison was seeking restart
8 permission having been shut down for two and one half years
9 -- hardly a balanced source.

10 If anyone believes in a conspiracy theory, there
11 is plenty of ammunition in the events of 1988 and 1989. In
12 simple terms, this is what happened: the town officials
13 responsible for radiological planning were not consulted nor
14 believed.

15 The utility company, wishing to go back on line
16 and certainly not an objective source of information, was
17 permitted to submit facts and figures on Plymouth's off-site
18 planning over which it had no jurisdiction.

19 This appalling staff work was used by the NRC
20 commissioners as a basis for giving permission for Pilgrim
21 to restart in December 1988. What this really meant is that
22 Plymouth did not have sufficiently developed radiological
23 disaster protection during the tense restart and ascension
24 program of Pilgrim Nuclear Power Station from December 1988
25 onward.

1 In fact, the NRC graded drills of emergency
2 planning required every other year by NRC regulations had
3 been waived as a requirement since 1985. The required drill
4 was not held until October of 1989, nine months after
5 Pilgrim went on line, after it was given permission to
6 restart.

7 In summary, the NRC permitted restart when it was
8 operating on false information furnished by its own staff,
9 at a time when the approval of the old plans of Plymouth had
10 been withdrawn by the Federal Emergency Management Agency
11 and when the required testing of the radiological emergency
12 plan had not taken place since 1985.

13 This is protection of the public safety? This is
14 betrayal of the public safety.

15 And now we note that Chairman Carr has decided he
16 will not punish staff members who gave that false testimony.
17 This is indefensible. This is justice denied. This is a
18 system gone mad. This is outrageous. And this is
19 dangerous.

20 The names of those who testified are in the public
21 documents. The Town of Plymouth has a three-inch file of
22 letters it sent to Commissioner Carr and other NRC staff
23 correcting statements. It did this many times in many
24 forms. It kept the state, Senator Kennedy, Senator Kerry
25 and Representative Studts informed. They in turn also

1 contacted the NRC. My attachment 5 to this which I will
2 pass to your reporter has the three of them signing a
3 document and attesting to that fact.

4 There has been an arrogant NRC disregard for local
5 and state authority, for the truth and for public safety.

6 Nobody should excuse the inaccurate information
7 furnished by NRC staff members on the preparedness plans of
8 the Town of Plymouth. They had been told in writing several
9 times as well as orally, about the falseness of the
10 information they had presented. These are public documents.
11 These are public documents of the Town of Plymouth and of
12 the NRC.

13 Let me read into the record from our most recent
14 communication, so that the position of the Plymouth Board of
15 Selectmen is unmistakable:

16 "The Plymouth Board of Selectmen is shocked by the
17 decision of the Nuclear Regulatory Commission to take no
18 action against staff and others who furnished incorrect and
19 unvalidated testimony to the Commission in 1988 and in 1989
20 on the radiological emergency preparedness of this
21 community."

22 Skipping further on:

23 "The NRC staff repeatedly testified and advised
24 without sufficient investigation, without consultation with
25 local officials, without studying official emergency plans

1 of Plymouth, --" not a one opened one of our plans --
2 "without any public hearings on emergency planning. Our
3 charges to that effect and our sworn testimony are a matter
4 of record. Our written protests are a paper trail through
5 all of 1989.

6 "The recent Inspector General's report is replete
7 with findings and conclusions that show exceedingly poor
8 staff work and absolutely inaccurate, misleading testimony.
9 It is outrageous and dangerous to permit such behavior to go
10 unpunished."

11 This letter was written to our Congressman and to
12 our two Senators and we urged them on behalf of the citizens
13 of the town and all other communities subject to NRC
14 decision and oversight to insist on disciplinary action.

15 The names of the NRC staff that testified
16 inaccurately, incompletely and presented untrue facts in the
17 face of many written and oral corrections from the state of
18 Massachusetts and from the Town of Plymouth were Thomas A
19 Murley and Ronald R. Bellamy. In addition, William Russell,
20 the Region 1 NRC Administrator, regularly used a so-called
21 "Status of Pilgrim Emergency Planning," and off-site so-
22 called report from Boston Edison, when he and Boston Edison
23 both knew that the local towns and state had the legal
24 responsibility for off-site planning and BECO had none.

25 Only the towns could have had valid, up-to-date

1 information. It was not sought. It was not until Plymouth
2 and Duxbury officials met with Mr. Russell on February 17,
3 1989, and insisted that they be able to amend such reports
4 that went through this pernicious channel which was filled
5 with errors² and which was changed to include review by the
6 towns finally.

7 The names of the emergency preparedness employees
8 of Boston Edison who furnished this misleading and sometimes
9 inaccurate information on the request of the NRC are no
10 secret. They surely are available from the personnel office
11 of BECO. Without doubt, these reports were used by the NRC
12 without sufficiently determining their validity.

