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**We The People  
of the United States, Inc.**

*Stop Chernobyl Here*

DOCKET NUMBER 50-443/444-201-1  
FORM & UTIL FAC

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Mr. Samuel Chilk  
Secretary  
Nuclear Regulatory Commission  
1 White Flint North  
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Dear Mr. Chilk,

Enclosed is testimony for inclusion in the records of the licensing proceedings for the Seabrook Station Nuclear Power Plant in New Hampshire (docket #50-443/444). The enclosed (NRC) documents, demonstrates that Seabrook Station has been built using counterfeit defective components. The NRC has not required Seabrook Station's owners to find and replace the counterfeit components; instead the agency has lowered the engineering safety standards.

The enclosed report also enumerates other safety violations in the plants construction which in combination with the defective materials will create a serious danger to public health and safety if Seabrook Station is allowed to operate.

We The People opposes NRC decision #89-7 as of May 3, 1989, to grant Seabrook Station an operating license. Such a decision compromises public safety, violating the NRC Congressional mandate to protect the public.

Furthermore, a decision to allow operation undermines public confidence in the agency itself. Licensing Seabrook Station is the most recent incident of ill-advised decisions on the NRC's part. For example, last January the agency allowed the Pilgrim Nuclear Plant in Plymouth, Massachusetts, to restart, despite extreme opposition by the public and by the state. Pilgrim has not yet been able to reach full power. In fact, it has had to shut down seven times since January due to one emergency or another. Some of the accidents in the last six months have also resulted in worker contamination.

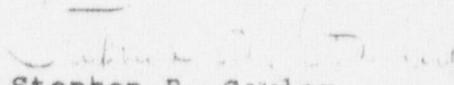
The NRC's reputation now may be damaged beyond repair in the public's eyes. A majority now agree with Massachusetts Attorney General Shannon's opinion that "the NRC should change its name to the Nuclear Advocacy Commission."

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The agency is trampling the rights of the American people and in the process is cracking the democratic foundation on which the United States is built. The enclosed information proves that Seabrook Station will endanger the public if the NRC insists on allowing it to operate. If you ignore this information and persist in licensing the plant, you will prove, beyond a shadow of a doubt, that the NRC is a disgrace to this country.

Sincerely,



Stephen B. Conley  
Executive Director

# We The People of the United States, Inc.

*Stop Chernobyl Here*

A catastrophic nuclear power plant accident in the U.S., worse than Three Mile Island or even Chernobyl, is imminent. Such an accident will most likely be caused by mechanical failure due to the tens of thousands of substandard parts and materials, falsely certified as safe, recently discovered to be installed in a majority of U.S. nuclear plants (1).

Materials have been counterfeited in two ways: cheap imports were falsely marked or certified to say they were made in the U.S. and meet required safety standards, and used parts were refurbished to appear new then falsely labelled and certified as having passed safety tests. These substandard materials currently fall into three broad categories: piping materials, fasteners, and electrical components. However, the possibility that other categories of materials are involved cannot be dismissed. The counterfeit parts frequently do not meet the standards engineers require to ensure nuclear plant safety. Seabrook Station has received materials in all three categories.

In 1985 Nuclear Regulatory Commission (NRC) testimony put the likelihood of a devastating nuclear plant accident at 45 percent every 20 years, a probability in itself unacceptable. The probability has now multiplied substantially. It was not until 1988 that extensive installation of counterfeit materials in nuclear plants was uncovered. The NRC is well aware of the serious danger to public safety posed by these substandard materials. But the agency has caved in under nuclear industry pressure. Instead of requiring detection and replacement of substandard counterfeit parts, the NRC has lowered nuclear plants safety standards, so the counterfeit parts now meet the revised standards.

To protect public safety, it is of particular importance to prevent operation of Seabrook Station in New Hampshire. Substandard parts built into that plant, in combination with faults in the plant's construction, create a high probability of a serious accident if it is activated.

During an NRC-ordered inspection, Seabrook Station's owner reported that at least 369 suspect piping fixtures had been found at the plant as of August 25, 1988 (2), but said the fixtures met required safety standards. However, a chemical analysis of Seabrook Station fixtures in October, 1988, by an independent

laboratory, revealed that some materials tests had failed to meet safety requirement. Several flanges in the service water system require replacement (3).

Dravo, a piping supplier, and Pullman-Higgins, the plant's contractor which installed the piping (until the company was fired in 1984), were both listed as recipients of counterfeit piping in NRC documents (4).

Seabrook Station was plagued with piping safety problems long before the revelations of counterfeit piping became a concern in 1988. In 1982 and 1983, a piping weld inspector falsified 2400 inspections. After he was arrested some of the welds were re-inspected, but nearly half of them were never physically re-examined; many were inaccessible by then (5). A Level III weld inspector who was hired after the inspection scandal to examine records and weld x-rays, found that fully 20 percent of the welds he inspected had failed (6). He was fired, he believes, because he found so many faulty welds. In 1984, a Seabrook Station welder informed the NRC that welds in Dravo piping were flawed, but the NRC concluded they were not a safety concern (7).

