

2000-0194

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RESPONSE TO FREEDOM OF INFORMATION ACT (FOIA) / PRIVACY ACT (PA) REQUEST

RESPONSE TYPE FINAL PARTIAL

REQUESTER

Adrian L. Randolph

DATE

NOV 28 2000

PART I. -- INFORMATION RELEASED

- No additional agency records subject to the request have been located.
- Requested records are available through another public distribution program. See Comments section.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are already available for public inspection and copying at the NRC Public Document Room.
- APPENDICES Agency records subject to the request that are identified in the listed appendices are being made available for public inspection and copying at the NRC Public Document Room.
- Enclosed is information on how you may obtain access to and the charges for copying records located at the NRC Public Document Room, 2120 L Street, NW, Washington, DC.
- APPENDICES **A** Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

- AMOUNT * You will be billed by NRC for the amount listed. None. Minimum fee threshold not met.
- \$ You will receive a refund for the amount listed. Fees waived.

* See comments for details

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- No agency records subject to the request have been located.
- Certain information in the requested records is being withheld from disclosure pursuant to the exemptions described in and for the reasons stated in Part II.
- This determination may be appealed within 30 days by writing to the FOIA/PA Officer, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001. Clearly state on the envelope and in the letter that it is a "FOIA/PA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

SIGNATURE - FREEDOM OF INFORMATION ACT AND PRIVACY ACT OFFICER

Carol Ann Reed *Carol Ann Reed*

APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY
(If copyrighted identify with *)

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
1.	02/24/1999	Exhibit 1 - Investigation Status Record (1 pg)
2.	08/07/1998	Exhibit 2 - NRC Inspection Report 50-312/98-03 (15 pgs)
3.	02/22/1999	Exhibit 7 - NRC RIV ARB Meeting Minutes (1 pg)
4.	06/07/1999	Exhibit 28 - Written Reminder of Field to Saum (1 pg)
5.	07/06/1999	Exhibit 29 - Electronic Mail of Saum to Field and Redeker (1 pg)
6.	06/24/1999	Exhibit 30 - Memorandum of Saum to Field (2 pgs)
7.	07/06/1999	Exhibit 31 - Status Report of Flowers (5 pgs)
8.	07/07/1999	Exhibit 32 - Letter of Schori to Saum (4 pgs)
9.	05/19/1999	Exhibit 33 - Report of Interview with Nava (1 pg)
10.	05/19/1999	Exhibit 34 - Report of Interview with Field (2 pgs)
11.	08/31/1999	Exhibit 35 - NRC RIV Inspection Report No. 50-312/99-03 (21 pgs.)
12.	11/10/1999	Exhibit 37 - Telephone Conversation Notes of Wise with Foster (1 pg)
13.	11/30/1999	Exhibit 38 - Telephone Conversation Notes of Wise with Leary (1 pg)
14.	05/26/1999	Exhibit 39 - Interim Evaluation of Saum (5 pgs)
15.	Various Dates	Handwritten Notes by Investigator (17 pgs)
16.	03/26/1999	NRC Advisement on Identify Protection (1 pg)
17.	12/12/1995	Memo to J. Field from D. Jones re Personnel Interactions J. Saum (5 pgs)
18.	Undated	Handwritten Note (1 pg)
19.	Undated	Blank Beneficiary Designation Form (1 pg)

APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY (CONTINUATION)
(If copyrighted identify with *)

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
20.	03/08/2000	Memo to E. Merschoff from E. Williamson re Release of Synopsis - Rancho Seco: Discrimination Against Engineer by Management for Reporting Safety Concerns to the NRC (2 pgs)
21.	Various Dates	Allegation Assignment Forms (3 pgs)
22.	Various Dates	Telephone Conversations with Paul Leary & Jerry Foster (2 pgs)
23.	06/24/1999	Memo to J. Field from J. Saum re Identification of Deterrents to Reporting PDQs (2 pgs)
24.	Undated	E-Mail from P. Joukoff to L. Williamson re 4-1999-011 (2 pgs)
25.	04/17/1997	SMUD Standard District Policy (Electronic Communciations) (3 pgs)
26.	04/24/1997	Receipt and Acknowledgement of James Saum (1 pg)
27.	05/26/1999	Memo to J. Saum from J. Field re Interim Evaluation - May 1999 (5 pgs)
28.	Undated	SMUD Standard District Procedures (Grievances, Monthly-Rated and Exempt Employees) (8 pgs)
29.	Undated	SMUD Employee Discussion Log (1 pg)
30.	Undated	E-Mail from P. Joukoff to L. Williamson re 4-1999-011 (1 pg)
31.	07/02/1999	E-Mail from B. Spitzberg to D. Boal and V. Everett re Saum (1 pg)
32.	06/03/1999	Registrar - Saum, James N. (1 pg)
33.	05/25/1999	Letter to P. Joukoff from B. Notareus re James Saum Investigation (3 pgs)
34.	Undated	Interviews for Week of May 24, 1999 (5 pgs)
35.	03/24/1999	E-Mail from P. Joukoff to J. Whetstine re Court Reporter (1 pg)
36.	03/24/1999	Note to Case File: Case No. 4-1999-011 (1pg)

**APPENDIX A
RECORDS BEING RELEASED IN THEIR ENTIRETY (CONTINUATION)
(If copyrighted identify with *)**

<u>NO.</u>	<u>DATE</u>	<u>DESCRIPTION/(PAGE COUNT)</u>
37.	07/06/1999	E-Mail from S. Redeker to B. Notareus re Request Collaboration Meeting on PDQs (1 pg)
38.	Undated	Synopsis - Case No. 4-1998-037 (1 pg)
39.	Undated	Review of SAUM's February 8, 1999, Letter to Wise (2 pgs)
40.	02/24/1999	Case Chronology - Rancho Seco (3 pgs)
41.	02/24/1999	Investigation Status Record, 4-1999-011, Rancho Seco re Discrimination Against Engineer by Management for Reporting Safety Concerns to the NRC (5 pgs)
42.	Various Dates	Allegation Assignment Forms, Follow-Up ARB (5 pgs)
43.	11/15/1999	E-Mail from P. Joukoff to L. Williamson re Rancho Seco (1 pg)
44.	Various Dates	Allegation Assignment Forms, Timeliness ARB (2 pgs)
45.	07/16/1999	E-Mail from P. Joukoff to L. Williamson re 4-1999-011 (2 pgs)
46.	07/08/1999	E-Mail from P. Joukoff to L. Williamson re 4-1999-011 (1 pg)
47.	07/06/1999	E-Mail from P. Joukoff to L. Williamson re 4-1999-011 (1 pg)
48.	Undated	Allegation Assignment Form, Followup ARB (1 pg)
49.	04/15/1999	Memo from E. Williamson to R. Wise re Rancho Seco Nuclear Generating Station: Deliberate Discrimination Against an Engineer By Management for Reporting Safety Concerns (1 pg)
50.	04/15/1999	Memo from E. Williamson to W. Brown re Rancho Seco Nuclear Generating Station: Deliberate Discrimination Against an Engineer By Management for Reporting Safety Concerns (1 pg)
51.	Undated	SMUD Employee Discussion Form: J. Saum (1 pg)
52.	06/07/1999	Memo from J. Field to J. Saum re Written Reminder - Maintaining Interpersonal Relationships (4 pgs)

INVESTIGATION STATUS RECORD

Case Number: 4-1999-011 Case Agent: JOUKOFF, PHILIP V
Allegation Number: RIV-1999-A-0031 Date Opened: 02/24/1999
Docket Number(s): 05000312 ECD: 5/1999
Facility: RANCHO SECO Priority: High
Case Code: RP Status: FWP
Source of Allegation: Allegor
Subject/Allegation: DISCRIMINATION AGAINST ENGINEER BY MANAGEMENT FOR REPORTING SAFETY CONCERNS TO THE NRC

Monthly Status Report:

02/24/1999: On February 8, 1999, James N. SAUM, Senior Electrical Engineer at Sacramento Municipal Utility District's (SMUD) Rancho Seco Nuclear Generating Station (RSNGS), reported to Russ WISE, Senior Allegation Coordinator, RIV, that employment discrimination was continuing since his last meeting with the NRC on August 20, 1998, during which time he reported that he was the subject of employment discrimination by his management for identifying safety concerns. SAUM provided a chronology of events as they related to alleged employment discrimination. In September 1998, SAUM's access was revoked as he was placed on temporary paid leave pending a psychiatric evaluation. On January 11, 1999, his site access was restored, and he returned to work at RSNGS. He reported that on January 13, 1999, Steve REDEKER, Plant Manager, RSNGS, threatened to terminate his employment if he found out that he [SAUM] reported a plant problem directly to the NRC without first writing a PDQ [NFI] and without reporting the problem first to his supervisor. SAUM stated that REDEKER insisted this was a condition the general manager imposed as a condition for his continued employment.

SAUM also reported that the NRC should contact Tim SHAW, Plant Chemistry Specialist, RSNGS, who also had suffered employment discrimination for reporting a safety concern with a planned release of liquid effluent water from RSNGS. According to SAUM, the planned effluent release exceeded 10 times the allowed radiological specific activity limit for tritium. SAUM stated SHAW was intimidated and harassed by RSNGS for reporting the potential violation to the California Regional Water Quality Board, National Pollutant Discharge System Permit, NPDES CA004758. SAUM related he had filed a complaint with the Department of Labor and felt that because of the "intolerable working environment," he no longer felt free to report problems. SAUM was interviewed by OI:RIV and the staff on August 3 and 20 1998, regarding his allegations and subsequent inquiries involving that investigation reported in OI case No. 4-1998-037.

On February 22, 1999, the RIV Allegation Review Board (ARB) discussed SAUM's allegation of employment discrimination and requested OI:RIV interview SAUM and determine the exact nature and extent of his concerns. Status: Field Work in Progress (FWP) ECD: 05/99 (90-day) Potential Violation: 10 CFR 50.7

Completion Date:
Issue Date:
DOJ Actions:
All OI Violations: HI - No Result

Total Staff Hours: 0.0
Months Open: 0.0
OE Action:
DOJ Referral:

4 - 1 9 9 9 - 0 1 1

EXHIBIT 1 **A/1**
PAGE 1 OF 1 PAGE(S)

August 7, 1998

Richard Ferreira, Assistant General Manager
Energy Supply and Chief Engineer
Sacramento Municipal Utility District
6201 'S' Street
Sacramento, California 95852

SUBJECT: NRC INSPECTION REPORT 50-312/98-03

Dear Mr. Ferreira:

On July 6-9, 1998, the NRC completed an inspection at your shut down Rancho Seco nuclear reactor facility. The enclosed report presents the scope and results of that inspection.

Major areas reviewed as part of this inspection included decommissioning and dismantlement work underway, verification of compliance with selected technical specifications, review of completed safety evaluations, evaluation of occupational exposures and environmental data for 1997, review of your internal self-assessment and corrective actions program, and review of the radwaste shipping program. No violations of NRC rules or regulations were noted during this inspection.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be placed in the NRC Public Document Room (PDR).

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,

ORIGINAL SIGNED BY:
LINDA HOWELL

Ross A. Scarano, Director
Division of Nuclear Material Safety

Docket No.: 50-312
License No.: DPR-54

Enclosure:
NRC Inspection Report
50-312/98-03

cc w/enclosures:
Thomas A. Baxter, Esq.

EXHIBIT 2

PAGE 1 OF 15 PAGE(S)

4-1999-011

A/2

Shaw, Pittman, Potts & Trowbridge
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Washington, D.C. 20037

Jerry Delezenski, Licensing Supervisor
Sacramento Municipal Utility District
Rancho Seco Nuclear Generating Station
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Herald, California 95638-9799

Cindy Buchanan, Site Document
Control Supervisor
Sacramento Municipal Utility District
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Sacramento County
Board of Supervisors
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Ms. Helen Hubbard
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Dana Appling, General Counsel
Sacramento Municipal Utility District
6201 'S' Street
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Sacramento, California 95813

Mr. Steve Hsu
Radiologic Health Branch
State Department of Health Services
P.O. Box 942732
Sacramento, California 94234

bcc to DCD (1E01)

bcc distrib. by RIV:

EW Merschoff, RA

D Weiss, OC/LFDCB (4503)

GA Marcus, NRR/PDIII-3 (11E2)

MT Masnik, NRR/PDND (11B20)

RF Dudley, NRR/DND (11B20)

RA Scarano

LL Howell

DB Spitzberg

MR Shaffer

*JVEverett

*MIS System

*NMIB File

*RIV Files(1)-4th floor file room (Part 50 Docket)

*W/IFS Form

DOCUMENT NAME: DRAFT: G:\FCDB.O\JVE\RS803RP.JVE FINAL: R:_DNMS\RS803RP.JVE

RIV:DNMS:FC/DB	NRR:PDND	C:FC/DB	DD:DNMS	D:DNMS
JVEverett:wsw	RF Dudley	DB Spitzberg	LL Howell	RA Scarano
08/4/98	08/5/98 JVE by phone	08/5/98	08/7/98	08/ /98 N/A

OFFICIAL RECORD COPY

ENCLOSURE 2

U.S. NUCLEAR REGULATORY COMMISSION
REGION IV

Docket No.: 50-312
License No.: DPR-54
Report No.: 50-312/98-03
Licensee: Sacramento Municipal Utility District
Facility: Rancho Seco Nuclear Generating Station
Location: 14440 Twin Cities Road
Herald, California
Dates: July 6-9, 1998
Inspector: J. Vincent Everett, Sr. Health Physicist
Richard Dudley, NRR Project Manager
Approved By: D. Blair Spitzberg, Ph. D., Chief
Fuel Cycle and Decommissioning Branch
Attachment: Supplemental Information

EXECUTIVE SUMMARY

Rancho Seco Nuclear Generating Station NRC Inspection Report 50-312/98-03

This routine, announced inspection of Rancho Seco included a review of the licensee's programs related to spent fuel pool safety, status of decommissioning, safety reviews and self-assessments, radiological safety programs, environmental monitoring, and transportation of radwaste. The programs reviewed were being implemented effectively by the licensee. Staffing was stable with key management positions being held by personnel with experience at Rancho Seco during operations. Health physics staffing was adequate for the work underway. The spent fuel pool was being maintained within Technical Specifications for water temperature, water level and chemistry. Personnel interviewed during this inspection were cooperative and had a positive attitude toward the work efforts underway at the site. Safety continued to receive strong emphasis from management.

Spent Fuel Pool Safety

- The spent fuel pool water level, temperature, and chemistry were found to be in compliance with Technical Specifications. Water clarity and housekeeping in the area around the pool was very good. Implementation of NRC Information Notice 97-14, "Assessment of Spent Fuel Pool Cooling" was found to be acceptable (Section 1).

Decommissioning Performance and Status Review

- The dismantlement effort was progressing in the turbine building with a significant portion of the lower level cleared of equipment, tanks, and piping. Work on the upper levels of the turbine building was underway. Planning had been started for future dismantlement work in the auxiliary building (Section 2).

Safety Reviews, Design Changes, and Modifications

- Acceptable programs were being implemented to ensure that facility modifications, procedure changes, tests, and experiments were properly evaluated for compliance with NRC regulations in 10 CFR 50.59 and that no unreviewed safety questions were involved with such activities (Section 3).

Organization, Management, and Cost Controls

- Various selected Technical Specifications concerning plant organization, plant review committees, and program/manual documents were reviewed. Plant programs were consistent with the requirements of the Technical Specifications (Section 4).

The annual medical drill was successfully conducted with the licensee's onsite emergency team, Galt Fire Department and UC Davis Medical Center. The drill involved a simulated injury with contamination (Section 4).

Occupational Radiation Exposures

- The licensee's health physics program had established effective controls for radioactive material and personnel exposures. Personnel exposures were low and reflected the low contamination levels of the systems being dismantled. Radiological levels onsite continued to trend downward due to radiological decay. Contamination controls continued to be effective in preventing the spread of contamination to new areas during dismantlement work. Health physics staffing was adequate for work activities underway (Section 5).

The licensee had installed a new radiation truck monitoring system. The system was sensitive and readily detected a small thorium source which was passed between the detectors as a test (Section 5).

Radioactive Waste Treatment, Effluent and Environmental Monitoring

- The licensee had submitted the required environmental report and effluent report for 1997. The sample measurements showed that the levels of radioactivity in the environment around the site were consistent with previous years and well below regulatory limits (Section 6).

Self-Assessments, Audits, and Corrective Action

- The licensee's program for identifying issues and tracking corrective actions provided for a mechanism to recognize issues in a timely manner and bring them to the attention of management for resolution (Section 7).

Transportation of Radioactive Materials

- The radwaste shipping procedures were reviewed and found acceptable. Shipments of radwaste to Envirocare are expected to start within weeks (Section 8).

Report Details

Summary of Plant Status

Dismantlement work had progressed in the turbine building with a large portion of the equipment removed from the first floor. Work was progressing toward the upper levels of the turbine building and planning was underway for future work in the auxiliary building. The auxiliary building will involve more radiation and contamination than the turbine building. Activities related to the dry cask storage facility were still on hold waiting completion of a contract with Transnuclear West, Inc. Contract negotiations were reported by the licensee as being in the final stages of completion.

1 Spent Fuel Pool Safety (60801, 86700)

1.1 Inspection Scope

Requirements for the spent fuel pool were reviewed to determine compliance with Section D3 of the Technical Specifications. The licensee's response to NRC Information Notice 97-14, "Assessment of Spent Fuel Pool Cooling" was reviewed. A tour of the spent fuel pool area was conducted and records for the current pool leakage were reviewed.

1.2 Observations and Findings

The licensee continued to maintain the spent fuel in the spent fuel pool waiting completion of the licensing process for the Independent Spent Fuel Storage Installation. Technical Specification D3.1.2 required at least 23 feet 3 inches of water to be maintained in the spent fuel pool. During fuel handling, the water level was required to be maintained at 37 feet. During the tour of the spent fuel pool area, water level was observed to be 37 feet. Selected daily log sheets from Procedure SP.2, "Daily Instrument Checks and System Verification", Revision 19, were reviewed for the period between April 1, 1998, and July 6, 1998. During this period, water level had been maintained between 37 feet and 37 feet 9 inches. Water level was monitored from the control room on a continuous basis by closed circuit television. The closed circuit television was part of the security system and was connected to emergency power. On July 9, 1998, a loss of power test was conducted for 2 hours. The system remained operational on battery back-up power. In addition to the television camera to monitor water level, two annunciator alarms were provided in the control room. One for Hi-Lo alarm and one for Lo-Lo alarm. The Lo-Lo alarm was set for 37 feet.

Technical Specification D3.2 required the spent fuel pool temperature to be maintained below 140 °F. A review of selected daily log sheets from Procedure SP.2, "Daily Instrument Checks and System Verification", Revision 19, completed for the period between April 1, 1998, and July 6, 1998, documented that the water temperature had been maintained between 69 °F and 82 °F. Water temperature was taken at the spent fuel pool by a thermometer reading. No temperature readout was available in the control room.

Technical Specification D3.5 required the spent fuel pool chloride and fluoride levels to be maintained at or below 0.15 parts/million (ppm). Records reviewed for the past 18 months documented chloride and fluoride levels of approximately 0.1 ppm. Although there were no specific Technical Specification limits, the licensee also tracked boron, tritium, cesium, and cobalt levels. Boron levels for the past 18 months ranged from 1200 ppm to 1250 ppm. Tritium for the same period had remained relatively constant at approximately $5 \times 10^{-2} \mu\text{Ci/ml}$. Cesium-137, cesium-134 and cobalt-60 remained below $1 \times 10^{-5} \mu\text{Ci/ml}$.

The spent fuel pool was observed during this inspection as being well maintained and clean. Work had been completed on the upender portion of the pool in preparation for eventual loading of the spent fuel casks. Housekeeping was good and no unnecessary collection of material around the pool area was observed.

Records for the spent fuel pool leak were reviewed. Procedure SFC-001, Spent Fuel Pool Leak Detection Trending," established the requirement for daily verification of the spent fuel pool leak rate. For the period from April 1998, through June, 1998, the leak rate ranged from 25 to 30 gallons per day.

In March 1997, the NRC issued NRC Information Notice 97-14, "Assessment of Spent Fuel Pool Cooling". This notice provided information to licensees concerning operational experiences related to spent fuel pool cooling and inventory control. The information notice identified several areas that needed emphasis related to spent fuel pools. These included procedures and training for response to loss-of-inventory and loss-of-cooling events, reliable instrumentation to monitor water level, water temperature, and area radiation levels, including during periods of loss of offsite power, and configuration control of plant features needed to prevent loss of spent fuel pool coolant inventory.

