

July 19, 2013

Nuclear Regulatory Commission (NRC) Chairman Allison McFarlane
Commissioner William Magwood
Commissioner William Ostendorf
Commissioner Kristine Svinicki
Commissioner George Apostolakis

Subject: Your oaths of office and my contentions of compounded federal agency lawbreaking putting Tennessee at unnecessarily increased danger of a nuclear disaster at a Tennessee Valley Authority (TVA) nuclear plant

Dear Chairman McFarlane and Commissioners,

I am writing to you because of the failure of NRC Region II Administrator Victor McCree to display the moral courage necessary to resolve my public health and safety concerns involving TVA nuclear plants. ¹

We all took oaths in becoming federal agency employees, to “well and faithfully discharge” the duties of our offices. I have paid a high personal and professional price to uphold that oath as an employee of the Department of Energy, American, Tennessean, licensed professional engineer (PE), member of several engineering professional societies, and professing Christian.

Consistent with that oath and my positive legal and professional duties as a PE licensed in Tennessee, I now publicly claim that President Obama is failing or refusing to comply with his most fundamental statutory duty to the 2 million members of the federal civil service, including NRC employees, putting America at unnecessarily increased risk of a terrorist attack or other catastrophe. ²

Consistent with that oath and my positive legal and professional duties as a PE licensed in Tennessee, I now publicly claim that you are apparently failing or refusing to comply with your oaths of office and your duties to public health and safety in Tennessee related to the operation of TVA nuclear plants, by not requesting the Office of Legal Counsel (OLC) of the Department of Justice resolve, via rule of law, the issues of:

- 1) whether TVA employees at its nuclear plants have a statutory right to make disclosures to the U.S. Office of Special Counsel per 5 U.S.C. section 1213(a), and

¹ See <http://whsknox.blogs.com/tva/nrc-carson-respone-tva-danger.pdf> and <http://whsknox.blogs.com/tva/nrc-carson-reply-tva-danger.pdf>

² See www.broken-covenant.org for extensive detail

2) whether all the definitions of prohibited personnel practices (PPPs), found at 5 U.S.C. section 2302(b), apply to employees of TVA at its nuclear plants.

Yes, it would take moral courage for you to make such a request of the Office of Legal Counsel (OLC). But protecting public health and safety involving nuclear facilities requires moral courage - the moral courage to adhere to one's oath of office, to the rules of professional conduct of one's PE licensing board, to the codes of ethics of one's engineering professional societies, and/or one's worldview by which mankind has God-given unique responsibilities on planet earth for the welfare of other humans, other living things, and the environment. ³

I call upon you to demonstrate this moral courage and to perform your duty by your oaths of office to resolve these significant public health and safety issues related to TVA nuclear power plants.

If you consider my statements to be lacking in truthfulness or objectivity, I respectfully request that you to file a professional misconduct complaint against me with my PE licensing Board and/or my engineering professional societies - I welcome any opportunity to make my case that Tennessee is at unnecessarily increased danger of a nuclear disaster at a TVA plant because of my concerns and NRC's failure to take the action - requesting opinions from OLC - to resolve them. ⁴

Respectfully,

_____/S/_____
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³ By engineering ethics/rules of professional conduct for PE's, the engineer/PE must be willing to jeopardize/sacrifice his job and/or career, when necessary, to protect public health and safety.

⁴ www.broken-covenant.org provides information for this.