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June 20, 1994

RESPONSE TO ORDER PROHIBITING INVOLVEMENT IN NRC-LICENSED ACTIVITIES (Docket No. 55-30662, License No. OP-30277-033 NRC IA 94-007)

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Part I: Appears to be correct in all respects.

Part II, Paragraph 1: Appears to be correct with one significant exception. The event was definitely not concealed from Commonwealth Edison (CECo) management. The Station Control Room Engineer (SCRE), the Qualified Nuclear Engineer (QNE), and both Nuclear Engineers In Training (NEITs) were all CECo management representatives who directed each of my actions on September 18, 1992.

Part II, Paragraph 2: I recall making no agreement not to discuss the incident with anyone else. The final sentence contains three allegations: a) Control Room log documentation. My log clearly stated I was moving control rods at the QNE's direction. The QNE has the exclusive procedural authority to "approve any unplanned deviations from the (control rod) sequence". b) Form 14-14c was falsified. Form 14-14c was not falsified, rather necessarily completed after the control rod movement had occurred. I know of no alternative method to document an unplanned control rod movement by it's very nature. c) CECo management was not informed. See Part II, Paragraph 1 response above.

Part II, Paragraph 3: Appears to be correct in all respects.

Part II, Paragraph 4: Appears to correctly identify the content of Dresden Operating Abnormal Procedure (DOA) 300-12. I beleived this procedure was not applicable when a QNE was present directing control rod movements. Past practice during such "events" supports this assumption. This belief was reinforced when the QNE directed me to take actions contrary to those contained in DOA 300-12 within 10 seconds of discovering an incorrect control rod had been inserted. My actions were in accordance with Dresden Administrative and General Procedures in place at the time of the "event". These procedures were strictly adhered to at all times.

Part II, Paragraph 5: Appears to reiterate the content of DOA 300-12. As previously stated, I entered no Abnormal Procedures, as the General and Administrative Procedures' content encompassed the "event" and all actions taken.

Part II, Paragraph 6: I did not deliberately attempt to conceal anything. The unplanned insertion of control rod H-1 was an approved deviation from the sequence and therefore did not meet the criteria to enter DOA 300-12 (which would indeed require a separate log entry be made). The computer's printouts were left entirely intact, providing an indisputable permanent record of all control rod movements. I made no attempt to remove or alter them in any way.

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Part II, Paragraph 7: I deliberately provided no inaccurate information I knew to be material to the NRC. The conclusion I heard (and subsequently remember) a statement being made can only be based on mere suspicion, and cannot be supported by fact. I do not recall such a statement being made.

Part III, Paragraph 1: Does not appear to contain any additional allegations.

Part III, Paragraph 2: Does not appear to contain any additional allegations.

Part III, Paragraph 3: The health and safety of the Public was always my highest priority as an NRC-licensed Reactor Operator at Dresden. I developed a well-deserved reputation as a "stickler for details", much to the dismay of CECO management. I would never perform any action I believed to be contrary to procedure or have possible adverse effects upon the health and safety of the Public.

If this Order is upheld, I firmly believe it will in itself have a negative impact upon the health and safety of the Public. It sends a message to other Reactor Operators-- "If you cause CECO to lose money through lost generation by following the rules too diligently, you will be fired at their earliest convenience."

Sincerely,



Kenneth G. Pierce, Jr.
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CC: SERVICE LIST