The licensee had completed a review of Information Notice 97-14. Memos were available in the licensee's files concerning actions related to the information notice. Procedures OP-C.95, "Loss of Off-site Power", Revision 12 and Procedure OP-C.38, "Loss of Spent Fuel Pool Cooling or Level," Revision 11 were reviewed. These procedures provided directions for response to a loss of inventory or cooling, including situations involving loss of off-site power. During the tour of the control room, the spent fuel pool area radiation monitor was observed. The monitor provided a readout in the control room and on the computer. Both systems had alarm indicators.

The licensee was developing plans to isolate the spent fuel pool cooling and demineralizer systems from the current spent fuel pool systems. The spent fuel pool island concept would establish an isolated self-contained system that would be less susceptible to the effects of ongoing dismantlement work underway at the site.

1.3 Conclusion

The spent fuel pool water level, temperature, and chemistry were found to be in compliance with Technical Specifications. Water clarity and housekeeping in the area

around the pool was very good. Implementation of NRC Information Notice 97-14, "Assessment of Spent Fuel Pool Cooling" was found to be acceptable.

2 Decommissioning Performance and Status Review (71801)

2.1 Inspection Scope

The NRC inspectors conducted plant tours, attended a morning planning meeting, and held meetings with several of the licensee's staff to review the status and adequacy of the licensee's dismantlement efforts.

2.2 Observations and Findings

The licensee submitted a Post Shutdown Decommissioning Activities Report (PSDAR) to the NRC on March 20, 1997. Work underway at the Rancho Seco site, which involved dismantlement activities in the turbine building, was consistent with the work activities described in the PSDAR. The morning status meeting was observed by the inspectors on July 7, 1998. The morning meeting provided for coordination of activities and ensured that all significant work tasks were being monitored against schedules. Areas discussed included upcoming safety meetings, status of dismantlement work underway, status of the dry cask storage activities, annual inspection of the monorails, and upcoming surveillances. Work was underway on numerous systems including the high pressure/low pressure turbines and condensers, nuclear raw water system, bulk chemistry tanks, asbestos removal on pipes, and feedwater heaters. Decommissioning work had been completed on the degasifier vacuum pumps and motors, two main feedwater turbines, gland steam condensers, new and used lube oil storage tanks, turbine lube oil reservoir, and the ammonia, acid, and caustic bulk storage tanks. A significant portion of the lower level of the turbine building had been cleared of equipment, tanks, and piping. Work on the upper level of the turbine building was underway.

The licensee was conducting an assessment to determine the feasibility of proceeding with dismantlement of several areas within the auxiliary building. Since the cost estimates for dismantlement had originally been performed for each system separately, the challenge was to determine costs associated with dismantling individual rooms as opposed to an entire system involving numerous rooms. The room by room dismantlement process is a more efficient process for performing the actual work. This process, however, will require an effective configuration management process to ensure that the cables in a particular room are deenergized and pipes are drained.

The licensee was continuing negotiations with Transnuclear West concerning the dry cask storage project. With the change in company ownership from VECTRA to Transnuclear West, renegotiation of the contract for the casks was necessary. The contract was expected to be approved within the next month.

During this inspection, a tour of the work areas in the turbine building and possible future work areas in the auxiliary building were performed. Radiological postings and

controls were observed. No problems were noted. Fire loading, area cleanliness, and housekeeping were very good. No OSHA compliance issues were observed. The licensee had recently experienced a situation where an individual had fallen several feet off a pipe to the floor. The person was not seriously injured. As a result of the incident, requirements for "hooking up" while in overhead areas was strengthened and safety meetings were held with workers.

A tour of the control room was performed and discussions held with the shift supervisor and control room operator. The shift supervisor and control room operator were both certified fuel handlers. The minimum staffing for the control room was specified in Technical Specification D6.2.2.a and b, which required a minimum shift crew onsite of a shift supervisor and a non-certified operator. At least one qualified person was to be in the control room at all times. The staffing level observed met the required technical specification.

2.3 Conclusion

The dismantlement effort was progressing in the turbine building with a significant portion of the lower level cleared of equipment, tanks, and piping. Work on the upper levels of the turbine building was underway. Planning had been started for future dismantlement work in the auxiliary building.

3. **Safety Reviews, Design Changes, and Modifications (37801)**

3.1 Inspection Scope

The licensee was required to maintain a functional safety review program that controlled facility design changes, modifications, procedure changes, tests and experiments. The requirements of this program were specified in 10 CFR 50.59. This inspection reviewed selected safety evaluations that had been completed since the last inspection of this functional area in October 1997.

3.2 Observations and Findings

The licensee was allowed to make changes to the Part 50 reactor facility, in accordance with 10 CFR 50.59, if the changes were consistent with the existing license and technical specifications and did not involve an unreviewed safety question. An overview was completed of twenty-six 10 CFR 50.59 evaluations and/or screenings. The five evaluations listed below were selected for detailed examination:

- (1) STP.1344, "RHUT Discharge Line Integrity Test"
- (2) SP.625B, Rev. 7, "Permanently Defueled Auxiliary and Spent Fuel Building Filter System B Test "
- (3) DCP R98-0010, "Removal of Abandoned Equipment in Turbine Building and Transformer Yard"

- (4) DQ 97-0062, "Multiplexer UJT-95100/UJY-95100 Panel H4WW and all Instruments in Panel H4WW Out-of-service and Downgraded to Class 4"
- (5) TDAP-3010, Rev. 2, "Certified Fuel Handler Training Program"

After review of the above evaluations, it was concluded that all were performed in an acceptable manner and in compliance with applicable NRC regulations.

3.3 Conclusion

Acceptable programs were being implemented to ensure that facility modifications, procedure changes, tests, and experiments were properly evaluated for compliance with NRC regulations in 10 CFR 50.59 and that no unreviewed safety questions were involved with such activities.

4 **Organization, Management, and Cost Controls (36801)**

4.1 Inspection Scope

Selected Technical Specifications were reviewed to verify compliance. The results of the annual medical drill were also evaluated.

4.2 Observations and Findings

A selected number of the administrative Technical Specifications under Section D6.0 were reviewed with the licensee to determine if the requirements were being implemented and if any changes had been made to the programs in the past year. Technical Specification D6.2 established the organization for the site. The site organization had remained stable over the past year. The only change to the management organization involved the security manager. Organization responsibilities remained the same and control room staffing levels had been consistent with the minimum shift crew composition in Table D6.2-1.

The plant review committee, required by Technical Specification D6.5.1, and the Management Safety Review Committee, required by Technical Specification D6.5.2, continued to be active committees conducting periodic meetings and issuing meeting minutes. Technical Specification D6.8 specified several required program documents and procedures. Selected documents were verified as being maintained, including the "Radiation Protection Plan", Revision 5, dated 6/24/98; "Emergency Plan", Revision 7, dated 8/30/95; Quality Manual, Revision 8, dated 6/18/97; and the Fire Protection Plan, Revision 4, dated 3/5/97. Technical Specifications D6.8.3 and D6.9 required radiological effluent and environmental monitoring programs and reports. These programs were actively being maintained by the licensee. Technical Specifications D6.11 and D6.12 required a radiation safety program and controls for high radiation areas. The requirements for these programs were contained in the RP305 procedures.

On June 17, 1998, the licensee conducted the annual medical drill with UC Davis Medical Center and the Galt Fire Department. Site operations personnel were trained as first responders with mechanical maintenance personnel trained in first aid. Simulated victims were staged at the site and at the hospital. The injury involved an electrician falling off a ladder in the turbine building. The individual was conscious with a simulated injury from a piece of radioactive metal pierced through his forearm. The site emergency team provided initial first aid, stabilized the patient, and prepared him for transfer by the Galt Fire Department ambulance. An Unusual Event was declared and UC Davis Medical Center was notified. Upon completion of the drill, a critique was conducted with the participants. Evaluation of the 12 drill objectives by the licensee's evaluation team concluded that all objectives had been successfully met.

4.3 Conclusion

Various selected Technical Specifications concerning plant organization, plant review committees, and program/manual documents were reviewed. Plant programs were consistent with the requirements of the Technical Specifications.

The annual medical drill was successfully conducted with the licensee's onsite emergency team, Galt Fire Department and UC Davis Medical Center. The drill involved a simulated injury with contamination.

5 **Occupational Radiation Exposure (83750) and Review of Periodic and Special Reports (90713)**

5.1 Inspection Scope

Radiological exposures, trends, health physics staffing and the new truck radiation monitor were reviewed.

5.2 Observations and Findings

The licensee's health physics control program continued to be effective in maintaining control of radioactive material and personnel exposures. The licensee had submitted the required annual exposure reports for 1997. This included the Regulatory Guide 1.6 annual exposure report required by Technical Specification D6.9.2.2 and the annual report of individual monitoring required by 10 CFR 20.2206 and Technical Specification D6.9.2.1. Contamination levels were low in the systems in the turbine building, which reflected low occupational doses to workers. For 1997, 207 workers were monitored. The total personnel dose for 1997 was 1.092 rem. Approximately half of this dose was received by the health physics group.

For the first quarter of 1998, the accumulated site dose was 0.4 rem. For the second quarter, the estimated accumulated site dose was 2.3 rem. The increase in the second quarter was due to the equipment removal and decontamination work in the upender pit of the spent fuel pool and the work involved with placing the impact limiter in the cask loading area of the spent fuel pool.

Current health physics technician staffing at the site included 8 radiation protection personnel and 15 contract health physics technicians. This staffing appeared to be adequate for the dismantlement and decommissioning work underway. Emphasis continued to be strong concerning health physics controls and response to health physics issues. This was attributed to a strong attitude toward health physics controls by plant management, including the decommissioning manager, who previously had functioned as the radiation protection manager for the site.

Procedure RP.305.8D, "Quarterly Radiation Trending Survey," Revision 1, established the licensee's program for performing trending analysis. Trending was primarily performed in the auxiliary building. From 1990 to 1998, radiological dose rates showed a half-life decay of five to six years, similar to the half life for cobalt-60. Contaminated areas had shown no spread of contamination to new areas. The radiation protection manager also monitored personnel exposures, air sample results, whole body counts and personnel contamination incidents to determine if adverse trends were developing.

The licensee had installed a truck monitoring system at the exit gate to the site, which provided for monitoring of all trucks and vehicular traffic leaving and entering the site. The system consisted of two large plastic scintillation detectors located on either side of the exit and separated by 14 feet. The detectors were 39" high by 25" wide by 1.5 " thick and were sensitive to gamma and neutron radiation. The center of the detectors was located 7 feet above grade. The system included a truck speed sensor that alarmed if the truck traveled over 4 mph. The system alarmed in the nearby security post and provided for easy detection and control of any radioactive material leaving the site. The background count rate for the detectors was approximately 2500 counts/second. The system had a compensating electronic circuit that subtracted natural background radiation during the monitoring of a truck. A one microcurie source of cesium-137 produced approximately 100 counts/second above background at 5 feet from the detector and alarmed the system. The inspectors used a natural Thorium-232 decay chain source. The source alarmed the detector at 1 foot with a reading of 130 net counts/second. Later, while standing several feet behind the detector, the system alarmed again due to the thorium source being in the inspector's pocket. Based on the sensitivity of the new system observed during this inspection, the new truck monitor appeared capable of providing a very effective final radiological check of material leaving the site.

On April 30, 1998, prior to installation of the truck monitor at the Rancho Seco site, the licensee was notified by Simms Metal that a shipment of scrap metal, containing the main steam reheater from the site, had alarmed their truck monitor. The shipment was returned to the licensee. The licensee resurveyed the truck with microR/hr meters and was unable to detect measurable levels of radiation above background. An extensive survey of all the material in the shipment was then conducted using friskers. The survey was performed in a very low background area (20 to 40 counts/minute) and at a very slow survey rate. The shipment consisted of 178 pieces of metal with a total surface area of 446,400 in². Only two contaminated spots were found. Both spots had low contamination levels and were difficult to detect. One spot of 36 in² read 200 counts/minute. A second spot of 77 in² measured 100 counts/minute. The corrective actions being implemented by the licensee in response to the violation noted in

Inspection Report 50-312/98-01, which included conducting surveys in areas with low background levels and installing a truck monitor, appeared adequate to prevent future recurrence of this problem. Because the contamination levels were low, near instrument detection limits and involved a very small area, the consequences of releasing the contaminated material were insignificant. For this reason, this failure has been determined to constitute a violation of minor significance and is not subject to formal enforcement action in accordance with Section IV of the NRC Enforcement Policy.

As part of the acceptance testing of the new truck monitor installed at Rancho Seco, a surveillance was completed and documented by the licensee as Report 98-S-045. The surveillance included a comparison of the sensitivity of the truck monitor at the Simms Metal recycling center with the system installed at Rancho Seco. Fifty-four tests were conducted at Rancho Seco and 24 at Simms Metal to compare sensitivity of the two systems. Three different sized cesium-137 sources were used. Count times were varied to simulate different truck speeds. Background radiation levels at both locations were approximately 7 microR/hr. Both systems were found to have similar sensitivities.

On March 11, 1998, during site clean-up activities of unwanted materials onsite, a number of scaffolds were found in storage in the "B" warehouse, outside the radiologically controlled area, that were slightly contaminated. The material was estimated to have been placed in storage over ten years earlier, at a time when the site release limits were 0.1 mR/hr. Of 4,936 items surveyed, 29 items were found to have contamination. All were below the release limits used in the mid-1980s, but exceeded the current free release limits. The items were collected for proper disposal or decontamination.

5.3 Conclusion

The licensee's health physics program had established effective controls for radioactive material and personnel exposures. Personnel exposures were low and reflected the low contamination levels of the systems being dismantled. Radiation levels onsite continued to trend downward due to natural decay. Contamination controls continued to be effective in preventing the spread of contamination to new areas during dismantlement work. Health physics staffing was adequate for work activities underway.

The licensee had installed a new radiation truck monitoring system. The system was sensitive and readily detected a small thorium source, which was passed between the detectors as a test.

6 **Radioactive Waste Treatment, Effluent, and Environmental Monitoring (84750) and Review of Periodic and Special Reports (90713)**

6.1 Inspection Scope

The 1997 environmental report and 1997 effluent release report were reviewed.

6.2 Observations and Findings

Technical Specification D6.9.3 required an annual radioactive effluent release report to be issued by the licensee within 60 days after January 1 of each year covering the previous 12 months of radioactive effluent release activities. On February 25, 1998, the licensee submitted to the NRC the required report covering calendar year 1997. The report covered gaseous, liquid, and solid radwaste activities. There were no unplanned radiological releases from the facility. For gaseous releases, only tritium was released. Approximately 1.6 curies were released which equated to less than one percent of the allowable annual maximum organ dose. This level was consistent with 1996 levels. Six liquid batch releases were made from the regenerant holdup tanks to the retention basins and three releases were made from the retention basins to offsite. Isotopes detected in the releases included tritium, cobalt-60, cesium-137, and cesium-134. The calculated maximum total body dose and organ dose from these releases was less than one percent of the annual limit for Rancho Seco.

No solid radwaste shipments had been made to a burial site in 1997. However, three shipments had been made to Hake, Inc. in Tennessee. The shipments consisted of metal and clean trash. The metal was either slightly contaminated or had inaccessible surfaces. All shipments were limited quantity shipments. Hake, Inc. performed decontamination and re-survey of the items, then disposed of the material under a state license.

Technical Specification D6.9.2.3 required an annual radiological environmental operating report be submitted to the NRC by May 1 covering the previous calendar year. On March 26, 1998, the licensee submitted the required report to the NRC. The report included information related to the atmospheric, terrestrial, and aquatic environments adjacent to the site. Thirty-five thermoluminescent dosimeters (TLD) were located around the site. The closest TLD was at the industrial area boundary. TLDs were located near the property boundary, near local residents, and at several locations beyond 5 miles. The furthest locations were at 10 miles. Current activities at the plant did not result in any increased radiation levels detected by the TLDs. One TLD, located near Clay Creek, did detect residual radiation levels above background due to releases to the creek during plant operations in the 1980s. The TLD readings averaged 15 mrem/quarter, except for the TLD at Clay Creek, which averaged 27 mrem/quarter, or about twice background. A general area survey was conducted of the Clay Creek area during this inspection. Most of the area around the creek had radiation levels consistent with background levels of 4-5 microR/hr. At one location, radiation levels near the ground were measured which reached 15 microR/hr, or about three times background. This was consistent with the reading measured by the Clay Creek TLD, which was elevated above ground level.

During 1997, no detectable noble gas activity was released from Rancho Seco. For the liquid pathway, 361,000 liters of waste water were released into the creek from the retention basins. The calculated total body adult dose for the water released was 0.026 mrem. The child's bone dose was calculated to be 0.055 mrem. These values were less than one percent of the 10 CFR Part 50, Appendix I guidelines. For the various environmental samples taken at or near the Rancho Seco site, cesium-137 was detected in soil, fish, sediment, and algae samples. The cesium-137 levels could be related to radiological releases from when the plant was operational. The sample

measurements showed that the levels of radioactivity in the environment around the site were consistent with previous years and well below regulatory limits.

On April 20, 1998, the licensee notified the NRC by letter that the National Pollutant Discharge Elimination System (NPDES) permit limit concerning the minimum required two feet of freeboard for the wastewater treatment pond had not been met during March 1998 due to heavy rains. The freeboard had been recorded on March 9, 1998, at 1.9 feet. The required freeboard of two feet was reestablished on March 10, 1998.

6.3 Conclusion

The licensee had submitted the required environmental report and effluent report for 1997. The sample measurements showed that the levels of radioactivity in the environment around the site were consistent with previous years and well below regulatory limits.

7 **Self-Assessment, Audits, and Corrective Actions (40801) and Effectiveness of Licensee Controls in Identifying, Resolving and Preventing Problems (40500)**

7.1 Inspection Scope

The licensee's process for performing self-assessments, identifying problems, and resolving issues was reviewed.

7.2 Observations and Findings

The licensee had a very active program for self-assessments. Any issue that was identified as a concern by an employee was reported as a Potential Deviation from Quality (PDQ). This process brought the issue to the attention of management for an assessment to determine if a quality problem existed. In addition, a very active quality assurance program which included periodic surveillances and audits was being conducted at the site. Twenty surveillances were completed in 1998 related to decommissioning activities. Issues found during surveillances were entered into the PDQ process, or if of lesser significance, were resolved with the responsible supervisor.

QA audits were conducted using the 18 criteria from Appendix B of 10 CFR Part 50. Thirty-four audit areas were identified and linked with the plant Technical Specification requirements. The audit program was implemented to comply with the requirements of Technical Specification D6.5.4, "Audits". The 34 audit areas included 187 line items from the Technical Specifications. The program was designed such that all line items would be covered during a 3 year period and the 18 criteria of Appendix B would be covered every 2 years.

In addition to the standard QA and surveillance program, the QA department performed special audits of selected areas and had established a quality improvement plan for incremental decommissioning activities which focused on health physics areas. This included instrument calibration, signs and posting, documentation of smears, ALARA

reviews, and other radiological issues. Personnel who had performed these surveillances had health physics backgrounds. The program was quite extensive and provided for strong oversight by the licensee of activities being conducted onsite.

A number of surveillance reports were reviewed during this inspection. A formal report for each surveillance was issued, which included the surveillance objectives and results. Areas covered by the surveillances included radiological postings, conduct of surveys, radiation work permit compliance, use of survey instruments, conduct of job status meetings, asbestos abatement work, comparison of the new truck monitors with the Simms Metal truck monitor, radwaste shipments, and technician understanding of Procedure RP.305.09A concerning free release limits. The surveillances included significant detail and demonstrated an in-depth evaluation of the topics.

The licensee tracked issues using a Commitment Tracking System. The system had a standard report form that included information related to the description of the issue, requirements, actions completed in response to the issue and comments. A number of commitment tracking reports were reviewed. These included radiation training for off-site agency emergency response personnel, the potential for an unmonitored release pathway being created from the removal of the gland steam seal exhaust condenser, removal of piping before release of appropriate clearances, maintenance on the gantry crane, and work performed on the control room air handler system without proper clearance. The issues reviewed were being tracked and resolved by the plant staff.