13 Please note that as late as February 1, 1989, the
14 Town of Plymouth refuted this so-called report on the status
15 of Plymouth's emergency planning. And I will read from
16 attachment 2, which I will pass to your reporter.

17 "Please refer, Mr. Zech --" and he was then the
18 Chairman of the Nuclear Regulatory Commission -- "to the so-
19 called 'Status of Pilgrim Emergency Planning Issues'
20 (January 27, 1989) forwarded by Boston Edison to NRC staff.
21 Actually, the very title is incorrect, since in the case of
22 the Town of Plymouth, the report purports to be a status
23 report on off-site radiological planning issues, not a
24 matter of jurisdiction or responsibility of Boston Edison
25 but one of jurisdiction of the Town of Plymouth. By

1 previous letter, we reject the validity of Boston Edison's
2 reporting on our off-site preparedness. Only we know our
3 day to day status and, if you want the truth, you may have
4 it from us.

5 "However --" and I point out to them that even in
6 that particular report, January 27, 1989, in that particular
7 report, it speaks to "enhancements" being done at the
8 Bridgewater reception center.

9 As a matter of fact, at that point in time, talks
10 with the governing Bridgewater College Board of Trustees
11 were not even scheduled until the following month, so there
12 had been no agreement even that they were permitted to use
13 the site, let alone enhance it. "Essentially there is
14 nothing in place except an old gymnasium." I know -- I
15 played basketball there.

16 "Even the portal monitors are stored elsewhere in
17 the town. How then did the emergency staff and Boston
18 Edison testify in October and December that this reception
19 center could perform the functions of monitoring and
20 decontaminating the numbers of persons expected to use
21 Bridgewater during an evacuation?"

22 Also on this so-called report, the Board of
23 Selectmen speaks to planning issues of Taunton, another
24 reception center, the main one for the Town of Plymouth.
25 That building was not even cleaned until January 28 and 29,

1 1989, having been used for those who were mentally
2 unbalanced in previous years but found to be too archaic for
3 the use of those who were insane. So it was to be used as a
4 reception center.

5 "Note that the portal monitors (not yet properly
6 positioned or tied into the electrical system) didn't arrive
7 until January 10, 1989." How then could anybody testify in
8 October and December that that center was ready to receive
9 and decontaminate? "

10 "Note that the portable decontamination unit (not
11 yet connected to plumbing) -- and the date of this is
12 February 7, 1989 -- "On what basis then, did you accept
13 Boston Edison's testimony in October of 1988 and your
14 staff's statements of December 9, 1988 that the Taunton
15 center could perform the functions of a reception center?"
16 There was nothing there. There were some desks with some
17 notebooks on it, as far as I can determine. I know, because
18 two selectmen -- and I was one of them -- went to visit on
19 February 2, 1989. And those are facts. That's not hearsay.
20 Those are facts.

21 "We do not feel that the commissioners know the
22 truth," the letter said. "It certainly affects your
23 credibility in the present circumstances."

24 "We're living through tenuous restart procedures"
25 -- and I go on in that particular letter space. But I think

1 you get the import of what was said.

2 That was absolutely untrue testimony on the
3 readiness of the Taunton and Bridgewater reception centers.
4 And it was received by the NRC and presented as the truth.
5 Who furnished those untruths? That should be easy. It's a
6 matter of your public testimony.

7 I regret the length of this statement tonight.
8 But since the NRC has not believed Plymouth's previous
9 reports and substituted therefor shoddy and inaccurate staff
10 work, as the Inspector General has so well documented, it is
11 essential to hang the truth out there, not so we can say "We
12 told you so" but so you can cleanse yourself by finding and
13 disciplining the guilty and by assuring us that our public
14 safety is paramount with you.

15 Your failure to do so, to cleanse yourself, will
16 be exactly what it appears to be: a cover-up, a cop out, a
17 whitewash, a lack of courage. There has been a disregard of
18 safety. Official communications have been ignored, and
19 possibly deliberate misrepresentation has taken place.

20 If these persons who put our town at risk had been
21 selectmen, they would have been recalled by the people. Had
22 they been Congressmen, they would have been impeached. What
23 does the NRC do? Never mention them by name? Never
24 discipline them? Promote them?

25 The heritage of America of runs deeply here in

1 Plymouth. We go on expecting justice; nay, we demand it.

2 There should be no misunderstanding about where
3 the Town of Plymouth means to go. The sorry past behavior
4 of NRC is not dead for us. It is the continuum of the
5 present. And it's a grim omen for the future.

