



John T. Conway
Vice President
Nuclear Generation

Phone: 315.349.4213
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June 30, 2000
NMP2L 1974

R. William Borchardt
Director, Office of Enforcement
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

RE: Nine Mile Point Unit 2
Docket No. 50-410
NPF-69

***Subject: Response to Request for Additional Information Concerning R. T. Norway's
Petition Pursuant to 2.206 (TAC No. MA8917)***

Dear Mr. Borchardt:

This letter responds to your June 21, 2000, request made to John H. Mueller, Chief Nuclear Officer, Niagara Mohawk Power Corporation (NMPC), requesting additional information concerning an issue raised by Robert Norway in his petition to the Nuclear Regulatory Commission (NRC) submitted pursuant to 10 CFR § 2.206.

The Employee Feedback form for Robert Norway which was discussed with the NRC Staff during the 1996 enforcement conference is the same document which was considered by NMPC management during its 1994 downsizing review. As requested by your June 21, 2000 letter, a copy is provided as Attachment 1. A review of relevant files was conducted and no other Employee Feedback form related to Mr. Norway for 1994 was located. In particular, no Employee Feedback form signed and dated by Mr. Norway was located.

NMPC has found no evidence which would support the contention that another form of this Employee Feedback form existed or that NMPC omitted information related to the Employee Feedback form to the NRC which Mr. Norway submitted to NMPC. NMPC's procedures at the time did not require the signing or dating of Employee Feedback forms which were voluntarily submitted. Of particular note is the fact that the identical Employee Feedback form to that discussed with and given to the NRC was entered into evidence at the Department of Labor proceeding involving Mr. Norway. Attachment 2 provides transcript pages 292-294 from the December 31, 1994 hearing before the Department of Labor Administrative Law Judge related to Mr. Norway's claims and respondent's counsel's copy of Respondent's Exhibit 6. Neither Mr. Norway's attorney nor Mr. Norway, who I understand was present, objected in any way to the introduction of this document into evidence. In particular, no allegation was made that it was a "fake" or a "forgery" prior to its receipt into evidence.

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If you require further information, please let me know.

Sincerely,


John T. Conway
Vice President Nuclear Generation

JTC/lmc
Attachments

xc: NRC Document Control Desk
Mr. H. J. Miller, NRC Regional Administrator, Region I
Mr. G. K. Hunegs, NRC Senior Resident Inspector
Mr. P. S. Tam, NRC Senior Project Manager, NRR
Records Management

ATTACHMENT 1

EMPLOYEE FEEDBACK FORM

NAME: Robert T. Norway BRANCH: Independent Safety Engineering Group

Identify significant accomplishments during your career at Niagara Mohawk:

- System Engineer responsible for the construction, installation and testing of the NMP2 Reactor Vessel Instrument System during the construction of NMP2.
- I&C Engineer responsible for the construction, installation and testing of several NMP2 BOP and NSSS Systems during the construction of NMP2.
- Test Engineer during the Power Ascension phase of NMP2, responsible to perform specific tests as determined by supervisor.
- Technical Engineer who researched and written selected License Events Reports for NMP2 reportable incidents.
- Technical Engineer who researched and written NMP2 Nuclear Industry Operating Experienced Reports.
- Performed specific investigations to determine the root cause of various events and incidents which occurred at NMP1 or NMP2.
- Identified major problems which were in violation of the NMP2 licensing basis which could have resulted with a NRC violation if it was not self identified.

Identify your key skills and/or experience:

- 23 years experience in a power utility, which includes 11 years in nuclear power at NMP2.
- 16 years experience in power plant instrument and control systems.
- Experience in various NMP2 plant systems during it's construction, startup and testing.
- Trained as a Kepner-Tregoe Process Consultant, Failure Prevention, Root Cause Analysis and the Human Performance Evaluation System.
- knowledgeable in the use of a personnel computer for word processing, spreadsheets, databases, graphics and interface to other computer systems.