During this inspection, the Commitment Management Review Group met on July 8, 1998. The meeting was attended by the NRC inspectors. Management personnel from operations, technical, radiation safety, maintenance, and licensing were present. The meeting covered a wide range of issues including the plant effluent pH, contamination found on scaffolding near Warehouse "B", NRC Information Notice 98-20 concerning problems with emergency preparedness respiratory protection programs at NRC licensees, an audit of the activities at GTS/Duratek, results of the LaCrosse and Big Rock Point maintenance rule inspection, NUREG-1507 concerning survey instrument sensitivities, and an EPRI report on classifying failed fuel. The meeting provided a very good forum for the key plant managers to discuss issues and determine how the information effected operations at Rancho Seco.

7.3 Conclusion

The licensee's program for identifying issues and tracking corrective actions provided for a mechanism to recognize issues in a timely manner and bring them to the attention of management for resolution.

8 **Transportation of Radioactive Material (86750)**

8.1 Inspection Scope

Implementation of the licensee's radwaste shipping program and the qualifications of the lead individual assigned responsibility for the program were reviewed.

8.2 Observations and Findings

Shipping of radwaste and radioactive material was controlled by Procedure RP 309.I-01, "Radioactive Material Waste Shipping." The procedure incorporated the requirements of 49 CFR and the Envirocare license, Amendment 22, dated 8/16/96. No shipments had been made to Envirocare. A QA audit had been conducted of the Envirocare facility by the licensee and the first shipments were expected to occur within the next few weeks. Training had been conducted for site personnel during August/September 1997, February 1998, and April 1998. Forty-one personnel had been trained, primarily from radiation protection, technical services, and quality assurance. Training satisfied the requirements of 49 CFR 172.704 for hazmat employees plus covered waste form preparation, labeling, classification, shipping preparations, types of packages, and required paperwork. Training was required every 2 years. The training included a formalized lesson plan, handouts, and transparencies. A test score of 70 percent was required.

Radwaste shipments had been made to Hake, Inc. in Tennessee. These included three shipments of limited quantity material consisting of slightly contaminated metal and clean trash. Hake, Inc. decontaminates the material, then disposes of the material under a state license. Shipping papers were reviewed for the shipment on March 17, 1998. Total curies were 0.0655 millicuries. The dose rate at 1 meter was less than 1 mR/hr. The primary isotopes in the shipment were cesium-137 (77%) and cobalt-60 (15%).

Training records for the Radiation Protection/Radwaste Supervisor were reviewed. The individual was found to be highly qualified. Training had included numerous offsite courses in both radwaste transportation and hazardous cargo transportation. Since 1990, he had completed 18 courses.

8.3 Conclusion

The radwaste shipping procedures were reviewed and found acceptable. Shipments of radwaste to Envirocare were expected to start within weeks.

9 **Follow-up of Open Items (92701) and Follow-up on Corrective Actions for Violations and Deviations (92702)**

9.1 (Closed) IFI 50-312/9601-01: Incorporation of new 49 CFR requirements into the radwaste shipping procedures: The licensee had been storing radwaste in the interim onsite storage facility until a contract could be established with a waste receiver. This had recently been completed and shipments to Envirocare were expected to start within weeks. Selected areas of Procedure RP 309.I-01, "Radioactive Material Waste Shipping" was reviewed and found to contain the applicable requirements from the Code of Federal Regulations, Part 49.

9.2 (Closed) VIO 50-312/9801-01: Failure to complete required radiological surveys: The licensee submitted a response on March 5, 1998, to the NRC violation. This response

identified corrective actions including procedure revisions, training for radiation protection personnel, and installation of a truck monitor at the site exit. These actions have been completed.

10 Exit Meeting

The inspector presented the inspection results to members of the licensee management at the exit meeting on July 9, 1998. The licensee acknowledged the findings presented. The licensee did not identify as proprietary any information provided to, or reviewed by, the inspector.

ATTACHMENT

SUPPLEMENTAL INFORMATION

PARTIAL LIST OF PERSONS CONTACTED

D. Comstock, Shift Supervisor
J. Delezenski, Nuclear Quality & Compliance Superintendent
J. Field, Technical Services Superintendent
D. Gardner, Incremental Decommissioning Project Leader
D. Jones, Electrical Maintenance Supervisor
M. Hieronimus, Operations
W. Koepke, Quality and Safety Supervisor
D. Koontz, Control Room Operator
R. Mannheimer, Licensing Engineer
K. Miller, Project Manager
S. Porterfield, RP/Radioactive Waste Supervisor
S. Redeker, Plant Manager
T. Tucker, Operations Superintendent
W. Wilson, RP/Chemistry Superintendent
N. Zimmerman, Records

INSPECTION PROCEDURES USED

IP 36801: Organization, Management, and Cost Controls
IP 37801: Safety Reviews, Design Changes, and Modifications
IP 40500: Effectiveness of Licensee Controls in Identifying, Resolving and Preventing Problems
IP 40801: Self-Assessments, Audits, and Corrective Actions
IP 60801: Spent Fuel Pool Safety
IP 71801: Decommissioning Performance and Status Review
IP 83750: Occupational Radiation Exposure
IP 84750: Radioactive Waste Treatment, Effluents, and Environmental Monitoring
IP 86700: Spent Fuel Pool Activities
IP 86750: Radwaste and Transportation
IP 90713: Review of Periodic and Special Reports
IP 92701: Followup on Open Items
IP 92702: Followup on Corrective Actions for Violations and Deviations

ITEMS OPENED, CLOSED, AND DISCUSSED

Closed

50-312/9603-01	IFI	Incorporation of the new 49 CFR requirements into the radwaste shipping procedures
50-312/9801-01	VIO	Failure to complete required radiological surveys:

Opened/Discussed

None

LIST OF ACRONYMS

CFR	Code of Federal Regulations
Ci	Curie
EPRI	Electric Power Research Institute
IFI	Inspection Followup Item
mR	milliRoentgen
mrem	millirem
NRC	Nuclear Regulatory Commission
PDQ	Potential Deviation from Quality
PG&E	Pacific Gas & Electric
PSDAR	Post Shutdown Decommissioning Activities Report
TLD	thermoluminescent dosimeters
μ Ci	microcurie
μ R	microRoentgen
VIO	Violation

(FOLLOWUP ARB)

Allegation Number: RIV-1998-A-0132⁰³¹ Licensee/Facility: Rancho Seco

ARB Date: 2/22/99 >120 days: >180 days:

Allegation Summary: The NRC received concerns regarding the licensee's procedures for free release of RAM. An audit identified determined the free release program deficient: (1) surveys were conducted in high background areas; (2) survey instrument response time was not required to be set on fast response; and (3) the speaker was not required to be turned on to permit the operator to hear the "ticking." In addition, the individual alleged that he was the subject of harassment and intimidation by the Plant Manager. OI initiated an investigation and did not substantiate that the individual was the subject of H&I. The technical concerns have been resolved. OE has reviewed the OI report and determined that enforcement action is not appropriate. **Note: This allegation is on the agenda (rescheduled from 2/16/99) for OI closure. However, the allegor has provided additional information regarding his concern. The information alleges that as a condition for continued employment, the allegor must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the problem to the NRC first. Allegor also mentioned another employee that suffered H&I for reporting a concern.**

Previous ARB Decision:

Overall Responsibility (Division/Branch): OI to interview allegor

Status: w/support by DNMS

Planned Date for Completion:

OI Action: OI Case Number:
ARB Recommended Priority: _____

ARB Chairman: _____ Date: _____

ARB Attendees: _____, DRP, DRS, DNMS
W. L. Brown, RC _____ L. Williamson, OI _____ R. Wise, SAC _____
R. Mullikin, AC _____, Enforcement Other: _____

cc: Allegation File, ARB Meeting File, OI

4 - 1999 - 011

EXHIBIT 7
PAGE 1 OF 1 PAGE(S)

A/3

SACRAMENTO MUNICIPAL UTILITY DISTRICT

OFFICE MEMORANDUM

TO: Jim Saum

DATE: June 7, 1999
MNTS 99-0065

FROM: Jim Field 

SUBJECT: WRITTEN REMINDER - MAINTAINING INTERPERSONAL RELATIONSHIPS

This memo serves as a Written Reminder that the District requires, as a condition of your continued employment, that you work toward improving your relationships with your coworkers in an effort to increase your effectiveness as a District employee.

On May 19, 1999, you approached a co-worker with the intent of getting him to sign a written statement attesting to the flexibility that you had shown in a recent collaborative work effort. This was the fourth occasion on which you approached this coworker on this subject. You pursued the issue with the coworker even though he made it clear to you that he did not wish to engage you on this matter any further. The coworker shouted at you in an effort to get you to leave him alone and was so unsettled by the incident that he left work for the remainder of the day and later complained to me that he felt you were harassing him.

We have repeatedly told you that you needed to improve in the development and maintenance of interpersonal relationships in the workplace. On February 23rd we discussed your repeated questioning of Dale Flowers' (the contracted facilitator) professional ethics. This resulted in an Oral Reminder. Your conduct in this regard is highly unprofessional and inconsistent with the performance improvement program under which you are currently employed. I must caution you that continued treatment of your co-workers in this manner will result in the imposition of additional and more severe disciplinary action up to and including the termination of your District employment. I sincerely hope that you take this admonition to heart and redirect your efforts in a more positive direction.

Signature  _____
(Signature acknowledges the receipt of this memo.)

Date 6/10/99

cc: Steve Redeker
Personnel Services

A14

4-1999-0111

EXHIBIT 28
PAGE 1 OF 1 PAGE(S)

Bruce Notareus

From: Steve Redeker
Sent: Tuesday, July 06, 1999 12:58 PM
To: Bruce Notareus
Subject: FW: Request Collaboration Meeting on PDQs

-----Original Message-----

From: James Saum
Sent: Monday, June 14, 1999 9:00 AM
To: Steve Redeker; James Field
Cc: James Saum
Subject: Request Collaboration Meeting on PDQs

I would like to meet with you to identify any deterrents to reporting PDQs.

I have been engaged in making the best use of Gary Sprung's time and efforts during his site visit last week, 6/7 through 6/11. I worked overtime on Friday, 6/11/99, and completed Y2K testing per the Plant's original schedule. Also we successfully implemented ISFSI Phase 1 software and resolved the software problems which prevented us from testing. These efforts and accomplishments allow us to continue testing without Gary Sprung on site presence. Thus, with this focus and overtime on Friday, we have met our goals for Gary Sprung's site visit.

I would like to have this meeting today, so that I can meet my schedule of 6/14/99 on this task. I would like to meet with both of you or individually.

A/5

4 - 1999 - 011

EXHIBIT 29
PAGE 1 OF 1 PAGE(S)

Hit-It Fax Note	7671	Date	# of pages
From	J. Fields		
Dept.	Confidential		
Phone #	Phone #		
Fax #	Fax #		

IDENTIAL

CIPAL UTILITY DISTRICT
MEMORANDUM

TO: James Field

DATE: 6/24/99
MNTS: 99-069

FROM: Jim Saum *JS*

SUBJECT: IDENTIFICATION OF DETERRENENTS TO REPORTING PDQ'S

First, I want to make it very clear that I have been and will continue to meet my legal responsibility in reporting safety concerns pursuant to NRC Form 3. Accordingly, I have been reporting these concerns to my supervisors and/or the NRC as appropriate. I have clearly communicated the subject deterrents in my discrimination complaint filed with the US Department of Labor and in memo MNTS 99-027. I also want to make it clear that I feel very intimidated by this situation imposed upon me to be continually required to discuss this sensitive matter with the persons who are the subject of my discrimination complaint. I have requested to have a representative be present at any meeting on this sensitive subject. Unfortunately, this request was denied. I request that no further direction or condition be made which requires me to be subjected to this intimidating line of inquiry until after pending legal proceedings have been completed.

As you know, I am very interested in correcting the intolerable and suppressive working environment I am subjected to and to stop any further discrimination at Rancho Seco. In order to ensure that this problem is properly acknowledged, remedied and that corrective actions are taken to ensure that this problem will not recur, I have reported this problem to the NRC and to the Department of Labor. It is under this setting that this matter can be best resolved.

The deterrents against my reporting of problems via PDQ's have been well described in my written complaint to the US Department of Labor. In this complaint I have described many specific adverse, retaliatory and discriminatory actions which have been and continue to be deterrents for me to write PDQs. Recently, I have written two PDQ's 99-042 and 99-044, which describe problems with the Security Computer System. I discovered these problems while acting as Test Director for STP-1350, "Y2K Testing". I felt somewhat secure in writing these PDQ's since I felt that neither my supervisors nor coworkers would take offense by the nature of these described problems.

On 3/3/99, Mr. Redeker expressed his strong desire to avoid a court setting and indicated that we should meet on this matter to demonstrate my ability to successfully communicate and work with you. As you know, this is a condition for my continued employment. It is hoped that you will stop intimidating me with this condition for exercising the NRC Form 3 reporting rights. Therefore and finally, I request that no further direction or condition be made which requires me to be subjected me to this intimidating line of inquiry until after pending legal proceedings have completed. I look forward to working with you and the District in resolving this matter.

A/6

4-1999-011

CONFIDENTIAL

EXHIBIT 30
PAGE 1 OF 2 PAGE(S)

CONFIDENTIAL

Cc: Colin Taylor MS A532
Steve Redeker MS N504

EXHIBIT 30
PAGE 2 OF 2 PAGE(S)

4-1999-011

CONFIDENTIAL

Status Report - Dale Flowers 7/6/99

Confidential

Background

In January 1999, I was hired by SMUD as an outside consultant to work with Mr. Jim Saum in helping him to improve his communication and interpersonal skills. I was also contracted to provide coaching and facilitation assistance to others who are directly involved in this situation, particularly Mr. Jim Field and Mr. Steve Redeker. The need for improvement and the expectations for change are defined in the agreement outlined in the General Manager's letter dated October 30, 1998. My role was to be a coach and facilitator in this problem situation. The specific tasks of this assignment are outlined in attached work statement.

Assessment

In making my assessment, I met first with Mr. Saum to get his perceptions of the situation and to go over my role and responsibilities in the project. After meeting with Mr. Saum, I conducted interviews with six of his co-workers to get their perspectives on Mr. Saum's communication and interpersonal skills. In addition, I had separate interviews with Mr. Field and Mr. Redeker. My purpose in all of these interviews was to gather specific behavioral information that would serve as the basis for a training and development plan.

My findings from the interviews and my personal interactions with Mr. Saum during this period were that he did have deficiencies in his communication

A/n

4-1999-011

4-1999-011

and interpersonal skills. The deficiencies are specifically outlined in the Performance Plan dated 4/6/99 under Areas Needing Improvement.

Strategy

Based on the assessment, my chosen strategy was to provide Mr. Saum with ongoing feedback on how he was communicating and interacting with his co-workers and then to work with him in acquiring skills for any deficiencies. I estimated that with his full cooperation it would take six months to overcome his deficiencies and develop his skills. The first problem that needed to be addressed was that Mr. Saum had to accept the fact that he has deficiencies. I conveyed this information to Mr. Saum and then proceeded to implement this approach.

Results

At this time, Mr. Saum is not cooperating sufficiently in the training process to make it work. We are at an impasse and are unable to make satisfactory progress. My point of view is based on the reasons outlined in the following pages.

1. In my initial meetings with Mr. Saum he continually insisted that he had been unfairly criticized and wrongfully terminated and that his communication and interpersonal skills were not the problem. His perception of the problem was that his supervisor, manager and some employees did not accept the way he performed his job. He believed they were the real problems. On numerous

occasions he restated that his work was, and continues to be, done in a professional manner. He also pointed out that he had documented evidence to support his case and he was not going to accept misrepresentation and unfair judgement. Because of his view the situation, he continually rejected my coaching attempts.

2. Another factor that made the coaching relationship non-functional was Mr. Saum's continued refusal to accept the conditions of the General Manager's letter. We had numerous discussions regarding this letter. In a recent meeting, he stated to Mr. Field and me that he had agreed to the conditions of the letter under duress. If this fact had been made known to me when the project commenced, I would have materially changed my approach. Without a clear agreement by all parties about the problem, making change is extremely difficult, if not impossible.

3. Mr. Saum continues to pursue problem solving from a legal standpoint. This makes a training and development strategy problematic. In fact, his pursuit of a legal strategy exacerbates most of the difficult situations that have arisen during the project. He asks co-workers to sign statements that validate his view that he has good communications and working relationships, and he refers to witnesses who will testify on his behalf. The net result is that there are two strategies at work in this situation. This is counterproductive.

4. Mr. Saum will not accept coaching from me. It came to my attention that since the beginning of the project he has been describing me to fellow employees as the "terminator". When I questioned him about this, he stated it was true. He maintains that I was brought on to facilitate his termination. Trust is an essential ingredient for a successful coaching relationship and it does not exist in this situation.

5. Mr. Saum is unwilling to fully participate in the PDQ problem solving process. This is a clearly defined expectation in the General Manger's letter. Mr. Saum, Mr. Field, Mr. Redeker and I, together and separately, had several discussions on this issue. Two of the meetings resulted in serious differences of opinion, and the final meeting resulted in a complete breakdown of the problem solving process. Mr. Saum stated flatly that he would not participate in discussions on this matter while his discrimination complaint is being reviewed. Under these circumstances, it does not seem possible that this condition of the General Manager's letter will be met in the prescribed six month probationary time frame.

6. Mr. Saum continues to act in ways that his co-workers describe as uncivil and discourteous. The incident with Phil Terry in which a disciplinary letter was written is one example. There are other examples that will be cited in his next performance review. The interpersonal problems Mr. Saum denies exist continue to manifest themselves in current situations.

7. It is very difficult to give feedback to Mr. Saum. Critical feedback is always challenged. Any criticism of his communication or interpersonal skills is rejected and he wants to confront the person who, in his view, is falsely accusing him. Feedback as a coaching tool is useless in this type of situation.

Conclusions

At this point in time we are at an impasse. We are working from two very different perceptions of the situation. Mr. Saum contends there was never a problem with his interpersonal and communication skills. This is particularly troublesome when it is clearly stated in the General Manager's letter that there is a problem and that he be willing to cooperate in fixing it. The way we are proceeding now will not work. We need another strategy, one in which Mr. Saum agrees in fact and deed to comply with the purpose and goals of the General Manager's letter. We are at a point where progress can only be made if Mr. Saum accepts responsibility for his behavior.



SACRAMENTO MUNICIPAL UTILITY DISTRICT ☐ P. O. Box 15830, Sacramento CA 95852-1830, (916) 732-6160
 AN ELECTRIC SYSTEM SERVING THE HEART OF CALIFORNIA

July 8, 1999
 GM 99-230

James Saum
 P.O. Box 1211
 Ione, CA 95640

Dear Mr. Saum:

This letter is formal notice that I am terminating your employment with the Sacramento Municipal Utility District effective at 5:00 p.m. Friday, July 23, 1999. My decision is based on your failure to live up to your commitment to adhere to the conditions of my October, 1998, reinstatement of your District employment, which is insubordination and inattention to public service under Section 12162 of the California Municipal Utility District Act (The "Act;" Public Utility Code §§11501 et seq.). You will remain on paid administrative leave through the effective date of your termination.

As required by the Act and the Standard District Procedures, I am setting forth in this letter a statement of charges. Please understand that the following factual statement setting forth the reasons leading to this decision has been prepared from information supplied to me by others, and I am not personally familiar with all of the matters set forth herein.

On October 9, 1998, I terminated your employment because of your failure to follow your supervisor's direct order that you appear for a psychological fitness for duty review. Later, on October 30, 1998, I notified you that I had decided to reinstate your District employment provided you lived up to certain conditions (copy attached). As a condition of reinstatement you agreed to work with your supervisors and a third-party facilitator to improve your working relationships and communication skills. Additionally, among the terms of your reinstatement:

"[Y]ou agree to be placed on a six-month performance plan during which you must demonstrate both improved interpersonal skills and the ability to successfully communicate and work with your supervisors and co-workers. In addition, you must demonstrate both a willingness and follow through in

1-1999-011

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the preparation of PDQs when appropriate. You understand that failure to successfully complete the six-month performance plan may be cause for termination under section 12162 of the MUD Act" (see ¶ 5 of my October 30, 1998 letter, footnote omitted).

One of the key aspects of your conditional reinstatement as set forth in the preceding paragraph was to enable your utilization of the PDQ process to raise safety concerns without fear of retaliation. Consistent with this requirement, in the "Activities To Be Completed" section on page 3 of your May 26, 1999 "Interim Evaluation - May 1999" (MNTS99-054) you were to "[c]ollaborate with your supervisor and manager to identify any deterrents to reporting Potential Deviations from Quality" (copy attached) You followed up on this requirement by sending an e-mail meeting request (copy attached) to Steve Redeker and Jim Field on June 14, 1999. After some scheduling issues were worked out, the meeting to identify and discuss deterrents to your use of the PDQ reporting process was set for Thursday, June 24, 1999, with your supervisors (Messers. Redeker and Field) and the facilitator (Dale Flowers).