6 Our pilgrim and our immigrant blood runs strongly
7 in our veins. Our standards of conduct for officials is
8 traditional, and that's high. The NRC has failed us. We
9 don't expect to find that again.

10 Our Civil Defense Director, Douglas Hadfield, will
11 tell you later where we are today. But a general statement:
12 We have made a massive commitment in man hours, in training
13 and equipment? We currently still do not have an approved
14 implementing procedure for our eight schools. They are
15 widespread, 8000 students and over 1000 staff.

16 Other aspects of planning are under revision, as
17 they must be in emergency planning. Constant revision.
18 Retraining, however, is a real serious need and we must get
19 at that.

20 We have equipment needs and we have been told by
21 Boston Edison it does not mean to continue to assist us
22 under NUREG 0654 in two of those categories. That
23 particular letter has already been forwarded to FEMA and to
24 the state.

25 We've come a long way. We still have a long way

1 to go. We are a town of 103 square miles. We don't have an
2 average job. One of our people got up and testified our
3 problem is not unique. Oh, yes?

4 Well, then find another town 103 square miles.
5 Let him find one that gets a million visitors in the course
6 of its summer season. Let him find one who has a population
7 of roughly 45,000 but annualized with what comes in and out
8 becomes 51,000. Let him find a town that doubled its
9 population in ten years.

10 Yes, we are unique. We have a huge problem. And
11 that's why I'm running on tonight, because you said ten
12 minutes -- but I tell you, every single time I've spoken
13 before the NRC, one time it was two minutes; another time,
14 it was ten minutes, and tonight I'd like to see who it is
15 that would throw me out. Call one of the Plymouth policemen
16 and see if he'll do it.

17 (Applause)

18 Retraining as I have told you is a serious need.
19 We have equipment needs. But Mr. Hadfield will go into that
20 in greater detail. Mr. Hadfield, of course, is our Civil
21 Defense Director.

22 Please be advised that the Plymouth Board of
23 Selectmen has voted not take part in the NRC drill in 1991
24 unless we have some positive response to our needs and
25 unless we feel you are being honest with us.

1 The question of the Inspector General's report was
2 not "Where are we today?" The question was "Where were we
3 from October 1988 to October 1989?" The NRC seems to have
4 no stomach for taking forthright action against grossly
5 unreliable staff work. Credibility is at an all time low.

6 Please be advised -- and I am stating it again --
7 ~~the Town of Plymouth will not participate in the required~~
8 ~~drill of 1991 unless it has a positive response to its~~
9 ~~continuing needs that it discovered from the drill of~~
10 October 1989. To go into still another without those needs
11 and without those weaknesses that were revealed ameliorated
12 would make no sense whatsoever. We're not going to take
13 another test to validate somebody's bureaucratic work.

14 NRC inaction will be perceived for what it is:
15 official cowardice and whitewash, not admirable, not
16 acceptable to the Town of Plymouth. And let us hope not
17 acceptable to the oversight responsibilities of the Congress
18 of the United States.

19 (Applause)

20 MR. MARTIN: I understand there's another
21 representative from Plymouth who is speaking? Mr. Hadfield?

22 MR. HADFIELD: I am Douglas Hadfield, the Civil
23 Defense Director for the Town of Plymouth. My speech will
24 be brief. I am not an orator. I am a worker. I don't wear
25 business suits and ties; I wear regular clothes.

cto.



BOSTON EDISON
Pilgrim Nuclear Power Station
Rocky Hill Road
Plymouth, Massachusetts 02360

Ralph G. Bird
Senior Vice President - Nuclear

October 4, 1988
BECO Letter #88-141

U.S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

Docket No: 50-293
License No: DPR-35

Subject: Boston Edison Company Report on the Status of
Offsite Emergency Preparedness Around Pilgrim
Nuclear Power Station

Dear Sir:

Enclosed is Boston Edison's response to the NRC's letter of September 26, 1988 entitled "Offsite Emergency Preparedness - Pilgrim Nuclear Power Station (PNPS)". This written description reflects Boston Edison's understanding of Pilgrim offsite emergency plans, implementing procedures, training, and the status of the six issues identified by the Federal Emergency Management Agency in August 1987.

Please contact either Ron Varley, Manager of Emergency Preparedness or myself with any questions or comments.

R. G. Bird
R. G. Bird

/Attachment

88-10070168-4p

**BOSTON EDISON COMPANY REPORT
ON THE STATUS OF OFFSITE
EMERGENCY PREPAREDNESS AROUND
PILGRIM NUCLEAR POWER STATION**

**Nuclear Reactor Regulation
Staff Meeting**

October 5, 1988

~~8810070170~~ 5pp.