Additional Comments:

- Investigations performed by ISEG has identified significant areas for improvement and is responsible for the avoidance of NRC enforcement action by providing sound corrective and preventative actions.

In addition to other information, this form will be reviewed by the Review Board. Please limit

your feedback to this page only. Completion of this form is voluntary. If you choose to do so,

please forward to:

Kathy Miles
O-2, NMP2

NO LATER THAN JANUARY 28, 1994

ATTACHMENT 2

1 Q Do you recall what the vote was for Mr. Suri?

2 A I believe that was also six to one, and I think
3 it was to hold, which essentially mean - - hold meant to not
4 necessarily retain in a current position but evaluate them
5 against other candidates.

6 Q Did the review board members have any information
7 about these individuals available to them when they were
8 making these votes?

9 A Yes. There were, there were forms essentially
10 that were provided that gave us information about the branch
11 manager's evaluation of the individual, general employment,
12 kind of a resume of their experience, and a feedback form
13 that the employee had the option of providing to HRD and
14 human resources would then provide it to us. The other
15 information that was available was if as a candidate came
16 up, if there was any knowledge that any board member had or
17 any comments that they had about a person, of course, we
18 discussed it. In fact, that was encouraged wherever people
19 knew something beyond what was written on the paper.

20 MR. PELLOW: I believe this will be R-6.

21 JUDGE TIERNEY: R-6, yes.

22 (The above-referred to
23 document was marked
24 Respondent's Exhibit 6 for
25 identification.)

1 MR. FUSCO: Did you ever move to admit R-5?

2 JUDGE TIERNEY: Yes.

3 MR. PELLOW: No, I didn't, but that's - -

4 JUDGE TIERNEY: I think you did. I have a check
5 by it.

6 MR. PELLOW: Yeah, I'm sorry, I thought I had,
7 yeah.

8 BY MR. PELLOW:

9 Q Mr. Terry, do you have in front of you now
10 Respondent's Exhibit 6?

11 A Yes.

12 Q What is that?

13 A This is the package of information that I
14 referred to earlier for Mr. Norway. Specifically, it's a
15 three page document. The first page is the form that the,
16 his branch manager, or Jim Spadafore, completed on him. The
17 second page is entitled profile, which is a summary resume
18 of his work experience, and the third page is the employee
19 feedback form, which was provided by Mr. Norway.

20 MR. PELLOW: Mark this, please, as Respondent's
21 7.

22 JUDGE TIERNEY: R-7.

23 (The above-referred to
24 document was marked

25 Respondent's Exhibit 7 for

1 identification.)

2 BY MR. PELLOW:

3 Q Mr. Terry, do you recognize Respondent's Exhibit
4 ??

5 A Yes.

6 Q What is that?

7 A That's a similar package of information, the same
8 three forms are included except as number six. The only
9 difference is that this package relates to Darshan Suri,
10 another one of the ISEG engineers.

11 MR. PELLOW: I guess before I go any further,
12 having been, had my sensitivity heightened by Mr. Fusco, let
13 me move the admission into evidence of Respondent's Exhibit
14 6 and 7.

15 MR. FUSCO: No objection.

16 JUDGE TIERNEY: They're admitted.

17 (Documents heretofore marked
18 Respondent's Exhibits 6 and 7
19 for identification were
20 received into evidence.)

21 BY MR. PELLOW:

22 Q By the way, Mr. Terry, do you recall if any other
23 engineers of the ISEG group were before the review board in
24 February, 1994?

25 A Yes.

1 identification.)

2 BY MR. PELLOW:

3 Q Mr. Terry, do you recognize Respondent's Exhibit
4 ??

5 A Yes.

6 Q What is that?

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8 three forms are included except as number six. The only
9 difference is that this package relates to Darshan Suri,
10 another one of the ISEG engineers.

11 MR. PELLOW: I guess before I go any further,
12 having been, had my sensitivity heightened by Mr. Fusco, let
13 me move the admission into evidence of Respondent's Exhibit
14 6 and 7.