Mr. Field opened the meeting by restating the purpose of the meeting was to come up with a list of deterrents to your use of the PDQ process, which you were thereafter to reduce to a memo after the meeting. When Mr. Field asked for your concurrence in the purpose of the meeting, you withheld comment and instead read a prepared statement indicating, in essence, that you would *not* participate in the facilitation process in this regard. After completing your statement, you excused yourself from the meeting bringing it to an end. You thereafter submitted a written memo to Mr. Field memorializing your oral statement (copy attached).

I am further informed that this is not the first occasion since I conditionally reinstated your employment, that you have acted in a manner inconsistent with the terms thereof. I am informed that you have received both an Oral Reminder (copy of Employee Discussion Log attached) and a Written Reminder (copy attached) over instances in which you engaged others in a highly unprofessional manner inconsistent with the Performance Plan, the primary purpose of which is to enhance your communicative and interpersonal skills (copy attached). I reinstated you to provide you with an opportunity to demonstrate that you could make significant improvement in

your interpersonal skills and working relationships. Mr. Flowers' skills as a facilitator were made available to you to guide and assist you and your supervisors through a structured performance enhancement program toward this end. Mr. Flowers' interim progress report (copy attached) concludes that you are not fully participating in the facilitation process which demonstrates to me that you lack the commitment necessary to meet the goals and objectives of your conditional reinstatement. It is clear to me that you are unwilling to put forth the effort necessary to satisfy the criteria set forth in the Performance Plan.

Your refusal to participate in the facilitation process over the use of PDQ's is a material breach of the conditions of your reinstatement, under which you agreed that you would "demonstrate both a willingness and follow through in the preparation of PDQs when appropriate." The reoccurrence of inappropriate behaviors while attempting to interface with other persons further demonstrates that you do not intend to live up to the commitments that you made as a condition of your reinstatement. Your failure to comply with the terms of your conditional reinstatement is insubordination and inattention to public service under the Act and constitutes grounds for discharge.

As of this date, you have been back to work for close to six months and your actions demonstrate an ongoing and increasing unwillingness to take advantage of or participate in good faith in either the performance enhancement program designed for you or the facilitation process made available to assist you in meeting the Performance Plan's goals and objectives. Quite simply, you have failed to demonstrate the level of commitment necessary to warrant the continuation of your employment beyond this date.

SDP 606-12 (copy enclosed) sets forth the procedure to be followed should you wish to appeal this termination. Additionally, you are entitled to appear before me to respond to the above charges, either orally or in writing, at any time prior to the effective date of your termination or within five working days of receipt of this letter, whichever is later. If you choose to attend, you may be represented by an agent of your choosing. It is your responsibility to contact any such agent. As a result of the meeting, I will determine whether or not your termination will remain intact, be modified, or rescinded. The meeting will not involve the examination or cross-examination of witnesses

James Saum

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July 8, 1999
GM99-230

but will permit you to respond to the charges and explain why you believe the proposed action should not be imposed. If you wish to schedule a meeting with me prior to Friday, July 23, 1999, when your termination becomes effective, please contact my secretary, Dorothy Johns, at (916) 732-5325.

Sincerely,



JAN SCHORI
GENERAL MANAGER

Attachments

cc: Steve Redeker
Personnel File
Bruce Notareus

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RESULTS OF INTERVIEW
WITH
ESTEBAN NAVA

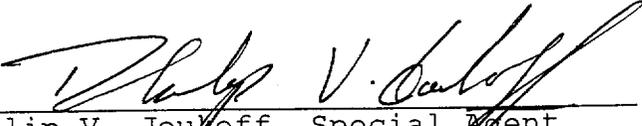
On May 18, 1999, ESTEBAN NAVA, Supervisor, District Security Operations, Sacramento Municipal Utility District (SMUD), Rancho Seco Nuclear Generating Station (RSNGS), was interviewed by U.S. Nuclear Regulatory Commission, Office of Investigations, Region IV, Special Agent Philip V. Joukoff. During this interview, NAVA stated substantially as follows.

NAVA stated that in 1991 he was promoted to his current position and he began interfacing with James SAUM, Senior Electrical Engineer, RSNGS, as SAUM was the engineer assigned to oversee operations of the RSNGS security systems. NAVA added that he never had any problems with SAUM, and recalled that SAUM wanted him to sign a statement to this effect, but he [NAVA] did not sign the document when it was presented to him by SAUM. NAVA added that he did not recall ever signing such a statement for SAUM.

NAVA stated that on August 28, 1998, he was called by Steven REDEKER, Plant Manager, RSNGS, who reported that SAUM was being "aggressive" in his interactions with REDEKER and other SMUD employees, and that REDEKER was concerned about SAUM's behavior. NAVA recalled that Chuck ALDOUS, Security Investigator, SMUD, completed a violence in the workplace assessment of SAUM's actions and found that REDEKER's concerns were credible. NAVA related that he was on vacation when ALDOUS' report on the matter was completed and he, therefore, was not involved in SAUM being placed on administrative leave.

This results of interview was prepared on May 19, 1999.

Reported by:


Philip V. Joukoff, Special Agent
Office of Investigations, Region IV

Case No. 4-1999-011

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RESULTS OF INTERVIEW
WITH
JAMES FIELD

On May 18, 1999, James FIELD, Nuclear Technical Services Superintendent, Rancho Seco Nuclear Generating Station (RSNGS), was interviewed by U.S. Nuclear Regulatory Commission, Office of Investigations, Region IV, Special Agent Philip V. Joukoff. During this interview, FIELD stated substantially as follows.

FIELD stated that Bruce NOTAREUS, Attorney, Sacramento Municipal Utility District (SMUD), was present for the interview at FIELD's request and that he [FIELD] understood that NOTAREUS was representing both SMUD and FIELD. FIELD related that in approximately the 1992/1993 time frame, he became the supervisor of James SAUM, Senior Electrical Engineer, RSNGS, and shortly thereafter he began having communications problems with SAUM. FIELD added that SAUM also was having communications problems at the time with other RSNGS employees with whom SAUM interfaced.

FIELD recalled that at the end of 1993, he gave SAUM a job performance appraisal that reported that SAUM "needed improvement", a rating with which SAUM disagreed. FIELD added that SAUM appealed the performance appraisal to Steven REDEKER, Plant Manager, RSNGS, who agreed with the rating, and eventually to James SHETLER, Assistant General Manager, SMUD, who changed the rating to "proficient" but highlighted some deficiencies in SAUM's performance. FIELD related that he, in this time frame, contacted two of SAUM's former supervisors, Jeffrey JONES and Gerald WILLIAMS, both of whom were at one time the Nuclear Technical Services Superintendent at RSNGS, and determined that SAUM's performance was the same when these individuals occupied the position, but neither of these former supervisors had documented SAUM's deficiencies in his performance appraisals.

FIELD stated that SHETLER asked that he and SAUM work together to improve on their communications with each other. FIELD added that he and SAUM began having periodic meetings and the situation became acceptable to the point that FIELD rated SAUM in his performance appraisals as "proficient", although SAUM still needed to work on his interpersonal skills.

FIELD recalled that in July 1998, within a two week period, he received complaints from Debra ALBERTE, Human Resources Technician, SMUD, and Beverly DAHLE, Nuclear Buyer, SMUD, that

Case No. 4-1999-011

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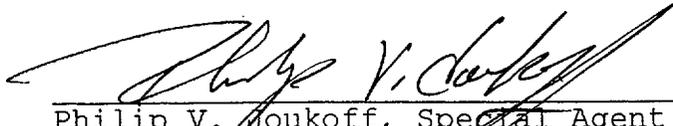
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SAUM had acted in an unprofessional and threatening manner during conversations with both individuals. FIELD added that he reported these complaints to REDEKER, who in turn consulted with the SMUD Employee Assistance Program. FIELD recalled that it was determined that a third party facilitator should be retained to mediate the problem. FIELD related that SAUM refused to participate in this mediation process and was eventually placed on administrative leave from SMUD by REDEKER.

FIELD stated that SAUM was subsequently evaluated by a mental health professional who determined that SAUM was acceptable for work at RSNGS, and SAUM then returned to work. FIELD added that currently he, REDEKER, and SAUM were working with Dale FLOWERS, a contract mediator, to improve SAUM's interpersonal skills.

This results of interview was prepared on May 19, 1999.

Reported by:


Philip V. Soukoff, Special Agent
Office of Investigations, Region IV



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

August 31, 1999

Richard Ferreira, Assistant General Manager
Energy Supply and Chief Engineer
Sacramento Municipal Utility District
6201 'S' Street
Sacramento, California 95852

SUBJECT: NRC INSPECTION REPORT 50-312/99-03

Dear Mr. Ferreira:

On August 6, 1999, the NRC completed an inspection at your shutdown Rancho Seco nuclear reactor facility. On August 30, 1999, a followup telephonic exit was held with your staff. The enclosed report presents the scope and results of this inspection.

Areas reviewed as part of this inspection included decommissioning and dismantlement activities, verification of compliance with selected technical specifications, review of completed safety evaluations, evaluation of maintenance and surveillance activities, verification of fuel handler training and verification of agreements with local hospitals.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosures will be placed in the NRC Public Document Room (PDR).

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,

/s/

Dwight D. Chamberlain, Director
Division of Nuclear Materials Safety

Docket No.: 50-312
License No.: DPR-54

Enclosure:
NRC Inspection Report
50-312/99-03

4 - 1999 - 011

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PAGE 1 OF 21 PAGE(S)

A) |||

cc w/enclosures:

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Shaw, Pittman, Potts & Trowbridge
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Jerry Delezenski, Licensing Supervisor
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Mr. Steve Hsu
Radiologic Health Branch
State Department of Health Services
P.O. Box 942732
Sacramento, California 94234

E-Mail report to D. Lange (DJL)
 E-Mail report to Document Control Desk (DOCDESK)

bcc to DCD (1E01)

bcc distrib. by RIV:
 EWMerschoff
 MTMasnik, NRR/PDND (11B20)
 RFDudley, NRR/DND (11B20)
 DDChamberlain
 LLHowell
 DBSpitzberg
 DL Rice
 RSCarr
 JVEverett
 MIS System
 FCDB File
 RIV Files 4th floor

DOCUMENT NAME: DRAFT: s:\dnms\fcdb\rsc\rs903rp.rsc final: r:_rs

RIV:DNMS:FCDB	FCDB	FCDB	C:FCDB	D:DNMS
RSCarr:jak /s/	DLRice /s/	JVEverett /s/	DBSpitzberg /s/	DDChamberlain /s/
08/25/99	08/25/99	08/26/99	08/27/99	08/30/99

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ENCLOSURE

U.S. NUCLEAR REGULATORY COMMISSION
REGION IV

Docket No.: 50-312
License No.: DPR-54
Report No.: 50-312/99-03
Licensee: Sacramento Municipal Utility District
Facility: Rancho Seco Nuclear Generating Station
Location: 14440 Twin Cities Road
Herald, California
Dates: August 2-6, 1999
Inspectors: Danny L. Rice, CHP, Radiation Specialist
Rachel S. Carr, Health Physicist
J. Vincent Everett, Senior Health Physicist
Approved By: D. Blair Spitzberg, Ph. D., Chief
Fuel Cycle and Decommissioning Branch
Attachment: Supplemental Information

EXECUTIVE SUMMARY

Rancho Seco Nuclear Generating Station NRC Inspection Report 50-312/99-03

The Rancho Seco nuclear facility is currently undergoing decommissioning and dismantlement. The licensee had completed removal of the piping, tanks, conduit and equipment from the turbine building, except for the turbine generator, and had subsequently begun work on the tank farm and auxiliary building. The post shutdown decommissioning activities report (PSDAR) submitted by the licensee on March 20, 1997, had described plans to maintain the facility in SAFSTOR with some limited dismantlement, primarily of secondary systems that were either not contaminated or had minimal contamination. In its letter dated July 7, 1999, the licensee informed the NRC of their plans to change from SAFSTOR to full decommissioning of the Rancho Seco site. Completion of the decommissioning activities and the final site survey was projected for 2008.

Work was progressing at the site for the eventual placement of the spent fuel into the onsite independent spent fuel storage installation (ISFSI). The licensee planned to conduct a practice exercise this fall with movement of actual spent fuel to start at the end of 1999 or early 2000. The training schedule and the projected delivery date of the storage baskets supported the licensee's schedule. The spent fuel is currently stored in the spent fuel pool. The spent fuel pool water clarity and condition of the facility was found to be excellent. A new cooling and demineralizer system had been installed to allow for dismantlement of the original system, which was interconnected with numerous other plant systems. The new system provided a stand alone system isolated from other plant systems that will undergo dismantlement.

Decommissioning Performance and Status Review

- The licensee's decommissioning and dismantlement efforts were proceeding consistent with the PSDAR and supplementary information provided by the licensee in a letter dated July 7, 1999. Decommissioning activities were being planned, conducted and supervised with appropriate considerations for occupational and radiological safety (Section 1).

Organization, Management, and Cost Controls

- The certified fuel handler training program was being implemented consistent with the requirements of the technical specifications and defueled safety analysis report. Contracts with the local hospital and ambulance services were reviewed and found to be current. Recent changes to the reactor facility emergency plan and procedures to incorporate the emergency planning considerations for the ISFSI were reviewed. Changes made to the reactor facility emergency plan were determined to be appropriate for the current condition of the facility and the potential for an emergency condition (Section 2).

Safety Reviews, Design Changes, and Modifications

- Acceptable programs were being implemented to ensure facility modifications, procedure changes, tests and experiments were properly evaluated for compliance with NRC regulations in 10 CFR 50.59 and Technical Specification 6.5. No unreviewed safety questions were identified by the licensee. Safety committees were meeting and functioning as required. One Non-Cited Violation (NCV) was identified related to failure to complete required documentation for a difference between installation of a security radio and design drawing documents (Section 3).

Spent Fuel Pool Safety

- The spent fuel pool water chemistry, water level and temperature were found to be in compliance with technical specifications. The licensee had completed a major modification to the spent fuel pool pursuant to 10 CFR 50.59 by installing a new cooling, filtration and demineralizer system. This allows for dismantlement of a number of systems that interconnected with the original spent fuel pool systems. No unreviewed safety questions were identified by the licensee (Section 4).

Maintenance and Surveillance

- The licensee had conducted an assessment to identify the structures, systems and components that should be included in the scope of the maintenance rule. Policies and procedures had been established to define the licensee's interpretation of the applicability of the maintenance rule to the Rancho Seco site (Section 5).

Occupational Radiation Exposure

- The annual report of individual radiation monitoring documented the occupational doses received at Rancho Seco. Radiation doses were being tracked and were within the limits established in 10 CFR 20. Analysis of the report revealed that occupational doses had been reasonably distributed amongst the worker population. The licensee was tracking and trending radiological exposure-rate data to maintain an exposure profile of selected plant areas as dismantlement activities progressed (Section 6).

Radioactive Waste Treatment, Effluent and Environmental Monitoring

- The radiological environmental and effluent monitoring program provided for an adequate assessment of the environmental conditions around the facility. Required reports to the NRC had been made and provided information concerning the results of the environmental sampling and analysis program. The land use census identified the change in agriculture use near the site with the addition of the vineyards. Additional environmental sampling to account for this new food pathway was being made by the licensee (Section 7).

Report Details

Summary of Plant Status

Rancho Seco was actively undergoing plant decommissioning and dismantlement. Current decommissioning work was underway in the auxiliary building and tank farm. Decommissioning of the turbine building had essentially been completed. The licensee had commenced limited decommissioning of selected areas of the Rancho Seco facility in February 1997 as a pilot effort to determine the feasibility of proceeding with full site decommissioning earlier than previously planned and documented in the Post Shutdown Decommissioning Activities Report (PSDAR). The turbine building was selected for the initial dismantlement effort based on low contamination levels, ease of removal of components and ease of decontamination of the systems in the building. In a letter dated July 7, 1999, the licensee informed the NRC of the successful progress of their incremental decommissioning effort and their plans to change the PSDAR from SAFSTOR to DECON and to actively proceed with site decommissioning. The projected completion of plant decommissioning and the final site survey, based on this change in decommissioning strategy, is 2008.

In addition to the major activities at Rancho Seco to decommission the reactor facility, preparations were continuing for dry storage of the spent nuclear fuel. Training was in progress for personnel assigned to the independent spent fuel storage installation (ISFSI). The licensee expected delivery of their first storage basket in the fall of 1999. All concrete casks had been constructed and were in-place on the ISFSI pad. A dry run exercise was being planned for the October 1999 time frame with loading of the first cask in December 1999.

1 Decommissioning Performance and Status Review (71801)

1.1 Inspection Scope

The licensee's programs for conducting decommissioning work activities were reviewed to verify adequate controls were being implemented to provide for an acceptable level of safety. Plant tours, attendance at morning and weekly decommissioning planning meetings, and discussions with licensee staff were conducted to review the status of the dismantlement activities underway.

1.2 Observations and Findings

Decommissioning activities underway during this inspection included dismantlement and decontamination of the auxiliary building and tank farm systems. Removal of insulation from the borated water storage tank and removal of the main circulating pumps were complete. Lead paint and asbestos insulation abatement work continued in the auxiliary building in preparation for future system dismantlement. Concrete cutting to enlarge several doorways to allow easier component removal continued. The level of radioactivity being encountered in the auxiliary building and tank farm systems undergoing dismantlement were higher than those found during dismantlement of the turbine building systems; however, the level of radioactivity was still relatively low. Higher levels of radioactivity were anticipated as dismantlement activities progressed.

Approximately 25 tons of uncontaminated metal was released from the site for scrap metal recycling during the week of this inspection.

Daily decommissioning planning meetings and the weekly incremental decommissioning meeting were attended. These meetings provided for coordination of activities and ensured that all significant work tasks were being monitored. Areas discussed included safety and administrative concerns, status of dismantlement work, proposed design changes, status of the dry cask storage activities, surveillance tests and maintenance activities.

The annual report dated May 27, 1999, was reviewed for compliance with Technical Specifications D6.9.4 and D6.9.5b. The report covered the period from May 7, 1998, to May 6, 1999. Information contained in the report included shutdown status, shutdown experience, environmental report information, and a tabulation of facility changes, tests and experiments required pursuant to 10 CFR 50.59(b). No issues or concerns were identified during the review of the report.

Tours were conducted of the work areas in the turbine building, tank farm and auxiliary building. Radiological postings and controls were observed and determined to be adequate. Fire loading, area cleanliness and housekeeping were good.

Incident and accident reports from December 1998 thru July 1999 were reviewed. The licensee had documented and conducted an investigation of an onsite incident involving a crane tipping and falling approximately 20 feet to a lower level. The accident occurred on December 8, 1998 and involved an 8.5 ton crane that had been positioned on the turbine deck to hoist piping out of a hole. During the movement of a 2,160 pound section of pipe, the crane tipped and fell into the hole and onto its side. The crane operator was slightly injured. Investigation of the incident concluded that several factors may have contributed to the accident including placing the outrigger pads on a steel to steel surface which created a poor friction surface for the pads, placement of one of the outriggers on a protruding stud, and the swinging and telescoping movement of the boom. The licensee determined that to prevent similar accidents from occurring personnel involved with crane operations would review proper crane placement requirements; hold daily tailgate meetings prior to commencement of work; prepare, discuss, and review pre-job hazard analyses each time a crane is set up, lifting activities change, or a crane is moved to a different location. Additionally, crane operators are required to fill out a daily crane inspection report before each shift, and the start of operations.

1.3 Conclusion

The licensee's decommissioning and dismantlement efforts were proceeding consistent with the PSDAR and supplementary information provided by the licensee in a letter dated July 7, 1999. The licensee had appropriately investigated and followed up on an industrial crane accident which had occurred on the turbine deck. Otherwise, decommissioning activities were being planned, conducted and supervised with appropriate considerations for occupational and radiological safety.

2 Organization, Management, and Cost Controls (36801)

2.1 Inspection Scope

Implementation of the certified fuel handler training program was reviewed. Contracts with the local hospital and ambulance services were verified as current. Recent changes to the emergency plan and procedures, effective June 24, 1999, were evaluated to confirm that the changes did not reduce the licensee's ability to effectively respond to an emergency condition.