I. INTRODUCTION

By letter dated September 26, 1988, the Nuclear Regulatory Commission (NRC) Staff requested that Boston Edison Company provide a written report describing our current state of knowledge concerning the status of: (1) the offsite emergency preparedness program around Pilgrim Nuclear Power Station (Pilgrim); and (2) the issues identified by the Federal Emergency Management Agency (FEMA) in its August, 1987 "Self-Initiated Review" (SIR). A copy of the Staff's letter is included as Attachment A to this report.

The purpose of this document is to provide the written report requested by the Staff. Section II provides an overview of the efforts made to enhance the offsite emergency response program to date. Section III addresses the actions taken to address the specific "SIR" issues. Section IV provides a brief conclusion.

An extensive effort has been underway to upgrade the offsite emergency response program around Pilgrim Station. That effort has involved all of the parties responsible for the offsite program for Pilgrim. Those parties include the Commonwealth of Massachusetts, the five towns in the Pilgrim plume exposure pathway emergency planning zone (EPZ) (the Towns of Plymouth, Kingston, Carver, Marshfield and Duxbury), and the two reception center communities of Taunton and Bridgewater. Though offsite emergency response is primarily the responsibility

of the Commonwealth and the local governments, Boston Edison Company has provided extensive assistance in the emergency planning effort.

As discussed in more detail below, a great deal of progress has been made in upgrading the state of offsite emergency preparedness around Pilgrim Station. This progress has been explicitly recognized by FEMA. In letters dated March 30, 1988 to Governor Dukakis and Mr. Robert Boulay (Director of the Massachusetts Civil Defense Agency and Office of Emergency Preparedness) (MCDA), FEMA stated that "some outstanding improvements are now underway in the PNPS emergency plans" and that "[i]t is gratifying ... to observe the progress ... made in the past year toward achieving an off-site plan that will provide reasonable assurance that the public health and safety will be protected"

We believe that the significant progress achieved to date is due, in some measure, to our recognition that the offsite emergency response program "belongs" to the Commonwealth and the towns, and that our legitimate role is to provide assistance in improving and maintaining their offsite program. Accordingly, it is important to stress that the views presented in this report are those of Boston Edison, and that we are not speaking on behalf of either the Commonwealth or the towns.

drivers will have been transferred from the EPZ before the need to evacuate materializes. Nevertheless, school bus drivers participating in the Pilgrim one-lift plan are and will continue to receive training based upon the lesson plans described above (which include training for dosimetry and RI use).

B. SIR Issue B. Reception Center

Subissue B.1 (SIR, p. 19)

"[A] new reception center must be found to replace Hanover."

At the time that the SIR was issued, the existing offsite emergency program utilized the Taunton State Hospital and Bridgewater State College as reception centers for persons evacuating from the EPZ. The Hanover Mall had previously been designated as a third reception center, but was no longer available for that purpose.

Boston Edison's September 17, 1987 "Action Plan" stated that an evaluation of the feasibility of using the two existing reception centers would be undertaken. On December 23, 1987, Boston Edison transmitted to the Commonwealth, the NRC and local officials a report entitled "Reception Center Feasibility Analysis", which assessed the capability of the Taunton and Bridgewater facilities to monitor the population for contamination in the Pilgrim EPZ in accordance with applicable federal guidance. 12/ While the report addressed other aspects of

12/ Letter, Ronald A. Varley to Peter Agnes, Jr. (December 23, 1987).

reception center operations, the primary purpose of the analysis was to determine whether the objective of that guidance could be achieved using two, rather than three, reception centers.

The analysis summarized in the report was conducted by planners provided by Boston Edison, in coordination with Taunton and Bridgewater officials, and concluded that the Taunton and Bridgewater facilities (with appropriate improvements and equipment procurement) would have the capability of monitoring the requisite number of persons evacuating from the EPZ in the event of an emergency at Pilgrim. While there have since been some minor changes in some of the specific logistics, the conclusions of the analysis remain valid.

Apparently, on February 17, 1988, the Commonwealth submitted the Reception Center Feasibility Analysis to FEMA, which subsequently concluded in its informal technical review comments on the draft Taunton and Bridgewater plans that:

The Reception Center Feasibility Analysis . . . adequately addresses [the capability to monitor and register evacuees in a 12-hour period]. 13/

Boston Edison has committed to undertake facility improvements and equipment procurement as soon as the arrangements with the Commonwealth are concluded. 14/

13/ FEMA Technical Review - City of Taunton Radiological Emergency Response Plan for Pilgrim (Revision 3, 11-14-87), dated March 29, 1988 at 9; FEMA Technical Review-Town of Bridgewater Radiological Emergency Response Plan for Pilgrim (Revision 4, March 1988), dated July 27, 1988 at 10.

14/ The Commonwealth has proposed that the Massachusetts Department of Public Works facility in the Town of Wellesley
(footnote continued)