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January 23, 1987

OFFICE OF THE
DOCKET BEARER

Jerry Harbour, Ph.D.
Administrative Judge
Atomic Safety & Licensing Board
Nuclear Regulatory Commission
Washington, D.C. 20555

SERVED FEB 10 1987

Dear Judge Harbour:

I enclose, for your information, a copy of a letter to Mr. Earl Shamwell of the Department of Justice regarding a meeting that took place between myself, Mr. Shamwell and representatives from the NRC on January 15, 1987.

Sincerely,

Stephen B. Comley
Stephen B. Comley

Enclosure

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January 23, 1987 '87 FEB 10 P12:13

Earl E. Shamwell, Jr., Esq.
U.S. Department of Justice
General Litigation and Legal Advice Section
Criminal Division
Washington, D.C. 20530

OFFICE
SECRET
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Dear Mr. Shamwell:

Thank you for meeting with me when I was in Washington on January 15, 1987, to discuss my concerns relative to the Seabrook Nuclear Power Plant and the Nuclear Regulatory Commission (NRC). I was also pleased that Mr. Matakas and Mr. Hutchins from Region I of the NRC could attend the meeting.

As I explained to you, in the aftermath of Chernobyl I am vitally concerned about the safety of nuclear power plants across the nation generally, and the safety of the Seabrook plant in particular. I am especially concerned in light of the admissions of James Padovano regarding the falsification of welding documents at Seabrook. Since both the NRC and the Federal Bureau of Investigation (FBI) have investigated Mr. Padovano's actions, I was somewhat disturbed to discover that these agencies have not shared their respective findings on these incidents, particularly with regard to whether others at Seabrook may have engaged in the same practices. Considering that the NRC inspected, at most, 10 percent of the welds in question, I think it is important that both agencies satisfy themselves that further investigation is not required. Even Mr. Matakas agreed that it was possible he had overlooked something, and it is my understanding that you will be reviewing the FBI investigative file to determine if further follow-up investigation should be conducted. I believe it also important that Pullman-Higgins (P-H) weld inspections be reviewed since that company, as all parties at the meeting agreed, is notorious for sloppy work practices.

As you know, on behalf of Because We Care About Rowley and You, I have written to President Reagan enclosing a petition signed by a majority of the residents of Rowley urging the President to investigate the NRC's monitoring and licensing of nuclear power plants. Indeed, when NRC Commissioner James Asselstine says that there is a 50 percent chance of the Chernobyl-type accident in this country within the next 20 years, I think there is cause for all of us to be concerned. As New Hampshire Yankee moves through proceedings with the Atomic Safety and Licensing Board for a low power testing permit and, ultimately toward an operating license, under a greatly reduced evacuation plan, the urgency of these

concerns grows by the moment. Once contamination of the plant through low power testing is achieved, any conversion to fossil fuels will become exceptionally difficult, if not impossible. Therefore, it is crucial that the people of Massachusetts and New Hampshire be aware of all the facts regarding Seabrook at the earliest possible date.

Indeed, it seems that there are many unanswered questions about Seabrook and I am not the only one who is concerned. Representative Edward Markey of Massachusetts continues to investigate allegations of widespread drug abuse at the Seabrook facility. The Employees' Legal Project regularly receives safety-related allegations from workers and former workers at the Seabrook plant. As I informed you at our meeting, I also have been contacted by a plant employee who has alleged that Mr. Padovano was not alone in falsifying welding documents. I believe there must be a reason these persons do not choose to come to the NRC. Could it be that Commissioner Asselstine was right in stating the NRC protects the industry and not the people?

I hope we can continue to work on these, and other questions, that we discussed at our recent meeting. Rest assured, for my part, I will be vigilant in my efforts to find the answers and will keep the Department of Justice informed of those efforts.

Sincerely,

Stephen B. Comley
Stephen B. Comley

cc: R. Matakas
L. Lippe