2.2 Observations and Findings

Certified fuel handler training requirements were established in the Defueled Safety Analysis Report Sections 12.2.2 and 12.2.3 and Technical Specification D6.2.2. The shift supervisors and the individual who directly supervised the shift supervisors was required to be certified as a fuel handler. Procedure A-13, "Fuel and Component Handling" Revision 35, established requirements for moving fuel. This procedure required the direct supervision of all fuel handling operations by a certified fuel handler as specified in Technical Specification D6.2.2.d. The status of the certified fuel handler training program was reviewed with the operations training supervisor and the operations superintendent. Training records for selected qualified fuel handlers were reviewed. The training records documented that required biennial training for the certified fuel handlers had been completed. Nineteen personnel were qualified as certified fuel handlers. Ten were assigned to the operation crews in the control room as shift supervisors or control room operators. The fuel handler training program was found to meet the requirements in the technical specifications and defueled safety analysis report.

On May 27, 1999, the licensee issued an updated and revised emergency plan and procedures to be effective June 24, 1999. The primary purpose of the changes was to incorporate provisions for responding to an emergency at the ISFSI. Requirements for emergency planning for the ISFSI are specified in 10 CFR 72.32. A review of the adequacy of the licensee's emergency plan for response to emergency conditions at the ISFSI is underway by NRC headquarters as part of the licensee's application for a Part 72 license to store spent fuel in dry storage. Changes made to the emergency plan and procedures were reviewed during this inspection related to the reactor facility and the Part 50 license. Changes ranged from editorial corrections to consolidation of a number of sections in order to simplify the emergency plan. All changes reviewed were determined to be appropriate for the current condition of the reactor facility and the potential for an emergency condition.

The Emergency Plan, Section 4, identified three offsite agencies which provided medical support to the licensee. These included the Galt Fire District, Herald Fire District and U.C. Davis Medical Center. Attachment 4-1 to the emergency plan stated that contracts were maintained with the three organizations. These contracts were reviewed and found to be current. U.C. Davis Medical Center provided medical treatment for contaminated and injured personnel, including the capability to provide treatment for major head trauma. Operations procedure OP-C.53, "Medical Emergency" provided instructions to direct any injured persons contaminated with radioactive material to the

U. C. Davis Medical Center. The memorandum of understanding with the Galt Fire District established provisions for transporting injured, contaminated persons to U. C. Davis Medical Center. Emergency plan implementing procedure EPIP-5330, "Transportation of Contaminated and Injured Personnel," Revision 5, provided specific directions for the radiation protection technician to follow upon arriving at the hospital. If a radiation protection technician was not available at the Rancho Seco site when the ambulance arrived, EPIP-5330 required that the duty radiological assessment coordinator be contacted at home and directed to dispatch a radiation protection technician directly to the hospital emergency room.

2.3 Conclusion

The certified fuel handler training program was being implemented consistent with the requirements of the technical specifications and defueled safety analysis report. Contracts with the local hospital and ambulance services were reviewed and found to be current. Recent changes to the reactor facility emergency plan and procedures to incorporate the emergency planning considerations for the ISFSI were reviewed. Changes made to the reactor facility emergency plan were determined to be appropriate for the current condition of the facility and the potential for an emergency condition.

3 **Safety Reviews, Design Changes, and Modifications (37801)**

3.1 Inspection Scope

Technical Specification D6.5 and 10 CFR 50.59 required the licensee to maintain a functional safety review program that controlled facility design changes, temporary modifications, procedure changes, tests and experiments. This inspection reviewed selected safety evaluations that had been completed since the last inspection.

3.2 Observations and Findings

Technical Specification D6.5.1, established the requirements for the plant review committee. Technical Specification D6.5.1.6, established the scope of activities to be reviewed by the committee. The plant review committee was required to meet at least monthly in accordance with Technical Specification D6.5.1.4. Meeting minutes for the plant review committee were reviewed for the period between March 1999 and July 1999. Meetings had been held more frequently than monthly and included a review of procedure changes, facility design changes, corrective actions and completed 10 CFR 50.59 safety evaluations. A review of the meeting minutes found the plant review committee to be functioning in compliance with the technical specifications.

Safety reviews conducted under the provisions of 10 CFR 50.59 provided the licensee with a process to make changes to the facility during decommissioning, as long as the changes were consistent with the existing technical specifications and did not involve an unreviewed safety question. Implementation of the safety review process used by the licensee was reviewed, including a review of the following four selected design change packages (DCP):

- DCP-R99-0002, "Remove Bruce Diesel Walls and Obstructions"
- DCP-R99-0005, "Replacement of SFP Level Monitoring Instrumentation"
- DCP-R99-0009, "Isolate Reactor Building Hydrogen Monitoring System"
- STP-1348A, "SFP Chiller Verification Test"

The design change packages were found to adequately document the required safety evaluations. Additionally, the inspector reviewed the licensee's list of qualified 10 CFR 50.59 safety evaluation reviewers. The latest list was dated January 20, 1999, and stated that the safety evaluation refresher training was conducted in accordance with Technical Specification D6.5.3(d). Thirty-two individuals were qualified to conduct 10 CFR 50.59 safety evaluations.

The licensee had established Procedure RSAP-0305, "Field Problem Report," Revision 6 as a procedural process for identifying and documenting problems found in the field during implementation of design change packages. This procedure was used by the licensee to implement the requirements of 10 CFR 50 Appendix B.VI concerning the control of documents when problems were encountered for work performed under a design change package. As specified in Appendix B.VI, measures shall be established to control the issuance of documents, such as instructions, procedures and drawings, including changes thereto, which prescribed all activities affecting quality. The licensee, in their quality assurance plan, Attachment II-1, "Application of Rancho Seco Quality Program Criteria," Revision 9 identified the quality assurance requirements for document control as being applicable to security.

Procedure RSAP-0305, Step 6.2.1 required that upon identification of the need for a field problem report, the originator shall complete the first section of the field problem report form and forward the form to the originator's supervisor for review. Step 4.2 defined a field problem report as a document that provided a means of describing and resolving design and construction problems encountered during design change package implementation or testing.

Procedure RSAP-1308, "Potential Deviation from Quality," Revision 12 established requirements for initiating a potential deviation from quality (PDQ) form. Step 2.1 of RSAP-1308 specified that a PDQ form was to be initiated for deviations from licensing document requirements, state and federal regulations, codes, standards, specifications, quality assurance requirements or administrative controls, including RSAP and sub-tier procedures. The licensee had issued PDQ-0038 on May 14, 1999 concerning the failure to document on a field problem report that a security radio had been installed in a manner different than specified in the design change package. Specifically, the location of the radio in the console was different than the design drawings because the radio would not fit into the space initially selected. This problem had originally been identified in March, 1997 by an employee and reported to management, however the employee had failed to initiate a field problem report form as required by procedure RSAP-0305. No action concerning the updating of the as-built drawing for the security console had been initiated to reflect the new location of the radio. The issuance of the PDQ form on May 14, 1999 was over two years later. Despite this lengthy period of time between identification of the problem and the issuance of a PDQ form, no criteria was found in the procedures concerning timeliness requirements for documenting problems. The

difference between the design location of the radio in the console and the "as installed" location was determined by the NRC to have no safety significance. However, failure by the employee to initially document the problem on a field problem report and submit the report to his supervisor is a violation of procedure RSAP-1305. This Severity Level IV violation is being treated as a Non-Cited Violation, consistent with Appendix C of the NRC Enforcement Policy. This violation is in the licensee's corrective action program as PDQ-0038 (NCV 50-312/9901-01).

A meeting of the commitment management review group was attended to observe the committee activities. The group was chaired by the plant manager with membership from the management level of technical services, operations, licensing, radiation protection, quality assurance and maintenance. The committee reviewed, prioritized, assigned responsibility and set the completion schedule for eighteen potential deviations from quality.

3.3 Conclusion

Acceptable programs were being implemented to ensure facility modifications, procedure changes, tests and experiments were properly evaluated for compliance with NRC regulations in 10 CFR 50.59 and Technical Specification D6.5. No unreviewed safety questions were identified by the licensee. Safety committees were meeting and functioning as required. One Non-Cited Violation (NCV) was identified related to failure to complete required documentation for a difference between installation of a security radio and design drawing documents.

4 **Spent Fuel Pool Safety (60801)**

4.1 Inspection Scope

Technical Specification D3/4 established specific requirements for spent fuel pool water level, temperature, chemistry and area radiation monitoring. This inspection included a review of the licensee's compliance with these technical specifications. In addition, the recently issued design changes for the new spent fuel pool cooling system, water level and spent fuel pool temperature indicator were reviewed.

4.2 Observations and Findings

Technical Specification D3.1.2 required the water level in the spent fuel pool to be maintained to greater than 23 feet 3 inches when fuel handling operations were not in progress. Daily surveillance logs were reviewed between the period June 1 and June 30, 1999. The water level was maintained at approximately 38 feet 5 inches. The spent fuel pool water level was also recorded in the operations shift log. The level marker for the spent fuel pool water level was visibly displayed in the control room by video camera.

Spent fuel pool temperature was required to be maintained below 140°F per Technical Specification D3.2. The spent fuel pool daily temperature surveillance, as recorded on

the operations surveillance log, SP.002, Revision 20, was reviewed for the period between June 1 and June 30, 1999. During the inspection period the temperature varied between 82° and 85° Fahrenheit.

Chloride and fluoride levels were required by Technical Specification D3.5 to be maintained below 0.15 ppm (parts per million). The chloride and fluoride levels were less than 0.010 ppm, for the period August 3, 1998, to August 2, 1999. The pH for the spent fuel pool on August 2, 1999, was 5.28. Radionuclides identified in the spent fuel pool water samples were cobalt, cesium and tritium. The spent fuel pool area radiation monitor indicated approximately 2 mR/hr. The alert setting on the monitor was 10 mR/hr. The high alarm was set at 100 mR/hr, as indicated on the control room annunciator panel. The spent fuel area radiation monitor monthly surveillance records for July 1 and August 4, 1999, were reviewed. The records were completed in a timely manner and indicated the correct alert and high alarm set points.

The spent fuel pool leakage was checked daily and tracked by the engineering department. A graphical representation for the average spent fuel pool leakage was reviewed for the period April 1998 through July 27, 1999. The leakage was from the liner into the gap with the spent fuel pool structural wall. The data indicated a leakage of approximately 20-30 gallons/day. This was consistent with historical levels documented in NRC inspections in previous years.

The licensee recently completed a major modification to the spent fuel pool. In order to isolate the spent fuel pool cooling, filter and demineralizer systems from other plant systems that will undergo dismantlement, the licensee established a separate stand alone system to provide these key functions. The system changes were reviewed along with changes made to the water level indicator and the temperature indicator. In particular, the following three design change packages were reviewed:

- DCP R99-0005, "Spent Fuel Pool Level Instrumentation" and STP-1347, Rev. 0
- DCP R94-0002, Rev. 3, "Spent Fuel Pool Temperature Indicator"
- DCP DCO R98-0011, "Spent Fuel Pool Island-Chiller, Filter & Demineralizer"

Special Test Procedure, STP-1347, Rev. 0, "Spent Fuel Pool Level Instrumentation Test," was initiated under DCP R99-0005. The test procedure was referenced in the safety review as a test or experiment not described in a licensing basis document. The safety evaluation determined the activity did not require a change in the technical specifications or involve an unreviewed safety question. The test for the level indicator was successfully conducted on May 13, 1999.

Design change package DCP R94-0002, Revision 3, provided installation of a new spent fuel pool temperature indicator to replace a failed one. The new temperature indicator provided a digital display mounted on the southwest wall of the spent fuel pool building. The data was transmitted to the new plant integrated computer system which maintained a 24-hour trend of the parameter. The computer system was a modification to the control room, which previously had an alarm function for the spent fuel pool temperature, but not a digital display. The 24-hour trend of the spent fuel pool temperature in the control room was reviewed and compared to the digital display in the spent fuel pool building. The data was consistent.

Design change package DCP R98-0011 Revision 0, involved the installation of a chiller, filter and demineralizer spent fuel pool cooling stand alone system. The safety review and design bases report satisfactorily addressed the concerns in NRC Bulletin 94-01 "Potential Fuel Pool Drindown Caused by Inadequate Maintenance at Dresden Unit 1," dated April 14, 1994, concerning loss of coolant, leakage and siphoning. The safety review determined the design change was more conservative due to the location of the cooling system suction, which was approximately 5 feet below the water surface and located at a higher elevation than the previous cooling system suction. The liner leakage was directed to a collection tank in the auxiliary building, processed through a separate filter/demineralizer and subsequently pumped to the inlet of the spent fuel pool cooling system demineralizer. From there it was ultimately discharged back to the spent fuel pool. The flow rate of the system was approximately 108 gallons/minute.

The spent fuel pool cooling system demineralizer skid was located just inside the spent fuel building door, on the south side of the pool. There were "hooks" in place to hang lead blankets on the west side of the skid due to the close proximity of anticipated work activities involving the ISFSI. Additional hooks for lead blankets were being installed on the east side of the skid. A survey of the area measured general area dose rates at the boundary of the skid at approximately 2 mR/hr. Dose rates around the demineralizer were 50-60 mR/hr. The highest contact dose rate on the demineralizer was 100 mR/hr.

The new spent fuel pool cooling system began operation on April 20, 1999. The operational acceptance test required the cooling system to operate for 8 weeks with less than 72 hours downtime. The 8-week test started on May 18, 1999 and ended on July 15, 1999, for a total of 8 weeks and 2 days. The total time the unit was down for maintenance repair was 19.5 hours. A review of the documented acceptance test results found that the system had performed satisfactorily.

The spent fuel pool cooling system was not operating at the beginning of the inspection period due to an electrical ground problem. The problem involved cables installed under DCP R98-0018, which supported the cooling system. Electrical maintenance installed new cables and as of Thursday morning, August 5, 1999, one train was operable for the spent fuel pool cooling system.

4.3 Conclusion

The spent fuel pool water chemistry, water level and temperature were found to be in compliance with technical specifications. The licensee had completed a major modification to the spent fuel pool pursuant to 10 CFR 50.59 by installing a new cooling, filtration and demineralizer system. This allows for dismantlement of a number of systems that interconnected with the original spent fuel pool systems. No unreviewed safety questions were identified by the licensee.

5 Maintenance and Surveillance (62801)

5.1 Inspection Scope

The licensee's implementation of the maintenance rule requirements were reviewed; including the work identification process, maintenance backlog and work prioritization system. The licensee evaluation and assessment of the performance of structures, systems and components determined to be within the scope of the maintenance rule was reviewed. This area of inspection was conducted to document the licensee's implementation of the maintenance rule to a permanently shutdown reactor.

5.2 Observations and Findings

The licensee had established a maintenance rule assessment and implementing procedure for compliance with 10 CFR 50.65 "Requirements for Monitoring the Effectiveness of Maintenance at Nuclear Power Plants." The licensee had identified the following structures, systems and components as being within the scope of the maintenance rule:

- Spent fuel assemblies, including zircaloy cladding
- Spent fuel pool liner
- Spent fuel storage racks (including Boraflex)
- Fuel Storage Building

The licensee evaluated the existing maintenance, testing and trending programs being implemented and concluded that these programs provided adequate assurance that the condition and performance of the structures, systems and components covered by the maintenance rule were effectively controlled. Based on this determination, the licensee took credit for the existing preventive maintenance program, as allowed in 10 CFR 50.65(a)(2).

The licensee implemented the maintenance rule through procedure RSAP-1610 "Maintenance Rule Implementation," Revision 0, dated August 17, 1998. RSAP-1610 established responsibilities, general requirements, performance monitoring and records requirements for the licensee's maintenance rule implementation. RSAP-1610 required the performance of an evaluation of the effectiveness of the programs required to maintain the spent fuel in a safe condition on a 24-month interval. The evaluation was to be conducted by the technical services organization and provided to the commitment management review group for review and approval.

The licensee's work identification process was documented in procedure RSAP-0803 "Work Request," Revision 14, dated July 14, 1997. This procedure established the process for entering work items into the maintenance system. Work priority assignment criteria was established in plant operations manual, procedure B.10 "Defueled Condition," Revision 18, dated May 24, 1999. The priority criteria were:

- Priority 1: Actions to protect public health and safety and safe storage of nuclear fuel
- Priority 2: System dispatcher orders

The inspector reviewed open maintenance requests for the period from January to August 1999. The maintenance request data contained requests covering the full range of priorities. None of the maintenance requests involving Priority 1 or 2 items were open past their scheduled completion dates.

5.3 Conclusion

The licensee had conducted an assessment to identify the structures, systems and components that should be included in the scope of the maintenance rule. Policies and procedures had been established to define the licensee's interpretation of the applicability of the maintenance rule to the Rancho Seco site.

6 **Occupational Radiation Exposure (83750)**

6.1 Inspection Scope

The licensee submitted an annual report of individual radiation monitoring for 1998 to the NRC on March 11, 1999. A review of this report and of radiological exposure-rate data used by the licensee to trend radiological conditions within the plant was completed.

6.2 Observations and Findings

The annual report of individual radiation exposure monitoring provided personnel exposure data for 1998. There were 431 personnel monitored for occupational exposure during 1998. The total occupational dose accumulated during 1998 was 3.579 man-rem. Five of the monitored personnel received occupational doses greater than 100 mrem during 1998. Three were from maintenance and two from health physics. The three maintenance workers received a significant portion of their accumulated 1,177 mrem dose while working on the installation of an impact limiter in the up-ender pit in the spent fuel pool. This work was needed to support the loading of spent fuel into casks for dry storage. The two health physics personnel received doses of 104 and 158 mrem. The doses for these two individuals were not attributable to any particular work activity. The maximum annual doses allowed for workers, as specified in 10 CFR 20.1201, is 5,000 mrem.

The occupational dose for 1998 was distributed across five job categories. The job categories, arranged in decreasing dose order were:

- Maintenance - 1.874 man-rem
- Health Physics - 1.122 man-rem
- Engineering - 0.286 man-rem

- Operations - 0.262 man-rem
- Supervisory - 0.035 man-rem

Thus far in 1999, the licensee had five workers with doses at or above 100 mrem. The high doses this year were the result of increased radioactive waste handling activities. Increases in worker doses will likely continue as the dismantlement effort progresses into more highly contaminated areas of the plant.

Radiation exposure-rate data collected per procedure RP 305.8D "Quarterly Radiation Trending Survey," was reviewed. This procedure required the collection of exposure-rate data at designated locations within the plant on a quarterly basis. The data was reviewed quarterly to identify any changes in the plant exposure-rate profile as dismantlement activities were performed. The licensee indicated they intended to use the data to support future site characterization surveys. The data reviewed covered the period from January 1998 to July 1999. The exposure-rate data indicated a decreasing trend for the period. The exposure-rates ranged from <0.2 mR/hr to 1.8 mR/hr for the period reviewed.

6.3 Conclusion

The annual report of individual radiation monitoring documented the occupational doses received at Rancho Seco. Radiation doses were being tracked and were within the limits established in 10 CFR 20. Analysis of the report revealed that occupational dose had been reasonably distributed amongst the worker population. The licensee was tracking and trending radiological exposure-rate data to maintain an exposure profile of selected plant areas as dismantlement activities progressed.

7 **Radioactive Waste Treatment, Effluent and Environmental Monitoring (84750)**

7.1 Inspection Scope

Technical Specifications D6.8 and D6.9 required a radiological environmental program to be established to monitor radiological conditions around the Rancho Seco facility and provide annual reporting to the NRC. A review of the annual environmental and effluent reports submitted to the NRC was completed.

7.2 Observations and Findings

The 1998 annual radiological environmental operating report was reviewed. The results presented in the report indicated the radiological impact of decommissioning activities at Rancho Seco were well below regulatory limits. The report covered atmospheric, direct radiation, terrestrial, aquatic life and water monitoring in the environment surrounding Rancho Seco.

A review of the most recent land use census completed for the area around the Rancho Seco site identified a transition to grape vineyards from pasture usage for the areas north, west and south of the site. The licensee was in the process of evaluating the extent of additional sampling locations that may be needed as the result of the change

in agriculture use near the site. Two irrigation wells had already been added as sampling locations. Both wells were used by the vineyard for irrigation. One well was up-gradient to the licensee's discharge canal and one well was down-gradient. The licensee had spoken with the owner of the vineyard and was in the process of making arrangements for sampling of the grapes, which were scheduled for harvesting during the fall of 1999.

