

Lr. Shirley Ann Jackson, Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Donald W. Del Core, Sr.
4 Driscoll Drive
Uncasville, CT 06362-1808

December 16, 1997
FACSIMILE

Dear Dr. Jackson:

On Friday, December 12, 1997, I attended the Millstone Update Meeting in Rockville. I came away with some impressions, which I would like to share with you, and the other Commissioners.

I have the sense that you, and the other Commissioners, were being mislead by Northeast Utilities (NU) executives, Little Harbor Consultants, Inc. (LHC), Sargent & Lundy (S&L), and the NRC staff. Their presentations were not very forthright, and could have been more telling. Please allow me to present some examples.

On the issue of radiation workers, their dosimetry, and access control to radiological areas, at least three (3) different inspection reports this year (including the most recent one), have demonstrated the Licensee's inability to resolve the issue. Two issues remain apparent;

1. A consistent lack of enforcement action by your staff, i.e. grouping multiple violations during an inspection period into only one Level IV violation, and not adding accelerated violation levels, and monetary fines, to repeat violations.
2. The Licensee refusing to associate the problem with the pervasive and programmatic issue of procedure compliance, insisting that it is simply a training issue. Your staff has failed miserably in getting the Licensee's attention on this issue, and is very reminiscent of past NRC practices of allowing repeat problems to continue unabated.

S&L reported to you, and the Commissioners, on the issue of the Discrepancy Report (DR) Summary. It is very clear to me that the picture presented to you is rather clouded. For instance, the total number of DR's issued in a December 2nd, 1997 report to your staff suggested some 729 DR's initiated, with 91 level 3, and 184 level 4, or a total of 275 calculation type DR's. Additionally, 84, level 3, and level 4, licensing document DR's; 94 Level 3 & 4 drawing DR's, 110 associated with component data, and 63 involving installation implementation. While these numbers are for preliminary DR's, their numbers suggest many problem areas to be reviewed, for increasing the scope of this ICAVP. You and the Commissioners were only provided information on the 38 DR's that were confirmed, responded to by NU, and closed by S&L. I suggest that you, and the Commissioners, take a much closer look at the type of DR's issued, and the quantity.

I noted by your questions, that you were interested in indications that would provide some insight into whether increasing the scope was indicated. Armed with this information, your staff didn't rise to the occasion at your suggestion. I have enclosed the necessary pages from the Dec. 2nd report.

At the December 2nd public meeting, NU Recovery Officer, and V. President, Mr. Marty Bowling, proffered to your staff, and the public, that no significant safety issues were uncovered, as a result of the ICAVP. If one looks at the discovery period provided by the NRC staff to NU, to prepare a correction to their Configuration Management Plan (CMP), of course S&L would not uncover any significant (Level 1 or 2) safety issues. In order to correct the improper impression that Mr. Bowling conveyed to the public, and the media present at the meeting, could you please request a handout by NU, providing a complete listing of all Level 1, 2, 3, & 4 DR's, uncovered by NU, S&L, And the NRC. I feel it would truly represent the actual condition of the Design, & License Bases at Millstone Unit # 3.

In order to present the information regarding LHC, NU executives, and NRC staff, I must provide some background information.

I was contacted on Sunday, December 7, 1997 by individuals who claimed to have been recently fired from contractor positions at Millstone. The terminations occurred to two individuals on Friday, December 5, 1997. The individuals claimed to have been retaliated against for raising a safety concern, regarding an unsafe working condition at the plant. They also claimed discrimination, due to also being terminated because of existing back injuries, known to by NU, and the contractor employers involved.

The individuals chose to contact me instead of the Millstone management, Employee Concerns Program (ECP), or LHC, because they were concerned about further retaliation, and they felt they could not trust anyone in any of those organizations. They got my name out of the newspaper, and my number from the phone book. After listening to their story, I contacted Ms. Billie Garde, and provided a telephone number for her to reach them. Ms. Garde instructed them to file a complaint to a specific individual at the ECP. Ms. Garde provided E-mail notification late Sunday to the ECP, as she was outside the Millstone area. On Monday (Dec. 8) morning, Ms. Garde provided notification to Millstone V. P. of Operations, and the Director of the Safety Conscious Work Environment (SCWE), Mr. Mike Brothers of the program.

A number of issues concern me;

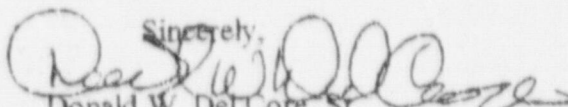
1. LHC, NU, and the NRC staff failed to address this issue to you and the Commissioners, even though they had knowledge of the incident. The NRC staff received notification from me in a complaint to your Mr. Wayne Lanning on Tuesday, December 9, 1997. I filed a complaint with him regarding a repeat violation of security badge control, associated with the two individuals that were terminated.
2. LHC failed to mention the information regarding your questions associated with people being comfortable coming forward with safety concerns.
3. LHC failed to mention the issue when asked about the SCWE.
4. Mr. Brothers provided no preliminary information on the issue in his discussions of the SCWE, and the tracking of same.

