

Concerned Citizens of San Diego,

I am writing this memorandum in support of the efforts of those presenting today and their respective organizations. By way of introduction, I am retired Rear Admiral Len Hering, former Commander, Navy Region Southwest, and current Co-Chair of Congressman Levine's S.O.N.G.S Task Force.

Over the course of the last two years, I have been deeply involved in the efforts by which this meeting today is unfortunately being convened. While not an expert in the field of nuclear engineering, I am very experienced in regulatory behavior, regulatory administration, proper investigation procedures and documenting of findings, proper training techniques and certification requirements utilized by the Navy to handle nuclear weapons and hazardous materials, and leadership.

Exploring issues concerning S.O.N.G.S during these past two years has been both challenging, enlightening and in far too many instances alarming. We collectively have heard blatant violations of regulatory processes and procedures with minimal consequences and presented evidence that shows deliberate neglect by key players within the regulatory organizations to address and provide satisfactory answers to critical safety concerns of those citizens in the immediate and surrounding area. I have witnessed evidence to show that the systems and equipment currently in use have failed to address some of the most basic concerns. Some of those uncovered include what is perceived to be an inadequate evaluation concerning the failure of the system due to scratches which were caused by the sloppy and rudimentary handling techniques during loading, flooding concerns due to tsunami or earthquake, transportation or unloading of existing casks should the situation be required.

Also uncovered is the lack of adequate monitoring and notification procedures, proper emergency response planning, equipping, and exercising of that plan so that local communities are aware of what to do and more importantly Emergency Response teams are trained and prepared for the worst. Much to my dismay it seemed like nearly every question asked by the members of the TF concerning serious issues were either dismissed or brushed off as inconsequential. At one point we were even told that "if it happens, we'll figure it out when it does". As a 32+ year Naval Officer versed in risk management, that is not something I would accept from my subordinates nor is it something I would expect NRC regulators to accept.

I have discussed most of this with the NRC Inspector General's office but to date I've heard or seen nothing of consequence. Regulations are, in my business, written to be followed and not waived. Our investigation and experience over the course of the last two years have shown this is not the way our nuclear industry operates. If you cannot comply ask for a waiver it will probably be granted, and chances are there is no compliance requirement date set for them to attain full compliance.

I believe the most important issue and the reason this gathering became so important is that when many of the issues were brought to the CEP, an organization established to address citizens' concerns, they were in similar fashion dismissed or the message provided to the concerned citizens echoed the message of the utilities Public Affairs or were dismissed as "already addressed".

I am sorry this has become such a concern, but the truth is the system is broken and those involved have a lot to answer for. Take the time today to listen and ask yourself, if these questions had been properly addressed and concerns satisfied, would any of this be necessary.

Respectfully,

Len. R. Hering,
RADM,USN (ret)