The licensee had analyzed numerous sediment samples during 1998 as part of the site characterization program. Sediment sampling locations in Clay Creek near the discharge canal, within the licensee's property, had been analyzed in order to provide sediment data on the activity level from historical permitted releases and to correlate the data for future site characterization. These specific soil samples were collected in addition to the sampling required by the radiological environmental monitoring program. Gamma spectrometry analysis indicated the presence of Cs-137, Cs-134, and Co-60. All of these isotopes can be attributed to liquid effluent releases that occurred during operations with some contribution from fallout sources.

The 1998 sediment sample data results from Clay Creek were compared to the 1997 and 1996 annual sampling data. Correlation of the data from year to year for each individual sampling location resulted in some data showing a decrease in activity while several of the sampling locations showed increasing activity. Through further discussions with the licensee, it was explained that the referenced sample locations identified in the environmental report did not represent an exact specific sample location, but in fact, represented a general area of approximate 100 ft². Because sampling was not taken at the same exact point within the 100 ft² area each time, nor was the sample a composite from the 100 ft² area, the sample data results indicated a variance in the radiation levels from year to year. The variance from year to year was not significant and was determined to be the result of the sampling methodology being used by the licensee. The licensee planned to provide additional clarification in future environmental reports to explain the variances being observed at the sampling locations.

Thirty five locations were monitored by thermoluminescent dosimeters within the 10-mile radius of Rancho Seco. This included thermoluminescent dosimeters at the industrial area boundary, near the property boundary, several nearby residences and schools, four locations around the ISFSI pad and one location at Clay Creek near the discharge canal. All locations indicated background levels except dosimeter No. 66 at Clay Creek which was slightly less than twice background.

The 1998 annual radioactive effluent release report was reviewed. The report provided information concerning gaseous and liquid releases and solid waste shipped offsite for burial or disposal during 1998. There were no unplanned releases from the facility during 1998. Operational releases for airborne effluents included only tritium, which was less than 1 percent of the calculated maximum organ dose limit for Rancho Seco. Several liquid batch releases from the site occurred during 1998, which consisted of tritium, Co-60, and Cs-137. The calculated maximum total "body dose" from these releases was approximately 3 percent of the annual limit for Rancho Seco.

7.3 Conclusion

The radiological environmental and effluent monitoring program provided for an adequate assessment of the environmental conditions around the facility. Required reports to the NRC had been made and provided information concerning the results of the environmental sampling and analysis program. The land use census identified the change in agriculture use near the site with the addition of the vineyard. Additional environmental sampling to account for this new food pathway was being made by the licensee.

8 **Follow-up of Open Items (92701)**

- 8.1 (Discussed) IFI 50-312/9601-01: Incorporation of proposed License Amendment No.192 for heavy loads over the cask. This issue involved the need for a license amendment request to clarify Technical Specification D3/4.3 regarding the movement of heavy loads over the spent fuel pool such as a spent fuel shipping cask. The amendment request had been submitted to NRC headquarters and was under review.

9 **Exit Meeting**

The inspectors presented the inspection results to members of the licensee management at the exit meeting on August 6, 1999 and during a subsequent telephone exit on August 30, 1999. The licensee acknowledged the findings presented. The licensee did not identify as proprietary any information provided to, or reviewed by, the inspector.

ATTACHMENT

PARTIAL LIST OF PERSONS CONTACTED

D. Clark, Senior Mechanical Engineer
J. Delezenski, Nuclear Quality & Compliance Superintendent
J. Eilering, Senior Mechanical Engineer
J. Field, Technical Services Superintendent
D. Gardner, Decommissioning Project Leader
M. Hieronimus, Operations
W. Koepke, Quality and Safety Supervisor
D. Koontz, Control Room Operator
R. Mannheimer, Licensing Engineer
K. Miller, Project Manager
S. Nichols, Radiological Health Supervisor
S. Redeker, Plant Manager
J. Roberts, Maintenance Superintendent
T. Tucker, Operations Superintendent
W. Wilson, RP/Chemistry Superintendent

INSPECTION PROCEDURES USED

36801	Organization, Management, and Cost Controls
37801	Safety Reviews, Design Changes, and Modifications
60801	Spent Fuel Pool Safety
62801	Maintenance and Surveillance
71801	Decommissioning Performance and Status Review
83750	Occupational Radiation Exposure
84750	Radwaste Treatment, Effluents and Environmental Monitoring
92701	Followup on Open Items

ITEMS OPENED, CLOSED, AND DISCUSSED

Opened

50-312/9903-01 NCV Failure to Initiate a Field Problem Report for the Security Radio

Discussed

50-312/9601-01 IFI Incorporation of proposed License Amendment No.192 for heavy loads over the cask

Closed

50-312/9903-01 NCV Failure to Initiate a Field Problem Report for the Security Radio

LIST OF ACRONYMS

CFR	Code of Federal Regulations
DCP	Design Change Package
DSAR	Defueled Safety Analysis Report
ISFSI	Independent Spent Fuel Storage Installation
IFI	Inspection Followup Item
ppm	parts per million
PSDAR	Post Shutdown Decommissioning Activities Report

November 10, 1999

Telephone conversation with: Jerry Foster, DOL Regional Supervisor
(214)767-4731

I explained to Jerry that I was calling about a complaint filed by James Saum against SMUD because I had learned that his office was asked to assist the San Francisco office with the complaint. Jerry said that Mrs. Rosanna Nardizzi was the investigator who had worked the case and Mrs. Nardizzi proceeded to brief me about the case.

Mrs. Nardizzi stated that Mr. Saum really did not have a valid complaint, in that, nothing of a negative nature happened to him as a result of bringing up safety issues. She said that as is the usual practice, she worked on conciliating the case and she negotiated a \$110,000 settlement for Mr. Saum, with \$25,000 for his attorney. She added that Mr. Saum rejected the settlement and she subsequently submitted the case back to the San Francisco office. She did not know any more about the case.

R. Wise
11/10/99

4 - 1999 - 011

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November 30, 1999

Telephone conversation with: Paul Leary, DOL Investigator, San Francisco
(415)975-4873

I contacted Mr. Leary about the case, specifically, to determine whether the case had been closed considering what Mrs. Nardizzi had told me. He said the case is still open and that he is attempting to convince Mr. Saum to take the settlement, especially, since he was terminated in mid-October. He said that Mr. Saum is very argumentative and it is very difficult to get through to him without an argument.

Mr. Leary stated that a second complaint was filed by Mr. Saum following his termination and that DOL is considering combining the complaints, but a decision has not been reached. He said that he is actively working both complaints and he would advise me as things progress.

R. Wise
11/30/99

4 - 1999 - 011

EXHIBIT 38
PAGE 1 OF 1 PAGE(S)

A/13

SACRAMENTO MUNICIPAL UTILITY DISTRICT

OFFICE MEMORANDUM

TO: Jim Saum

DATE: 5/26/99
MNTS99-054

FROM: Jim Field

SUBJECT: INTERIM EVALUATION - MAY 1999

In April, a performance plan was developed and provided to you in order to assist in your efforts to satisfy the conditions of your continued employment established in the General Manager's letter (GM98-352) of October 30, 1998. This memo is an interim evaluation of your progress in meeting the goals and objectives of this plan, specifically covering the period 4/07/99 to 5/07/99.

In addition, the Performance Plan has been brought current. Specific changes include revised schedule dates on five courses, elimination of the course "Conflict Management", as it is not available in a reasonable time frame, and addition of three activities directed at resolving issues with the use of the PDQ process. A copy of the revised plan is attached.

Areas Needing Improvement

- 1) Communication
- 2) Interpersonal Skills
- 3) Collaborative Problem Resolution/Negotiations
- 4) Exhibiting a positive and cooperative attitude toward co-workers, supervisors, and management
- 5) Accepting responsibility for personal actions
- 6) Accepting a need for change
- 7) Control of emotions in communication
- 8) Maintaining focus on work assignments
- 9) Inability to put the past behind and focus on the future

Activities To Be Completed

a) Build and maintain good working relationships

- Act respectfully to co-workers at all levels of the organization in consideration of their knowledge, expertise, ideas, and assigned roles in the success of site operation.
- Act respectfully and be supportive of supervision/management and of management direction in action and casual conversation

- Meet with selected supervisors to understand how they view working relationships. Provide a "Lessons Learned" document that includes actions to be taken Target Date: Ongoing
- Attend the following training courses in support of this area. (Prepare a brief report containing lessons learned and action plan following each course):

Understanding Yourself and Others – (Course #311 as offered by the California State Training Center) - Class Date: 9/22/99

- Indications of progress in this area would be:
 - Completion of lessons learned document per above
 - Successful implementation of actions described in lessons learned document.
 - Improved relationships as reported by site supervisors
 - Assessment of 3rd party facilitator

Progress: Building and maintaining good working relationships

Memo MNTS99-039 dated April 19, 1999 was written by you to document four (4) separate interactions. They were 1) a meeting with Esteban Nava, 2) a discussion with Bill Wilson, 3) a collaboration with Dennis Jones, and 4) a collaboration with Phil Terry. These actions provided that which was contemplated by this item. Initiative was shown in assuring that the meetings occurred, however, you did not appear to be sufficiently introspective or self-critical to identify possible changes in your behavior.

Look for other opportunities during this probationary period to build new and strengthen existing working relationships.

I encourage you to be observant and self-critical in these interactions for Lessons to be Learned.

b) Demonstrate a collaborative style in all interactions

- Listen to the ideas of others, give these ideas full consideration and convincingly communicate to others your full consideration.
- Demonstrate interactive problem solving.
- Attend the following training courses in support of this area. (Prepare a brief report containing lessons learned and action plan following each course):

Dealing with Difficult People – (Course #420 as offered by the California State Training Center)
Class Date: 5/25/99

Conflict Resolution and Confrontation Skills – (as offered by Fred Pryor Seminars – date and location to be announced)

- ❑ Collaborate with your supervisor and manager to identify any deterrents to reporting Potential Deviations from Quality. Target Date: 6/07/99

Collaborate with your supervisor and manager to develop and implement an Action Plan to eliminate those deterrents. Target Date for Action Plan: 7/1/99

- ❑ Demonstrate collaborative skills in working with affected supervisors in the development of an alternative ISFSI Security Plan.

- ❑ Indications of progress in this area would be:

- Completion of lessons learned document per above
- Successful implementation of actions described in lessons learned document.
- Greater satisfaction with problem resolutions as reported by site supervisors
- Assessment of 3rd party facilitator
- Specific experiences noted where collaborative problem solving resulted in a "win-win" solution to the problem
- Memo documenting consensus on deterrents to the use of the PDQ process
- Memo documenting the Action Plan for resolution of deterrents to the use of the PDQ process
- Evidence of the use of the PDQ process

Progress: Demonstrating a collaboration style in all interactions

Two examples of collaborative behavior were identified in memo MNTS99-039. Afterwards the participants felt satisfied with the collaboration, however, they expressed a desire that you further emphasize listening to and understanding their positions.

Discussions about the PDQ process with your supervisor and the third party facilitator during the past month resulted in isolating your area of concern to only 5% to 10% of PDQs generated. This is viewed as an encouraging effort at collaboration.

Reaching a common understanding with your supervisor of the form and content of the Lessons Learned memo is an example of a successful collaboration.

We remain concerned that you make greater progress in developing a more collaborative style. Activities have been added to the Plan relative to resolving issues with the PDQ process in order to provide additional opportunities to exercise and demonstrate collaborative behavior.

c) Improve communication

- ❑ Demonstrate good listening skills.

- Routinely use feedback to assure common understanding.
- Control emotions (particularly anger) in communications.
- Do not feed past issues into current problem solving.
- Recognize when an impasse has been reached and avoid a protracted debate.
- Improve skills in giving and receiving feedback.
- Attend the following training courses in support of this area. (Prepare a brief report containing lessons learned and action plan following each course).

Interpersonal Communication -- (Course #816 as offered by the California State Training Center) - Class Date: 6/28-29/99

Stress Management -- (Course #335 as offered by the California State Training Center) Class Date: 6/23/99

Effective Listening -- (Course #813 as offered by the California State Training Center) Class Date: 9/21/99

- Indications of progress in this area would be:
 - Completion of lessons learned document per above.
 - Successful implementation of actions described in lessons learned document.
 - Feedback from site supervisors relative to the clarity, success, and ease of each communication.
 - Assessment of 3rd party facilitator.

Progress: Improving Communication

Several Site Supervisors and co-workers have noted that they feel you are listening more and they recognize greater efforts to communicate.

Feedback also noted that more friendly, relaxed, casual conversation is desired to further develop interpersonal rapport with co-workers.

However, co-workers have continued to express concern that, at times, they perceive your style and manner of interacting with them to be argumentative and confrontational. This is one of the key areas where you need to make dramatic improvement to satisfy the requirements of the Performance Plan. While recognizing your efforts in this area, additional improvement is necessary to upgrade your performance to our expectations. We will continue to work with you to assist you in making the necessary improvement in this area.

Improvement is still needed in your willingness to accept and utilize constructive criticism offered by others.

Comments:

It remains our belief that your reluctance to take any ownership or responsibility for your personal role in the performance concerns set forth in the introductory paragraphs of the Plan and Evaluation continue to impede your progress toward their resolution.

J. J. Fuli
Originating Supervisor

5/26/99
Date

Walter Lewis
3rd Party facilitator

5/26/99
Date

Second Level Supervisor

Date

J. J. Fuli
Employee

5/26/99
Date

JERRY JONES

-RETIRED-

Active Mgt, Technical Services

Auto Accident Dec 10, 1997

← @ Smith @ the time

SAVING JONES

1979 → 1993

FRACITION MAINTENANCE

JAMES SUMM JIM SHELTER

RESTRICTED ACTIVITY?

CONSTRUCTION - ~~WORKING~~

TRAINING

→ BURGLARIOUS

JIM 1993

JIM FIELD - TALK CRACK

ATTEND BY SHELLER - RE: SUMM / FIELDS
LATE 1993 EARLY 1994

FIELD WORKS 3rd time RE: SUMM (at first

RE: SUMM 1985-1996-1997
& WORKS
at 3rd time 1985-1996-1997

SAFE

RE: SUMM AT MEANS
OVERSIGHT common

H/B

6/1/99
1989-1993

3PM CALLED RE: ADVICE 1995 → 1997

FIELDS ←

Robert

6/1/99

(1)

6/1/99
1:05 PM

STEVEN KEDER
PLANT MANAGER
LOWN TRAYOR - DIR OF POWER CONSTRUCTION
19 YEARS

USNA - BS
NUC TRAINING
SOBS - NOCS
JUNE 73
FALL 73 @ PG&E - HUMBERT BAY
SMUD - NUC INSTR SEPT 79
~1993 Plant Mgr ~~SAUM~~

DESIGN ENGINEER → ~1985 TURBINE WITH SMU
— PROFESSIONAL

"Michael Improvement" → INTERPERSONAL
cooperation with other
employees

- ① INTERACTION w/ PERSONNEL INDIVIDUAL - RE: EFFICIENCY
- ② BUYER - FEEL OF SAFETY - FEEL THREATENED
- ③ FIELD CONCERNS FOR HIS OWN SAFETY - NO SPECIFIC
GENERAL DENIAL
- ④ WHERE BECAUSE INCIDENT - FEEL REASON
— THINGS COULD BE BY FIELD — LOGS

②
REVIEWED

PROBABLE FOR UNIT PRICE VARIANCE

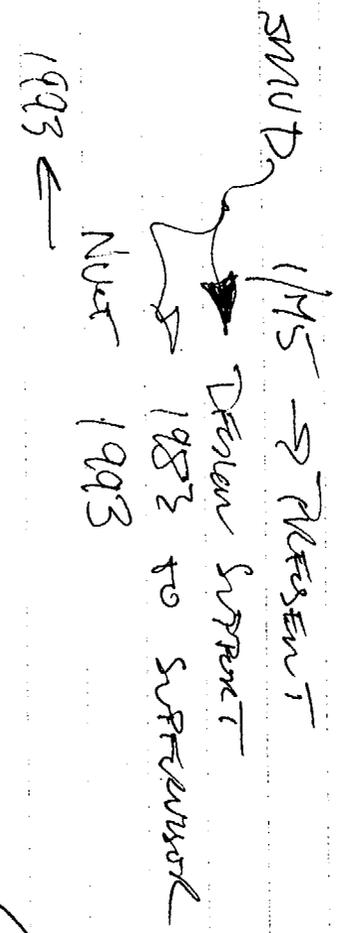
Need to do 2 things
①. Need to improve measurement skills
②. EVM. work rate var

Plan
Columns come to ~~200~~ REVIEW -
NO SPECIFIC TARGET

Unit Price var. EVM units done
D. Conclusions have poor EVACUATION

JAMES FIELD
6/1/99
2:45pm

CSCU 1990-1974 BSMF
CSDS 24 UNITS TO UNKD MSMF



[Handwritten signature]

[Handwritten signature]

6/1/99
Systems Tuesday 12:00pm

1991 - SUM -

← 1984

RICHARD MINHEIMER
LEASING ENGINEER

6/1/99

JUST GOT 17 YEARS
IN 1992/1993 ON INVOLVED WITH SEVERAL
SYSTEMS TOWIN FOR PROTECTION
DAYS → DID EXTENSIVE RESEARCH
→ THURS WITH FEW DELAYS

→ WASHINGTON UNIVERSITY WLF

→ 1994

DENNIS GARDNER
GENERAL
WILLIAMSON
WFO - LITHON. SUPERVISOR

6/1/99
10:35 AM

JEFF WILLIAMS - BEFORE JONES
PRINCIPAL I & C ENGINEER

6/3/99
@ SMUD HQ
10:00 AM

79 → 89

INTERMEDIATE LINDA CONKLIN (SUPERVISOR) →

SUPERVISOR, I & C DESIGN

SAUM WORKED IN GROUP THE WHOLE TIME

SUPERVISOR I & C DESIGN @ RSDGS →

BSME - UNIV NEV 1958 →

PG&E - 10 YRS

1969 - SMUD 1989

"FRICTION / CONFLICT"

ON SUCH LINE - CAN REMEMBER

→ DEBBIE N.

DEBBIE ALBERT → HK TECHNICIAN

KATHY ZELNIK ←

PRESIDENT OF SMUD UNION

6/3/99
11:05 AM

JUNE 10, 1998 ← BENEFITS

6/3/99
1:00 PM

BEVERLY DAHLE →
MANY YEARS - ON/OF 21 YEARS
PERCENTAGING → BUYER

PAHLE
DALEE

MRS → DALEE

10 YRS 1988 - NUCLEAR BOYER
1988 → 1993:

DEMANDING

→ PHIL TERRY MEE @ KSNBS
workout Room

6/3/99
1:30 PM

CIMLIE ALDOUS
SECURITY SPEAKERS

WNS CONTRACTED BY STEPHEN FURBER
with summer with NAVA guns in ALASKA,
ON VICTIMIZATION.

→ JAMES GAUM

1984 - AS SECURITY COUNCIL
without procedures
of INDIVIDUALS - without?

6/3/99
2:53pm

ROBBINS, WILLIAM
RSN065
SUPV RADIATION FELLOW SPECIMENS T

NOTREBS - H
SMUD 1975 → 1999 (PRESENT)

1987 ● ———
1997
"FUEL DEVICES" ———
on A

WENND COLUMBO, NOV 1, 1998 RETIRED
FEEL ASST TO FURNA WORK
1969 - @ SMUD
→ NOV 1998

6/3/99 3:07
REDECKER
FURNACE ROOM



Tim Brown
7/2/99
10:00am

Johnna Brooks - Army

DELETED SHOWN RE: COUSIN, SUSTAINING

SITE AND UNPAID ACCESS / TREATMENT

THE LINDS REDERER TOLD SHOWN NOT TO
GET WITH MEMBERS OF GOVERNMENT

7/9/98 - GO TO NYE

- THE VERMONT - WENT TO PLANT - PROSECUTOR

DETECT

PSYCHIATRIST

CALCULATION TECHNIQUES - WITH
ARM NUTS - OF QA
SOME EFFECTS

STRUCTURE - WHO?
→ VISITED LEADS BY KEYS (TECHNIQUE) →
7/1/98 →

EXAMINATION

LOS BOY PROGRAM

TO LINDA TO PROTECT HEALTH &

RE: 8/20/98 ORE MTS - DID SMD KNOW

WAS THERE A PROB. WITH WHERE ^{SHERIFF'S} RADIO WAS PLACED?