*Containing the
Employment form
for*

15 MR. FUSCO: No objection.
16 JUDGE TIERNEY: They're admitted.

*Based on the fact that Norway's lawyer did
not object to the admission of the exhibit and David
Pellow's statement that Norway
which is confirmed by Tr. 333-334, it can be*

concluded that the document was not a "fake" or a "forgery"
(Documents heretofore marked

17 Respondent's Exhibits 6 and 7
18 for identification were
19 received into evidence.)
20

21 BY MR. PELLOW:

22 Q By the way, Mr. Terry, do you recall if any other
23 engineers of the ISEG group were before the review board in
24 February, 1994?

25 A Yes.

W. J. ... R-6

MANAGEMENT EMPLOYEE ASSESSMENT

Branch Manager Ranking within group:

6 of 8

Is position being right-sized: Yes No

Branch Manager recommendation: (choose one)

Place in Transition Program

Retain in current non-right-sized position

Retain within another branch (see below)

[ISEG ROTATIONAL POSITION]

EMPLOYEE NAME: Robert Norway

JOB TITLE: ENGINEER 3 (MECHANICAL)

BRANCH: NUCLEAR ENGR (ISEG)

MANAGER: J. SPADAFONE

1993 PERFORMANCE EVALUATION LEVEL: FULLY COMPETENT (III) 4.3 (currently being completed)

Assess the employ. or based on categories below using the following rating scale: 5 HIGHEST / 1 LOWEST; INSTRUCTIONS: 1) Current performance ratings shall match the annual performance evaluation being performed. 2) Flexibility and; 3) Potential shall be comparative ratings to others in your work group.

1) CURRENT OVERALL PERFORMANCE

a) RESULTS ACHIEVED	5	4	3 3.0	2	1
b) SKILL ASSESSMENT	5	4 3.8	3	2	1
2) COMPARATIVE FLEXIBILITY: A ready capability to adapt to new, different or changing requirements. Capable of fulfilling multiple responsibilities.	5	4 4.0	3	2	1
3) COMPARATIVE POTENTIAL: Possesses the experience and/or capabilities and willingness to take on additional responsibility to fulfill immediate business needs.	5	4 3.5	3	2	1

TOTAL OF RATINGS: 14.3

← PLEASE TOTAL RATINGS & COMPLETE

PLEASE PROVIDE ADDITIONAL COMMENTS:

PLEASE PRINT - MUST BE LEGIBLE

STRENGTHS: Top level Computer skills & Analysis Techniques
CAPABLE OF REVIEWING ANY TYPE OF WORK AND COMPLETING
the required effort. Good level of experience in
STARTUP, I & C AND MECHANICAL AREAS. Very Flexible in
Adapting to changes.

LIMITATIONS: Rated in lower 40% Quantitative only reason for submitted (verbal skills
with others sometimes difficult)

TO Be Referred as a ROTATIONAL POSITION WITH ANOTHER
GENERATION OF ENGINEERING POSITION ONLY REASON FOR
Submitted to the Board Review Process

** If position is right-sized and recommendation is retain in another Branch, please explain What Branch and Why?

System Engineering, Mechanical Engineering, I & C, QA, Tech Services,

EMPLOYEE PROFILE

NAME: ROBERT NORWAY
EEO CONSIDERATION: WM -- 43
YEARS OF SERVICE: 11 years (6-14-82)

EDUCATION: BS Mech Engr Tech
LICENSES: None

WORK HISTORY (NMPC)

1990 to Present

Job Title: ENGINEER 3
Dept & Unit: Engineering, ISEG

Length of time in position: 4 years

1989 to 1990

Job Title: MECHANICAL ENGINEER
Dept & Unit: Site Engineering Unit 1

Length of time in position: 1 year

1988 to 1989

Job Title: GENERATION ENGINEER
Dept & Unit: Technical Support

Length of time in position: 1 year

1982 to 1988

Job Title: TEST ENGINEER
Dept & Unit: Operations

Length of time in position: 5 1/2 years

Significant Events in File: NONE

EMPLOYEE FEEDBACK FORM

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