

September 5, 2012

The Honorable Edward J. Markey
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Markey:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter of July 31, 2012, reiterating your request for information regarding the training and operating experience of both the striking workers and the operators used during the recent strike at the Pilgrim Nuclear Power Station.

The licensed operators used during the strike had the training and operational experience required by NRC regulations to ensure safe operation of the facility. During the lockout, the reactor and senior reactor operator positions in the control room were staffed by senior reactor operators licensed specifically for the Pilgrim reactor, and whose regular duty stations are in the Pilgrim control room or elsewhere at the facility. Those senior operators who wish to maintain their operator licenses in active status must perform a minimum of 56 hours of active operational experience each quarter in the Pilgrim control room. In addition, senior reactor operators who were to perform either reactor operator or senior reactor operator functions during the strike were required to spend a minimum of 40 hours on shift. These requirements for hours of experience are license conditions with which licensees are required to comply. NRC inspectors regularly review licensee compliance with these license conditions.

In addition, through our inspections and other onsite observations, we saw that the licensed operators used during the strike safely performed all plant operations. These operators successfully conducted several complex plant operations requiring both power reduction and ascension for condenser backwash evolutions, and separate downpowers for a rod pattern adjustment and to make repairs to power generation equipment.

Regarding the emergency response qualifications of the operators and other staff used during the strike, the NRC inspectors (including emergency preparedness specialists) reviewed the licensee's contingency emergency response organization and concluded that the roster was composed of trained and qualified individuals with extensive experience at Pilgrim capable of adequately implementing the Pilgrim Emergency Plan. These staff participate in annual emergency response drills and exercises to demonstrate the required knowledge for, and proficiency in, the positions they are assigned. Participating in these drills and exercises is an important aspect of being considered trained and qualified for the emergency response positions that these operators fill. In addition, all licensed operators, including the operators used during the strike, receive an annual operating exam that includes a Pilgrim reactor simulator exam component to evaluate how well the operators would perform in involving abnormal and emergency situations. NRC staff observed the most recent of these exams in late 2011 and the NRC staff determined that no additional testing was required to verify the ability of the operators to respond successfully to an emergency.

Based on the above, we have concluded that the information you have requested would not alter the NRC's determination that the reactor was being operated by qualified personnel. The NRC has well-established regulatory requirements regarding operator licensing and training that have been subject to public review and comment and reflect the best technical judgment regarding the training and qualifications required for personnel to safely operate a nuclear power plant. We regularly inspect licensees for compliance with these requirements. These requirements are the same for both permanent operators and their replacements. In the case of Pilgrim, there was substantial additional inspector oversight both prior to and during the strike. The NRC has successfully implemented these inspection procedures multiple times over many years when strikes were anticipated taking place at other nuclear power plants. Based on our routine inspections, as well as the additional inspections performed, observations, and other oversight leading up to and during the recent strike at Pilgrim, the NRC is confident that the operators employed during the strike complied with our regulatory requirements and that the plant was operated safely. Accordingly, we do not intend to ask Entergy to provide us with the information that you seek.

We appreciate your views and interest in this matter. We feel strongly that we have in place comprehensive, effective regulatory requirements that provide us with reasonable assurance that the operational and emergency response duties at Pilgrim were being conducted by properly trained and experienced personnel who would have responded to any situation in accordance with approved procedures and the station's operating license. Please contact me or Rebecca Schmidt, Director of Congressional Affairs, at (301) 415-1776 with questions or if you would like to discuss this matter further.

Sincerely,

/RA/

Allison M. Macfarlane

Identical letter sent to:

The Honorable Edward J. Markey
United States House of Representatives
Washington, D.C. 20515

The Honorable William Keating
United States House of Representatives
Washington, D.C. 20515