? FUDGED DATA CALIBRATED DATA

MOUNT LTD VIOLATED NRC LICENSE TO
REPORT PWTS TO NRC

DO WANT THEM

- Jim had that CONFIDENTIAL - was RELEVANT
 who got phone with NAME
 - Never had any ~~idea~~ ~~idea~~ ~~idea~~

- It had the ~~idea~~ - DUE TO THE USE OF ~~CONFIDENTIAL~~
 ~1991 - ~~TRANSFERRED~~ TO ~~HAND~~ ~~ALWAYS~~ ~~WAS~~ ~~DISSEMINATED~~
 - Teams to the Army - ~~DISSEMINATED~~

- That was the ~~CONFIDENTIAL~~

- CONFIDENTIAL
- WORKING
- Mission Directors
- Programs

in 1991 went to ~~Spent~~ ~~for~~ ~~the~~ ~~Bill~~ ~~Review~~ ~~the~~ ~~only~~ ~~P/A~~ -

- New Human Systems ~~and~~ Security
- DEVELOPMENT SECURITY PLAN for
- THE GIVE - ~~show~~ ~~was~~ ~~primary~~ ~~function~~
- show was ~~focus~~ ~~on~~ ~~security~~ @

IN 1991 - ~~was~~ ~~presented~~ ~~to~~ ~~supervisor~~ ~~of~~ ~~security~~ ~~and~~ ~~policy~~

3/12/99
 INTERNAL MVA
 SUPER, DIS SECURITY
 OPERATIONS

DISCUSSED IT & HAD MENE READY - UNWITTING
NWA TO SIGN - TOLD HIM WOULD NOT
SIGN -

NWA NOTIFIED SUPERVISOR & SAID WOULD
BE WILLING TO TALK

* DON'T RECALL EXACT SLOWING THE MERE

- MOVED ACCESS NWA
- ~~MOVED~~ DID PROTECT TO TIE IN PERMITTED
SYSTEM
- IAD START FUEL STOP SITUATION
 - SAW & NWA WORKING ON THIS
 - INCLUDING DESIGN & LIGHTING
 - INTRUSION DETECTION
 - SAHM FELT THERE WAS A PROBLEM
WITH ONS/SKS
 - STILL IN PROGRESS WITH ONK

IN AUG 28 1998 - AMEND BY PROSECUTOR
WAS @ SAHM HQ ON THAT DAY
AS IN STATEMENT - INFLEXIBLE
- AGGRESSIVE
- CONCERNED ABT BEHAVIOR

HAD CHUCK ALDOUS DO THAT ANALYSIS - FBI
VIOL IN WORKPLACE ASSESSMENT - FOUND
CONCERNS CREDIBLE - WERE VERY
ANSWER TO BEND DUAL

ONE INDIVIDUAL - BUREAU ACCESS FROM FEELING
ABOUT

UNIA WMS IN MUSMA FOR ZUCOLS - CHECK
FINISHED EVALUATION TOOL TO NUNYA'S BOSS
DONATED DONEY, MAN GEN. SERVS - TO
KONTUMAL - WENT TO FEEL (MURRI) - STARTED
PHORS WITH SEE A DYNACORP.



831-685-8225
CONSULTANT TO SMU
DIXIE FLOWERS & ASSOC
APTOS, CA.

METHOD OF BEHAVIOR
APPROPRIATE
LISTEN SELECTIVELY
HARD TO WORK W/ PEOPLE W/ OTHER

EVERYTHING VIZ. INTERPERSONAL SKILLS IS TRUE

HELS UNFLEXIBLE

EFFORT TO DEMO WORK

HAVE EXPERIMENTED THE "BEST WAY"

LOOKING FOR A PROBLEM, ON MANY AREAS
INCLUDING SITE SECURITY & FLOWERS - XFER
OF ESCORT

RECENTLY WANTS SMU TO TAKE OR WRITE PDR'S

NO ON VIOLENCE

WANTING TO GET SMU TO WRITE PDR'S
SMU MADE COMMENTS RE: CLINICAL
THREAT IT WAS A MISCOMMUNICATION
ONE GET EVIDENCE WON'T LET GO

ONLY IF SMU/PROFESSOR TRUST RE ALL PARTS
WAS OUTGROWN AT THIS MEETING



5/12/99

JIM FIELD

JAMES JOHN FIELD

NUC TECH SERVICES SUPERINTENDENT, PSNG

WITH BLUE NO NUMBERS

GROUP SURV LEFT - ~~JEFF~~ JONES (ELECT & ITC) (MELT)
IN GROUP BUT NOT SUPERVISOR
UPON WRITING CONTRACT
TOOK OVER WITH A SUPERVISOR OF ~~MECHANICAL~~
MECHANICAL WORK -

1993 COMMUNICATION PROBS BET SWIN & CO
& WITH OTHERS (HE INTERFERED WITH)

PERF EVAL - END OF 1993 - GAVE HIM
A "NEEDS IMPROVEMENT"

NOT SATISFIED - ADMITTED TO REDFERN
- REDFERN SAID OK -

ADMITTED TO SHERER WHO INVESTIGATED
- HE GAVE PROFLATENT
- HE HIGHLIGHTED SOME DEFICIENCIES

607 FEEDBACK THAT PERF WAS SAME
JERRY WILLIAMS -
JERRY WILLIAMS IS RETIRED



NOT Documented in Paul's ~~Hand~~ ~~Handwritten~~ ~~Handwritten~~
STEELE WORKED BOTH OF US TO WORK
ON THIS.

I was Meticulous NOIDMEE WITH SHAW
STANDARD MEETINGS
6 was LATER FINAL - PROGRESS
FUND OF AS - PROGRESS

- HIGH TECH COMPUTATION
- Need to locate on INTERCOM
SILVUS
~~PERKINS~~ ALBERT

LAST NOV - w/in two week PERIOD

- 2 DIST. CONSPIRACIES
- 7/2/98 RANDOLPH Clark left in Tee
AL JUVES WORK - A BUSTLE - AND
A TRUOR - UN PROGRESSIVE -
TRANSFORMING

→ THIS ADVICE

Back THUS to REDEFINE - CONSPIRACIES
THOUGHT TO BE THE ITSELF (FIDES)
THUS TO FIND - SAID FOR SHAW
THUS FROM WORK



STUD WARDEN TO RAISE TO 2000

SMITHINGTONS OF BEU DARRY

~~REPORT~~ I CURS ~~CONTRACTED~~ FOR MY ~~SPOT~~
His ~~TRUSTING~~ FINANCIAL - NO FINE ~~STRUCTURED~~ WITH ISSUES ~~CONVERTIBLE~~
- FRESH FINE, CLINCHING FIRST, PUSHER ~~STRUCTURE~~.
Doubt to talk to STEVE ~~REVERSE~~

RESERVE PURSUED GETTING A FURNITURE WITH
THOUGHTS ~~WORTH~~

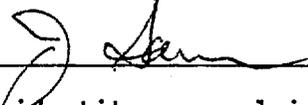
REORDER DIVERSED TO RESEARCHER
THEIR ~~IN~~ INVESTIGATIONS ~~REPORTS~~



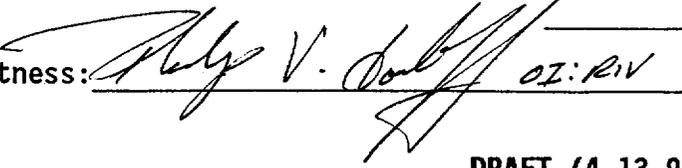
NRC ADVISEMENT ON IDENTITY PROTECTION

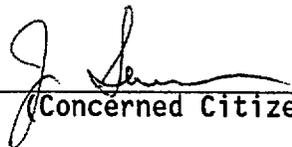
Concerned citizens in the past may have incorrectly assumed the NRC can and will protect their identities under all circumstances. Therefore, this advisement is provided to clarify the degree of protection which can be afforded to a concerned citizen making an allegation:

- (1) In resolving technical issues, the NRC in protecting your identity intends to take all reasonable efforts to not disclose your identity to any organization, individual outside the NRC, or the public unless:
 - ✓ You clearly indicate no objection to being identified;
 - ✓ Disclosure is necessary to ensure public health and safety;
 - ✓ Disclosure is necessary to inform Congress, State or Federal Agencies in the furtherance of NRC responsibilities under law or public trust; or
 - ✓ You take actions that are inconsistent with and override the purpose of protecting your identity.
- (2) For allegations involving wrongdoing, your identity MAY BE disclosed at the NRC's discretion in order to pursue the investigation.
- (3) You should understand that you are not considered a confidential source unless you request such confidentiality and it has been formally granted in writing.
- (4) If your allegation is that you have in some manner been discriminated against for having raised safety concerns, it is impractical to investigate such an allegation without using your name. Therefore, for allegations of harassment and intimidation, the NRC WILL disclose your identity during the NRC investigation. If you request that your name be kept confidential, the NRC will normally not investigate your allegation of discrimination.
- (5) Information provided under the Freedom of Information Act (FOIA) will, to the extent consistent with the Act, be purged of names and other potential identifiers.

I , fully understand the degree of protection of my identity as explained in this document.

Date: 3/26/99

Witness:  OI: RIV


(Concerned Citizen)

DRAFT (4-13-95)

A/14

SACRAMENTO MUNICIPAL UTILITY DISTRICT

OFFICE MEMORANDUM

To: JIM FIELDS DATE: December 12, 1995
From: DENNIS JONES EX 4325 M.S. 253
Subject: Personnel Interactions Jim Saum

On several occasions an engineer from your department has contacted an electrician regarding design problems with a particular design package. During these discussion subject came up that weren't related to the job. these subject concerned personality relationships which was not solicited and made the electrician uncomfortable. One of the conversations concerned a casual conversation with you where the electrician made some unfavorable remarks about this engineer.

This engineer has contacted one of my electricians and asked him to sign a document addressed to Jim Fields that stated "There was a good working relationship between the electrician and the engineer". The electrician sign the document with the intent of trying to preserve a working relationship with this engineer.

I believe this kind of intimidation is inappropriate and I don't want this engineer bothering my electricians unless he has contacted me first. As this engineer writes everything down that is said and repeats it to you. This engineer is harassing the electricians and I want it stopped.

We have a much better working relationship with the other engineers



	INITIALS	DATE	REFERENCE
PREPARED BY			
CHECKED BY			
APPROVED BY			

EXHIBIT 1
6/3/99
ALBERTE

6/10/98 at approx. 4:30 p.m.

Mr James Saum called me highly upset & using a very high tone of voice pretty much yelling at me on the phone because I had returned his original Medicare beneficiary designation form dated 12/29/97. He ask why I returned it, I explained this is a legal document & can't have any typos, mistakes/cross outs. I ask^{ed} to look at the top of the form, it states it on the form. James ask where the mistakes was I told him I didn't have a copy because I mailed it to him. He got even angrier, because I didn't have a copy, I told him if he'd faxed me a copy I could tell him where the mistake was. He said so you don't know whose form you returned, I replied I don't keep copies because copies will not hold up in court because it is not the original document, I told him I keep a list of employees I return

copies not done per

	DATE	REFERENCE
PREPARED BY		
CHECKED BY		
APPROVED BY		

L
L
P
N
NO.

1 these forms back to & I follow
 2 up if the form doesn't get
 3 returned. During this whole
 4 conversation Mr. Saum continued
 5 to elevate his voice. He ask me
 6 who get his life insurance
 7 if he would die tonight. I
 8 told him I wasn't sure,
 9 it possibly could be his
 10 beneficiary prior to 12/29/97, however
 11 I would check with our
 12 repr. at MetLife & get back
 13 to him. Mr. Saum wanted to
 14 know why it took 6 months
 15 to return his form I explained
 16 we were back logged & if any
 17 thing would of happened
 18 during the last 6 months we
 19 had the original document &
 20 it would of been paid accordingly.
 21 That there was no need for him
 22 to be concerned, I know I had
 23 sent it back to him & I'll followed
 24 up if it wasn't returned. I receive
 25 his fax & pointed out to him
 26 the mistake. I ask him to
 27 please complete the ^{new} form & return
 28 ASAP, & I would get back to him
 29 after checking with MetLife. ^{His + me + you +}
 30 During this conversation with Mr. Saum ^{last night I was told by}
^{from a}

30
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1

one of my co-workers came into
my office & he was holding the
phone away from ^{my} ear. The
co-worker sat in the chair
next to my desk & could
hear Mr. Sumner.

I tried to call Mr. Sumner
before the next day, & he
was out of the office for
entire Monday, & wanted to
to know I had spoke with
Mullins about the concern.
He attended memo dated
6/11/98 with Mullins on
Mullins reply.

I reviewed Bonfigli's overhead
Korean Ping to make for
aware of this conversation
between myself & Mr. Sumner
I believe I recalled this
matter in a professional manner
& do not desire to be spoken
to this way. Korean Ping told it over
I had never spoke to Mr. Sumner again.
Direct Quote
SMUD Bonfigli

APPROVED BY	
CHECKED BY	
PREPARED BY	

	INITIALS	DATE	REFERENCE
PREPARED BY			
CHECKED BY			
APPROVED BY			

LINE
NO.

1
2 6/11/98 Judie Hensch (ret life)

3
4 I called Judie and ask if a
5 photo copy or a fax would
6 be accepted if a claim
7 were submitted in the event
8 of an employees death.

9
10 Judie stated to me a photo
11 copy or a fax is not acceptable
12 because it could be altered.

13 Therefore an original is required
14 to pay a claim. She said
15 in the event we don't have
16 a beneficiary designation form
17 it would be paid according
18 to our contract. If our
19 contract states we follow a
20 statutory (legally married spouse,
21 if no spouse, then to children,
22 and if neither spouse nor child,
23 if would go to parents. If none
24 of the above is applicable
25 it would go to the employee
26 estate. I told Judie our contract
27 states anyone can be your
28 beneficiary. Since I did not
29 endorse form it sent back & yes
30 this employee had requested a change it

His attorney
will contact

SMUD.

A118

BENEFICIARY DESIGNATION
 (Before Completing This Form, See The Reverse Side)
 (Do not erase or attempt to make corrections, use a new form)



Group Policy No. 74091

Social Security No. _____

In accordance with the conditions of the Group Policy listed above, I hereby revoke any previous designations of primary beneficiary(ies) and contingent beneficiary(ies) (if any) and designate as primary beneficiary(ies) and contingent beneficiary(ies) (if any) in the event of my death, the following:

Primary Beneficiary Designation

Full Name (Last, First, Middle Initial)	Relationship	Date of Birth	Address (Street, City, State, Zip)	Share %

Payment will be made in equal shares or all to the survivor unless otherwise indicated. **TOTAL:** 100%

In the event said primary beneficiary(ies) predecease(s) me, I designate as contingent beneficiary(ies)

Contingent Beneficiary Designation

Full Name (Last, First, Middle Initial)	Relationship	Date of Birth	Address (Street, City, State, Zip)	Share %

Payment will be made in equal shares or all to the survivor unless otherwise indicated. **TOTAL:** 100%

If no beneficiary or contingent beneficiary herein designated shall be living at the expiration of the above-specified period following my death, the amount payable by reason of my death shall be payable as provided in the Group Policy.

Optional Elections (please check box(es) if desired)

- Unborn Child(ren)**—Any Child(ren) designated as contingent beneficiary(ies) born of the marriage of my said spouse (primary beneficiary), with me, who shall be then living, in equal shares, or all to the survivor.

It is understood and agreed that all decisions upon questions of fact, which are made in good faith by Metropolitan Life Insurance Company (MetLife) in determining unnamed contingent beneficiaries hereby designated and which are based on proof by affidavit or other written evidence satisfactory to it, shall be conclusive and shall fully control MetLife in settling claims.

A/19



UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INVESTIGATIONS FIELD OFFICE, REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

March 8, 2000

MEMORANDUM TO: E. W. Merschoff, Regional Administrator
Region IV

FROM: E. L. Williamson, Director *ELW*
Office of Investigations Field Office, Region IV

SUBJECT: RELEASE OF SYNOPSIS - RANCHO SECO: DISCRIMINATION
AGAINST ENGINEER BY MANAGEMENT FOR REPORTING
SAFETY CONCERNS TO THE NRC (OI CASE NO. 4-1999-011)

In response to a request today from Harry Freeman, Allegations Coordinator, Region IV, to release the synopsis of OI Case No. 4-1999-011, this memorandum authorizes release of the synopsis of this report by Region IV.

cc: G. Sanborn
R. Wise
K. Smith
OI:RIV Reading File
OI:RIV Case File 4-1999-011

A/so

From: Harry Freeman
To: Len Williamson, Lynda Jo Baker, Virginia VanClea...
Date: Tue, Mar 7, 2000 2:22 PM
Subject: OI SYNOPSIS RELEASE

This message is to request permission to release the OI synopsis for Allegation RIV-1999-A-0031, OI Report 4-1999-011RJ, to the allegor and to the licensee.

Harry Freeman
Allegations Coordinator /
Enforcement Specialist
(817) 860-8239
HAF@ARL_DO.ARL_PO

ALLEGATION ASSIGNMENT FORM

ARB Date: 12/20/99

<u>Allegation Number</u>	RIV-1999-A-0031	<u>Licensee/Facility</u>	RANCHO SECO
<u>>120 Days</u>	<u>6/23/99</u>	<u>>180 Days</u>	<u>8/22/99</u>

Allegation Summary: The allegor stated that as a condition for continued employment, the allegor must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the problem to the NRC first. Allegor also mentioned another employee that suffered H&I for reporting a concern. Allegation RIV-1999-A-0031 was opened to address the new concerns. The allegor filed a DOL complaint of discrimination. The 3/30/99 ARB requested that OI interview the allegor and the allegation be reconsidered by the ARB after the DNMS:FCDB review of the OI transcript. Allegor provided an additional letter describing how his employment was again suspended, his security clearance revoked, and finally that his employment was terminated on 8/20/99 for refusing disclose what he had said to the DOL and the NRC.

Safety Significance: No safety issues were identified which require action by NRC.

Previous Decision: OI to review the previous investigation case files to determine whether information was provided by the licensee regarding the individual's termination from employment. Reconsideration by ARB on 12/20/99.

ARB Decision: The ARB was advised that the licensee terminated the allegor for not complying with the terms and conditions of his previous reinstatement. Continue to monitor the DOL process and advise the ARB of key decisions. No further action by OI is warranted based on the information contained in the licensee's termination letter to the allegor.

Referral to Licensee: _____ Referral Criteria Reviewed: _____

Overall Responsibility (Division/Branch): ACES

Actions: OI will issue the report of investigation. SAC will continue to monitor the DOL complaint and advise the ARB of key decisions.

Planned Completion Date:

OI Action:	✓	OI Case Number:	4-1999-011	ARB Recommended Priority	
ARB Chairman: L. L. Howell			Date: 12/21/99		
	ECCollins, DRP		ATHowell, DRS		DDChamberlain, DNMS
X	ELWilliamson, OI		GFSanborn, ACES		KDSmith, RC
X	RWise, SAC		HAFreeman, AC/ES	X	GMVasquez, ES
		X	SLPope, DNMS	X	LLHowell, DNMS

cc: Allegation File, ARB Meeting File, OI

ADJ

ALLEGATION ASSIGNMENT FORM

ARB Date: 12/20/99

Allegation Number RIV-1999-A-0031 Licensee/Facility RANCHO SECO
>120 Days 6/23/99 >180 Days 8/22/99

Allegation Summary: The allegor stated that as a condition for continued employment, the allegor must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the problem to the NRC first. Allegor also mentioned another employee that suffered H&I for reporting a concern. Allegation RIV-1999-A-0031 was opened to address the new concerns. The allegor filed a DOL complaint of discrimination. The 3/30/99 ARB requested that OI interview the allegor and the allegation be reconsidered by the ARB after the DNMS:FCDB review of the OI transcript. Allegor provided an additional letter describing how his employment was again suspended, his security clearance revoked, and finally that his employment was terminated on 8/20/99 for refusing disclose what he had said to the DOL and the NRC.

Safety Significance:

Previous Decision: OI to review the previous investigation case files to determine whether information was provided by the licensee regarding the individual's termination from employment. Reconsideration by ARB on 12/20/99.

