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NRC ponders penalty at reactor

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TXU Energy should not be penalized for the improper handling of low-level radioactive waste at its Comanche Peak nuclear power plant, company officials told the Nuclear Regulatory Commission on Wednesday.

Meeting with regional NRC officials to discuss contaminated clothing and maintenance equipment found outside a controlled area at the plant, TXU officials said the infractions are "minor" and pose "absolutely no threat" to the public.

"In our opinion, the issues of concern are all very, very low-level, with no potential safety consequences," said Lance Terry, TXU's principal nuclear officer.

"We take these issues seriously. We know that control of radioactive material is essential to the safe, reliable operation of a nuclear power plant."

In reviewing Comanche Peak's safety records, NRC inspectors found 11 instances from January 24, 2000, to May 24, 2001, in which contaminated goods such as pliers and glove liners had been found outside the plant's most secure area but still on company property.

Strict federal rules govern the cleaning and disposal of contaminated clothing and equipment at nuclear power plants.

These are the first significant safety problems reported at the plant, known as the Comanche Peak Steam Electric Station, in more than eight years and are the first safety problems noted by the federal regulatory commission at either of Texas' two nuclear power plants since the agency adopted a new system of ranking infractions two years ago.

More than five events involving failure to perform proper radiological surveys to detect radioactivity constitutes a low-to-moderate safety problem, federal officials said.

Art Howell, the NRC's regional director of reactor safety, said that from 1999 to 2001, 20 such instances have occurred, including the 11 covered by the inspector's report.

"The trend got worse," he said.

TXU officials said they use extra-sensitive monitoring equipment at Comanche Peak - better equipment than is used at many other nuclear power plants. The equipment is capable of detecting very small amounts of radiation.

The federal agency "should not penalize Comanche Peak for implementing an aggressive program to identify low-level items," Terry said. A penalty "could send a chilling message and be a counterincentive to utilities upgrading their monitoring capabilities."

TXU officials also said that no more than three of the instances should be counted against Comanche Peak because of the slight amount of radioactivity on some of the contaminated material and because some of it was found in a controlled area of the plant, though not in the most secure area.

The power plant has taken corrective measures, said Rand LaVonn, TXU spokesman. These include a review of procedures, additional training for supervisors and employees, and a new, more intensive tracking of materials that enter and leave the plant's controlled areas.

The commission recently adopted a color code for classifying violations as green, white, yellow or red, in increasing order of concern. The Comanche Peak safety problem is a "preliminary white finding" and could lead to enforcement action, officials said.

"There might be a violation. There would be no fine," said Ellis Merschoff, regional administrator. More inspectors may be stationed at the plant, he said.

"They recognize they were wrong," Merschoff said. "We have our standards. We protect the environment and the public with a set of laws that establish the framework in which the nuclear industry operates."

Erin Rogers, outreach director of the Sierra Club's Lone Star chapter in Austin, said Comanche Peak's safety problem is indicative of problems in the nuclear power industry.

"Nuclear waste is too dangerous to take chances with," Rogers said. "Comanche Peak's sloppy management practices and numerous violations do not instill confidence in the industry's ability to safely manage radioactive waste."

In the NRC's western region, which includes Texas and 21 reactors at 14 sites, the agency has found eight violations - one yellow and seven white - since April 2000.

The yellow violation was at a nuclear facility in Washington state that failed to maintain adequate emergency plans for evacuating people who work nearby. The white findings included citations for an inoperable pump and for not arranging schedules to minimize workers' exposure to radiation.

The Comanche Peak plant near Glen Rose was last sanctioned in 1993 after radioactive water spilled in a containment area during refueling. The plant was shut down at the time and no water escaped, but the NRC fined the company \$50,000.

The NRC is expected to reach a decision about penalizing Comanche Peak in early March, Merschoff said.

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