

01 SEP 1988

The Commonwealth of Massachusetts
Executive Office of Public Safety
ATTN: Mr. Charles V. Barry
One Ashburton Place
Boston, Massachusetts 02108

Dear Mr. Barry:

This refers to our letter of July 13, 1988, regarding the Commonwealth of Massachusetts' participation in the Integrated Assessment Team Inspection (IATI) conducted at the Pilgrim Nuclear Power Station.

As the NRC Senior Manager responsible for the inspection, I would like to acknowledge the conduct of the designated state representatives Ms. Pamela J. Chen and Mr. Steven C. Sholly as being professional and contributing to the performance of the inspection.

The established protocol (enclosed) provided to you on June 1, 1988, clarified by our letter of July 13, 1988, and discussed directly by myself with Mr. Peter Agnes of your staff on August 9, 1988, provides for collection and coordination of the concerns from the various interests within the Commonwealth. As stated in our July 13, 1988 letter, the NRC placed the burden on the Commonwealth's representative to present the many views, be they from the local governments or from the State's Attorney General's office, to the NRC for consideration during development of the inspection scope. In this regard, we understand that Mr. Agnes conducted a public meeting on August 4, 1988, with a designated state representative to the IATI present.

On August 9, 1988, having received no issues from the Commonwealth as an additional input to the existing inspection plan, I contacted the Assistant Secretary of Public Safety directly and was assured that: no formal input to the IATI inspection plan would be submitted by the Commonwealth, the Commonwealth would work through the designated representatives for any issues and that issues brought to the Commonwealth's attention were no different than those previously noted. Also, the team leader has notified me that at no time during the inspection did he receive immediate notification of any different state observation or conclusion as would be called for under Protocol Guideline 3 if any such differences were identified during the inspection.

Since the IATI exit meeting conducted on August 24, 1988 which was attended by Mr. Agnes and Ms. Chen, the Commonwealth has expressed on several occasions both to the media and at public meetings that technical issues and management concerns continue to exist. These statements appear inconsistent with the Commonwealth's response to repeated NRC requests for IATI inspection scope input and moreover inconsistent with the Commonwealth views expressed at the IATI exit meeting.

In order to better understand and address the areas of concern, the NRC requests that in accordance with the protocol agreement accepted by the Commonwealth, as provided for by Guideline 3, that the Commonwealth make available in writing those conclusions or observations that are substantially different from those of the NRC inspectors in order that the NRC can take the necessary actions to meet its regulatory responsibilities.

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Mr. Charles V. Barry

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It is necessary that the Commonwealth's response be provided to the NRC Region I by September 6, 1988, to be considered in conjunction with the documentation of the results of the recently completed IATI. This request was discussed with Mr. P. Agnes of your staff on August 26 and August 31, 1988.

If you have any questions regarding the above matters, please contact me at (215) 337-5126 or the State Liaison Officer for Region I, Ms. Marie Miller at (215) 337-5246.

Sincerely,
ORIGINAL SIGNED BY
SAMUEL J. COLLINS

Samuel J. Collins, Deputy Director
Division of Reactor Projects

Enclosure: As Stated

cc w/encl:

R. Bird, Senior Vice President - Nuclear
K. Highfill, Station Director
R. Anderson, Plant Manager
J. Keyes, Licensing Division Manager
E. Robinson, Nuclear Information Manager
R. Swanson, Nuclear Engineering Department Manager
The Honorable Edward J. Markey
The Honorable Edward P. Kirby
The Honorable Peter V. Forman
B. McIntyre, Chairman, Department of Public Utilities
Chairman, Plymouth Board of Selectmen
Chairman, Duxbury Board of Selectmen
Plymouth Civil Defense Director
P. Agnes, Assistant Secretary of Public Safety, Commonwealth of
Massachusetts
S. Pollard, Massachusetts Secretary of Energy Resources
R. Shimshak, MASSPIRG
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
NRC Resident Inspector
Commonwealth of Massachusetts (2)

bcc w/encl:

Region I Docket Room (with concurrences)
S. Collins, DRP
J. Wiggins, DRP
R. Blough, DRP
L. Doerflein, DRP
R. Bores, DRSS
D. McDonald, PM, NRR

RI-DRP
Collins/grm
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RI: RA
WTR
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ENCLOSURE

Guidelines for Accompaniment on the Integrated Assessment Team Inspection

The following are guidelines for accompaniment during NRC's Pilgrim Integrated Assessment Team Inspection.

1. The observer is to make arrangements with the licensee for site access training and badging.
2. The observer shall be available throughout the inspection and will accompany NRC inspectors. Communication with the licensee will be through the appropriate NRC team member, preferably the team leader.
3. When the conclusions or observations made by the Commonwealth of Massachusetts observer are substantially different from those of the NRC inspectors, Commonwealth of Massachusetts will make its observations immediately known to the inspection team leader and available in writing to the NRC and the licensee, in order that NRC can take the necessary actions to meet its regulatory responsibilities. These communications will be publicly available, similar to NRC inspection reports.
4. NRC inspectors are authorized to refuse to permit continued accompaniment by the Commonwealth of Massachusetts observer if his conduct interferes with a fair and orderly inspection.
5. The Commonwealth of Massachusetts observer in accompanying NRC inspectors will not normally be provided access to proprietary information. No license material may be removed from the site or licensee possession without NRC approval.
6. The Commonwealth of Massachusetts observer in accompanying the NRC inspectors pursuant to these guidelines does so at his own risk. The NRC will accept no responsibility for injuries and exposures to harmful substances which may occur to the accompanying individual during the inspection and will assume no liability for any incidents associated with the accompaniment.