In 1985, an inspector trainee failed the test to qualify as an Authorized Nuclear Inspector (ANI) but performed inspections for Seabrook's insurance company. The ANI is a role critical to Seabrook Station's legally insured status. The insurance company dropped an investigation undertaken of this violation, and the NRC accepts Seabrook Station's contention there was no wrongdoing (8).

The NRC consistently exhibits a lax attitude toward safety by allowing these and other safety violations to stand, with only a token glance at evidence provided by the utility, on the assumption that backup systems and other inspections would cover for any breakdowns.

These past problems are significant because the NRC decided that installed counterfeit materials which had passed weld inspections should be left in place, hoping that weld inspection programs would have uncovered any substandard counterfeit piping installed (9). But those programs were riddled with problems, and throughout construction, inspectors were unaware of the counterfeit materials.

Seabrook Station received safety-related electrical components supplied by an Illinois firm engaged in counterfeiting according to an April, 1988, NRC notice (10). Two months later, during a raid of California electrical supply companies engaged in counterfeiting, one of the companies owners told a U.S. Marshal that substandard circuit breakers had been sold to nuclear plants throughout the U.S. (11) for the last ten years (12). General Electric and Westinghouse labels were among the false labels affixed to these electrical components (13), a type used in nuclear plant safety systems (14). When the Diablo Canyon nuclear plant checked circuit breakers bought from the California companies, every circuit breaker tested by the plant failed (15).

According to Thomas Murley, NRC Director of Nuclear Reactor Regulation, the agency knew of substandard fasteners sold to nuclear plants for two years before the NRC ordered any action taken (16). A Maryland nuclear plant had used commercial grade fasteners in safety systems; when the fasteners were tested, 339 of 1539 failed (17). The NRC ordered a very limited testing program: plants had to test 10 safety and 10 non-safety fasteners in their warehouses (18). Seabrook Station construction was completed two years ago, and the problem has been public knowledge for a least that long, so it is unlikely flawed fasteners would be found in the warehouse; more likely they have already been built into the plant.

Assumptions of nuclear plant safety are based on several factors: redundancy, meaning backup systems will compensate for failures in main systems; and extensive inspection program that guarantee quality construction. Yet Seabrook Station's flawed inspection program, the substandard counterfeit materials built into the plant, and a series of NRC documents and statements belie the conclusion the nuclear plant is safe.

A failure of a non-safety system could "challenge safety systems," meaning it could trigger a safety system failure, the NRC noted in an August, 1988, memo (19). The process for upgrading non-safety components for use in safety systems, a common practice, is flawed, according to another NRC document (20). Materials inspections by the NRC itself do not work, admitted the NRC's own Thomas Murley (21). He also said that once a percentage of components with a specific model number had been tested, there was no requirement for testing further orders of that model number

(22). Vendors of supplies and equipment to nuclear plants do not always carry out required inspections correctly, the NRC warned in June, 1988 (23). Guarantees that the nuclear plants are built safely are based on vendor certifications.

The NRC refuses to take a position protecting public health and safety. The NRC's attitude was demonstrated by the agency's initial effort to pass on responsibility for dealing with the counterfeit electrical components to the industry (24) and manufacturers (25). Additionally, after several months of fumbling for a solution to the counterfeit piping problem, the NRC, under industry pressure, cancelled its order that the counterfeit, substandard materials be found and replaced (26).

The NRC also delayed for long periods of time before notifying nuclear plants of the various types of counterfeit materials distributed to them. In the case of the fasteners, the agency delayed for several years (27). The NRC knew about the California counterfeit circuit breakers for three months before the agency notified possible recipients of the problem (28), and waited a full eight months before requiring any inspections for flawed circuit breakers (29). In the case of the counterfeit piping materials, the NRC was aware of the of the problem as early as January, 1988 (30). But the agency actually knew about it earlier and did not notify nuclear plants until May 6 (31). By the fall, the NRC had dropped any requirement for further investigation by nuclear plants of piping problems (32).

In all cases, the actions the NRC required are inadequate. The agency lowered safety standards for nuclear plants (33) to accommodate the unsafe conditions. Corrupt NRC policies have set the stage for a major disaster. Since the agency will not avert this disaster, it is up to the people of this country and the elected officials who represent them to intervene, both to prevent activation of Seabrook Station, and to fully investigate the NRC.

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of

PUBLIC SERVICE COMPANY OF NEW  
HAMPSHIRE, ET AL.  
(Seabrook Station, Units 1 and 2)

Docket No. (s) 50-443/444-OL-1

CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing LETTER FROM COMLEY TO CHILK have been served upon the following persons by U.S. mail, first class, except as otherwise noted and in accordance with the requirements of 10 CFR Sec. 2.712.

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Docket No. (s)50-443/444-OL-1  
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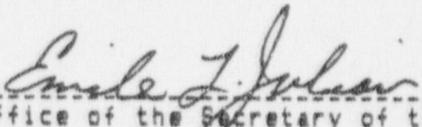
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