5. LHC, NU, and the NRC provided no indication of a problem with the Termination Review Process, they committed to as a result of the Training and MOV issues.
6. A response from your Greg Smith of Region 1 staff, telling me that NU terminated the badges of the two individuals fired on Dec. 5th. He claims NU terminated the badges on the next working day, which was Monday, Dec. 8th. The individuals were asked to return to work on Tuesday Dec. 9th, after a preliminary review by ECP! What's wrong with this picture? Is this another case of verification with NU, by phone?

Many questions went unasked at a meeting which dictates a review of the way NU has been conducting business. No real explanations were made by NU, or LHC, regarding the obvious weaknesses incurred since the last update. The issues involving the Oversight Director that was terminated, or the MOV firings. What about the early departure of Mr. J. Thayer, and Mr. Neil Carns? Is there any chilling? Did the employees get a message about these individuals?

Finally, I remain very concerned about issues uncovered by the NRC staff ICAVP. I got the distinct impression at the meeting, that the NRC staff has not instituted an increase in scope, to other Safety Systems at Unit # 3. Failure of NU to uncover air binding, in Emergency System pumps, used to mitigate accidents is a very serious matter. I felt that Dr. Travers was hedging on moving forward with an increase in scope. I don't believe your staff needs to wait for an Enforcement Conference, to act on the air binding issue, or the invalid testing, or assertions, of butterfly valve seals.

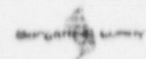
While NU may have seen some limited improvement, and progress towards recovery, a vast number of issues remain unresolved, far outweighing the number corrected. The burden on NU, and your staff, is not only in correcting these long-standing programmatic issues, **but demonstrating the ability to keep them corrected**. Neither has convinced me that is their goal. They both seem intent on fixing issues, starting up to defend against going broke, and then looking back to see if they really fixed it. The Commission must insist on some **acceptance criteria period** to determine if the fix worked, and it must be **prior to any vote**. MONEY / SCHEDULE is not the issue, SAFETY is!

Sincerely,

Donald W. DelCore, Sr.

c/c: Mr. George Mulley, OIG
Commissioner Diaz
Commissioner Dicus
Commissioner McGaffigan

MILLSTONE UNIT 3 INDEPENDENT CORRECTIVE ACTION VERIFICATION PROGRAM STATUS REPORT

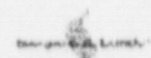
DECEMBER 2, 1997



Project Milestone Schedule

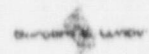
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|-------------------------------------|----------|
| • Tier 1 System Review | 12/19/97 |
| • RSS Modifications & SWP/MOV Calcs | 1/15/98 |
| • Tier 2 Review | Complete |
| • Tier 3 Review | 12/15/97 |
| • Final Report Issue* | 2/01/98 |

* Depends on DR resolution time



Discrepancy Summary

- 729 Preliminary DRs initiated
- 492 Valid Preliminary DRs issued to NRC/NU/NEAC
- 96 Preliminary DRs considered invalid
- 141 Preliminary DRs in process →
- 174 NU Resolutions entered into database
- 88 NU Resolutions reviewed by S&L
 - 74 Accepted and Closed
 - 13 Not accepted - Returned w/ Comments
 - 1 Pending review of implementation of NU corrective action



Discrepancy Summary

- Of the 74 Acceptable and Closed resolutions
 - 38 Confirmed Discrepancies
 - 20 Previously Identified by NU
 - 16 Non-discrepant conditions
- Of the 38 Confirmed Discrepancies
 - 2 Level 3
 - 36 Level 4



Discrepancy Summary

NRC Significance Level for the 492 Issued
Preliminary DRs

- 0 Level 1
- 0 Level 2
- 136 Level 3
- 356 Level 4

DR Type & Level Summary (Preliminary DRs)

Discrepancy Type	Level 3	Level 4
— Calculations —	91	184 - 275
— Component Data	34	76 - 110
— Corrective Actions	12	32 - 44
Design Change Process	7	3
— Drawings	3	91 - 94
— Installation Implementation	11	52 - 63
Installation Requirements	2	5
— Licensing Documents	27	57 - 84
O&M and Testing Implementation	0	5
O&M and Testing Procedures	1	19
Procedure Implementation	1	4
Testing Implementation	0	4
Testing Requirements	6	2