ARB Decision: *Monitor DOL - No new info as result of second DOL complaint.*

Referral to Licensee: _____ **Referral Criteria Reviewed:** _____

Overall Responsibility (Division/Branch): ACES

Actions:

Planned Completion Date:

OI Action:	✓	OI Case Number:	4-1999-011	ARB Recommended Priority	
------------	---	-----------------	------------	--------------------------	--

ARB Chairman:

Date:

ECCollins, DRP	ATHowell, DRS	DDChamberlain, DNMS
ELWilliamson, OI	GFSanborn, ACES	KDSmith, RC
RWise, SAC	HAFreeman, AC/ES	GMVasquez, ES

cc: Allegation File, ARB Meeting File, OI

ALLEGATION ASSIGNMENT FORM

ARB Date:

Allegation Number RIV-1999-A-0031 Licensee/Facility RANCHO SECO
>120 Days 6/23/99 >180 Days 8/22/99

Allegation Summary: The allegor stated that as a condition for continued employment, the allegor must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the problem to the NRC first. Allegor also mentioned another employee that suffered H&I for reporting a concern. Allegation RIV-1999-A-0031 was opened to address the new concerns. The allegor filed a DOL complaint of discrimination. The 3/30/99 ARB requested that OI interview the allegor and the allegation be reconsidered by the ARB after the DNMS:FCDB review of the OI transcript. Allegor provided an additional letter describing how his employment was again suspended, his security clearance revoked, and finally that his employment was terminated on 8/20/99 for refusing disclose what he had said to the DOL and the NRC.

Safety Significance:

Previous Decision: SAC to acknowledge receipt of 10/13/99 letter and other review is ongoing. OI advised the ARB that investigation is ongoing; however, discrimination is not a factor.

ARB Decision: OI to review draft report for reasons Rancho Seco terminated Saums employment.

Referral to Licensee: _____ **Referral Criteria Reviewed:** _____

Overall Responsibility (Division:Branch):

Actions:

Planned Completion Date:

OI Action:	✓	OI Case Number:	4-1999-011	ARB Recommended Priority	
------------	---	-----------------	------------	--------------------------	--

ARB Chairman:

Date:

ECCollins, DRP	ATHowell, DRS	DDChamberlain, DNMS
ELWilliamson, OI	GFSanborn, ACES	KDSmith, RC
RWise, SAC	HAFreeman, AC/ES	

cc: Allegation File, ARB Meeting File, OI

November 30, 1999

Telephone conversation with: Paul Leary, DOL Investigator, San Francisco
(415)975-4873

I contacted Mr. Leary about the case, specifically, to determine whether the case had been closed considering what Mrs. Nardizzi had told me. He said the case is still open and that he is attempting to convince Mr. Saum to take the settlement, especially, since he was terminated in mid-October. He said that Mr. Saum is very argumentative and it is very difficult to get through to him without an argument.

Mr. Leary stated that a second complaint was filed by Mr. Saum following his termination and that DOL is considering combining the complaints, but a decision has not been reached. He said that he is actively working both complaints and he would advise me as things progress.

R. Wise
11/30/99

November 10, 1999

Telephone conversation with: Jerry Foster, DOL Regional Supervisor
(214)767-4731

I explained to Jerry that I was calling about a complaint filed by James Saum against SMUD because I had learned that his office was asked to assist the San Francisco office with the complaint. Jerry said that Mrs. Rosanna Nardizzi was the investigator who had worked the case and Mrs. Nardizzi proceeded to brief me about the case.

Mrs. Nardizzi stated that Mr. Saum really did not have a valid complaint, in that, nothing of a negative nature happened to him as a result of bringing up safety issues. She said that as is the usual practice, she worked on conciliating the case and she negotiated a \$110,000 settlement for Mr. Saum, with \$25,000 for his attorney. She added that Mr. Saum rejected the settlement and she subsequently submitted the case back to the San Francisco office. She did not know any more about the case.

R. Wise
11/10/99

It Fax Note	7671	Date	pages
From	Bruce Notarum	From	J. Fields
Dept		Col.	
no #		Phone #	
*		Fax #	

IDENTIAL

CIPAL UTILITY DISTRICT
MEMORANDUM

TO: James Field

DATE: 6/24/99
MNTS: 99-069

FROM: Jim Saum *JS*

SUBJECT: IDENTIFICATION OF DETERRENTS TO REPORTING PDQ'S

First, I want to make it very clear that I have been and will continue to meet my legal responsibility in reporting safety concerns pursuant to NRC Form 3. Accordingly, I have been reporting these concerns to my supervisors and/or the NRC as appropriate. I have clearly communicated the subject deterrents in my discrimination complaint filed with the US Department of Labor and in memo MNTS 99-027. I also want to make it clear that I feel very intimidated by this situation imposed upon me to be continually required to discuss this sensitive matter with the persons who are the subject of my discrimination complaint. I have requested to have a representative be present at any meeting on this sensitive subject. Unfortunately, this request was denied. I request that no further direction or condition be made which requires me to be subjected to this intimidating line of inquiry until after pending legal proceedings have been completed.

As you know, I am very interested in correcting the intolerable and suppressive working environment I am subjected to and to stop any further discrimination at Rancho Seco. In order to ensure that this problem is properly acknowledged, remedied and that corrective actions are taken to ensure that this problem will not recur, I have reported this problem to the NRC and to the Department of Labor. It is under this setting that this matter can be best resolved.

The deterrents against my reporting of problems via PDQ's have been well described in my written complaint to the US Department of Labor. In this complaint I have described many specific adverse, retaliatory and discriminatory actions which have been and continue to be deterrents for me to write PDQs. Recently, I have written two PDQ's 99-042 and 99-044, which describe problems with the Security Computer System. I discovered these problems while acting as Test Director for STP-1350, "Y2K Testing". I felt somewhat secure in writing these PDQ's since I felt that neither my supervisors nor coworkers would take offense by the nature of these described problems.

On 3/8/99, Mr. Redeker expressed his strong desire to avoid a court setting and indicated that we should meet on this matter to demonstrate my ability to successfully communicate and work with you. As you know, this is a condition for my continued employment. It is hoped that you will stop intimidating me with this condition for exercising the NRC Form 3 reporting rights. Therefore and finally, I request that no further direction or condition be made which requires me to be subjected me to this intimidating line of inquiry until after pending legal proceedings have completed. I look forward to working with you and the District in resolving this matter.

CONFIDENTIAL

HS

CONFIDENTIAL

Cc: Colin Taylor MS A532
Steve Redeker MS N504

CONFIDENTIAL

From: Phil V. Joukoff
To: Len Williamson
Date: 7/16/99 5:40PM
Subject: 4-1999-011

Len,

FYI and the case file, I received the following information today regarding this case.

I spoke telephonically this morning with James SAUM, the alieger, who reported that he had been terminated by SMUD. SAUM provided the following rambling comments on the situation. The conversation was disjointed as it appeared to me that SAUM was not listening to my answers to his questions, but was rather expressing his disapproval with the entire situation, including the actions of the NRC.

1. The USDOL investigator, Mrs NARDIZZI, asked for the NRC's support in her investigation but NRC did not assist. I told SAUM this was not the case as USDOL and NRC are pursuing parallel investigations in this case for different purposes and we had told NARDIZZI that the matter was currently under active investigation.
2. SAUM needs an immediate decision regarding whether NRC's investigation of his discrimination concerns would reveal any wrongdoing on the part of SMUD and/or SMUD employees. SAUM stated he needs support from NRC to proceed, including a finding of "technical merit" regarding his allegations, or he would have to "drop" his USDOL case against SMUD. SAUM added that all of his technical claims, as reported to Vince EVERETT, are valid despite that NRC did not substantiate his allegations. I told SAUM that we were still investigating his case. I also told SAUM that if he had any additional allegations/concerns, he should provide them in written form to Russ WISE.
3. SAUM reported that he was being "coerced" by USDOL into taking a "VSP lay off package" being offered by SMUD to settle this matter as California DOL had ruled against him, and USDOL will rule against him if he does not have a finding from NRC that there is merit to his case. I told SAUM that we did not discuss the status of cases that under investigation. I told SAUM that as he felt coerced, he should discuss this matter with his attorney to obtain guidance. SAUM told me that he had no funds to pay an attorney.
4. SAUM again wanted NRC's help in obtaining access to his office at Rancho Seco to retrieve papers and computer stored data regarding his allegations/filings with NRC and USDOL. SAUM stated that some of the papers in his office were his "personal" papers and that he had spent \$80 at "Kinkos" coping these papers. I asked SAUM whether he had made copies of SMUD documents at "Kinkos", and he said yes, and that these copies were his property. When I asked SAUM if he felt that copies of SMUD documents made at his expense were his property, he did not answer my question but asked that I call NARDIZZI and tell her that "maybe there is merit to my case". I agreed to call NARDIZZI to discuss the matter.

Subsequently, NARDIZZI telephoned me and reported the following:

1. She was attempting to negotiate a settlement between SMUD and SAUM, that had been proposed by SMUD, that included 6 months of pay (\$40,503), payment for accrued personal leave (\$23,029) and sick leave (\$22,237), and payment of SAUM's attorney fees up to \$25,000, for a total maximum settlement of \$110,770. SMUD had also agreed to give a neutral reference of SAUM to any prospective employers that contacted SMUD, and to remove his termination letter from his personnel file. SMUD had also offered 18 months of "COBRA" medical benefits to SAUM, but NARDIZZI was unsure as to who was to pay for this benefit.
2. NARDIZZI wanted NRC to encourage SAUM to accept this offer and I advised her that NRC did not get involved in such matters. I told NARDIZZI that I had recommended to SAUM that he seek legal

ALBY

advice from an attorney, and she reported that she had advised SAUM of the same.

3. NARDIZZI felt that SAUM did not have a good discrimination case against SMUD and should settle. I told her we had the matter under investigation at this time.

I am sending you via FEDEX two letters I received from SMUD this week. The first is SAUM's termination letter with attached supporting documents, and the second is SMUD's response to SAUM regarding his obtaining access to his office at Rancho Seco.

Based upon my review of these documents, and the above info., I still feel that we should continue to close this case as unsubstantiated.

Let me know your thoughts,

Thanks,

Phil



STANDARD DISTRICT POLICY	Section	Subject
	COMMUNICATIONS	ELECTRONIC COMMUNICATIONS

GENERAL POLICY

The various forms of electronic communications are tools to help employees more efficiently conduct SMUD's business. SMUD expects you to act responsibly and professionally when using electronic mediums such as radio, telephone, voice-mail, Internet, and e-mail. Transmission and maintenance of electronic materials in any form or format over or on District property which is either unlawful or against District policy is strictly prohibited.

INAPPROPRIATE USE POLICY

You are not to use District owned electronic networks or equipment to transmit (send or receive) or maintain (record or store) prohibited information, data or materials. (See list below for examples.) You are not to use SMUD's electronic communications for personal gain. Personal and non-business use are prohibited. Violations of law or District policy may subject you to disciplinary action and could be grounds for your termination.

Examples of uses of electronic communication or other electronic media which are contrary to District policy include, but are not limited to, use in which the message or activity:

- Violates or infringes on the rights of any other person.
- Violates or infringes on another employee's right to privacy.
- Contains defamatory, threatening, racially, ethnically or sexually offensive content, or is otherwise in violation of the District's anti-discrimination policies.
- Contains sexually explicit materials including nudity.
- Restricts or inhibits other users from using the system or the efficiency of the computer systems.
- Encourages the use of controlled substances or uses the system for the purpose of criminal intent.
- Uses the system for any other illegal purpose or solicits the performance of any activity that is prohibited by law.

A/25

Jan Schrie



STANDARD DISTRICT POLICY	Section	Subject
	COMMUNICATIONS	ELECTRONIC COMMUNICATION

- Conducts any non-authorized business.
- Transmits and/or stores material, information, or software in violation of any local, state or federal law or in violation of District policy or procedure.
- Conducts any political activity which is either unauthorized or unrelated to the District's business.
- Conducts any unauthorized fund raising or public relations activities.
- Conducts any personal business transactions.
- Makes any unauthorized purchases.

PRIVACY POLICY

The District has the right to monitor employees' electronic communications and any information, data, and/or materials that may have been stored on any District electronic equipment. The District owns all electronic communications systems and equipment that it assigns to employees. All data, documents, messages, images, voice imprints, recordings and materials of any kind or format which are stored, intentionally or inadvertently, on these systems and equipment is owned by the District.

EMPLOYEES HAVE NO EXPECTATION OF ANY RIGHT TO PRIVACY IN ANY SUCH MATERIALS AND DATA STORED AND/OR MAINTAINED ON DISTRICT PROPERTY. SUCH MATERIAL AND DATA ARE SUBJECT TO INSPECTION AND CONFISCATION BY THE DISTRICT AT ANY TIME, WITH OR WITHOUT NOTICE AND WITH OR WITHOUT PASSWORD PROTECTION.

USER'S RESPONSIBILITY

You represent SMUD. You are responsible for learning and using the proper etiquette associated with each communication medium. For help with Internet and E-mail rules, refer to the document, SMUD's 'Netiquette' which appears as an attachment.



STANDARD DISTRICT POLICY	Section	COMMUNICATIONS	Subject	ELECTRONIC COMMUNICATIONS
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You are responsible for using resources wisely. Wasting electronic bandwidth, creating "junk mail", and "spamming" (inappropriate widespread broadcasting of messages) are examples of activities that are not appropriate.

You are also expected to conduct your electronic communications activities in conformance with the District's security policies and guidelines.

If you are voicing your opinion such as in messages to newsgroups, be sure to note in your communications that it is your opinion and not necessarily a position of SMUD. Don't post or send information that claims to represent SMUD's position or views unless it is cleared by your manager or by Media and Marketing Services.

COPYRIGHT VIOLATIONS

It is inappropriate to transmit data, programs, illustrations, or documents that might create a copyright violation. Guidelines are simple:

- If you did not create it or do not own the rights to it, do not transmit it.
- Do not assume that the person who gave it to you has the legal right to distribute the materials in question.
- When in doubt, ask.

RECEIPT AND ACKNOWLEDGMENT

I James Savm acknowledge receipt of a copy of the District's
(print name)
policy on Electronic Communications (SDP 4.3.4). I understand it is my responsibility to read
and abide by this policy.



Employee Signature

4/24/97
Date

8452
Employee Number

At 26

SACRAMENTO MUNICIPAL UTILITY DISTRICT

OFFICE MEMORANDUM

TO: Jim Saum

DATE: 5/26/99
MNTS99-054

FROM: Jim Field

SUBJECT: INTERIM EVALUATION - MAY 1999

In April, a performance plan was developed and provided to you in order to assist in your efforts to satisfy the conditions of your continued employment established in the General Manager's letter (GM98-352) of October 30, 1998. This memo is an interim evaluation of your progress in meeting the goals and objectives of this plan, specifically covering the period 4/07/99 to 5/07/99.

In addition, the Performance Plan has been brought current. Specific changes include revised schedule dates on five courses, elimination of the course "Conflict Management", as it is not available in a reasonable time frame, and addition of three activities directed at resolving issues with the use of the PDQ process. A copy of the revised plan is attached.

Areas Needing Improvement

- 1) Communication
- 2) Interpersonal Skills
- 3) Collaborative Problem Resolution/Negotiations
- 4) Exhibiting a positive and cooperative attitude toward co-workers, supervisors, and management
- 5) Accepting responsibility for personal actions
- 6) Accepting a need for change
- 7) Control of emotions in communication
- 8) Maintaining focus on work assignments
- 9) Inability to put the past behind and focus on the future

Activities To Be Completed

- a) **Build and maintain good working relationships**
- Act respectfully to co-workers at all levels of the organization in consideration of their knowledge, expertise, ideas, and assigned roles in the success of site operation.
 - Act respectfully and be supportive of supervision/management and of management direction in action and casual conversation

AFJ

- Meet with selected supervisors to understand how they view working relationships. Provide a "Lessons Learned" document that includes actions to be taken Target Date: Ongoing
- Attend the following training courses in support of this area. (Prepare a brief report containing lessons learned and action plan following each course):

Understanding Yourself and Others – (Course #311 as offered by the California State Training Center) - Class Date: 9/22/99

- Indications of progress in this area would be:
 - Completion of lessons learned document per above
 - Successful implementation of actions described in lessons learned document.
 - Improved relationships as reported by site supervisors
 - Assessment of 3rd party facilitator

Progress: Building and maintaining good working relationships

Memo MNTS99-039 dated April 19, 1999 was written by you to document four (4) separate interactions. They were 1) a meeting with Esteban Nava, 2) a discussion with Bill Wilson, 3) a collaboration with Dennis Jones, and 4) a collaboration with Phil Terry. These actions provided that which was contemplated by this item. Initiative was shown in assuring that the meetings occurred, however, you did not appear to be sufficiently introspective or self-critical to identify possible changes in your behavior.

Look for other opportunities during this probationary period to build new and strengthen existing working relationships.

I encourage you to be observant and self-critical in these interactions for Lessons to be Learned.

b) Demonstrate a collaborative style in all interactions

- Listen to the ideas of others, give these ideas full consideration and convincingly communicate to others your full consideration.
- Demonstrate interactive problem solving.
- Attend the following training courses in support of this area. (Prepare a brief report containing lessons learned and action plan following each course):

Dealing with Difficult People – (Course #420 as offered by the California State Training Center) Class Date: 5/25/99

Conflict Resolution and Confrontation Skills – (as offered by Fred Pryor Seminars – date and location to be announced)

- Collaborate with your supervisor and manager to identify any deterrents to reporting Potential Deviations from Quality. Target Date: 6/07/99

Collaborate with your supervisor and manager to develop and implement an Action Plan to eliminate those deterrents. Target Date for Action Plan: 7/1/99

- Demonstrate collaborative skills in working with affected supervisors in the development of an alternative ISFSI Security Plan.

- Indications of progress in this area would be:

- Completion of lessons learned document per above
- Successful implementation of actions described in lessons learned document.
- Greater satisfaction with problem resolutions as reported by site supervisors
- Assessment of 3rd party facilitator
- Specific experiences noted where collaborative problem solving resulted in a "win-win" solution to the problem
- Memo documenting consensus on deterrents to the use of the PDQ process
- Memo documenting the Action Plan for resolution of deterrents to the use of the PDQ process
- Evidence of the use of the PDQ process

Progress: Demonstrating a collaboration style in all interactions

Two examples of collaborative behavior were identified in memo MNTS99-039. Afterwards the participants felt satisfied with the collaboration, however, they expressed a desire that you further emphasize listening to and understanding their positions.

Discussions about the PDQ process with your supervisor and the third party facilitator during the past month resulted in isolating your area of concern to only 5% to 10% of PDQs generated. This is viewed as an encouraging effort at collaboration.

Reaching a common understanding with your supervisor of the form and content of the Lessons Learned memo is an example of a successful collaboration.

We remain concerned that you make greater progress in developing a more collaborative style. Activities have been added to the Plan relative to resolving issues with the PDQ process in order to provide additional opportunities to exercise and demonstrate collaborative behavior.

c) Improve communication

- Demonstrate good listening skills.

- Routinely use feedback to assure common understanding.
- Control emotions (particularly anger) in communications.
- Do not feed past issues into current problem solving.
- Recognize when an impasse has been reached and avoid a protracted debate.
- Improve skills in giving and receiving feedback.
- Attend the following training courses in support of this area. (Prepare a brief report containing lessons learned and action plan following each course).

Interpersonal Communication -- (Course #816 as offered by the California State Training Center) -- Class Date: 6/28-29/99

Stress Management -- (Course #335 as offered by the California State Training Center) Class Date: 6/23/99

Effective Listening -- (Course #813 as offered by the California State Training Center) Class Date: 9/21/99

- Indications of progress in this area would be:
 - Completion of lessons learned document per above.
 - Successful implementation of actions described in lessons learned document.
 - Feedback from site supervisors relative to the clarity, success, and ease of each communication.
 - Assessment of 3rd party facilitator.

Progress: Improving Communication

Several Site Supervisors and co-workers have noted that they feel you are listening more and they recognize greater efforts to communicate.

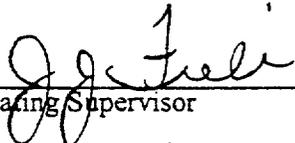
Feedback also noted that more friendly, relaxed, casual conversation is desired to further develop interpersonal rapport with co-workers.

However, co-workers have continued to express concern that, at times, they perceive your style and manner of interacting with them to be argumentative and confrontational. This is one of the key areas where you need to make dramatic improvement to satisfy the requirements of the Performance Plan. While recognizing your efforts in this area, additional improvement is necessary to upgrade your performance to our expectations. We will continue to work with you to assist you in making the necessary improvement in this area.

Improvement is still needed in your willingness to accept and utilize constructive criticism offered by others.

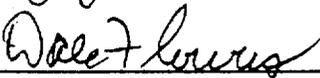
Comments:

It remains our belief that your reluctance to take any ownership or responsibility for your personal role in the performance concerns set forth in the introductory paragraphs of the Plan and Evaluation continue to impede your progress toward their resolution.



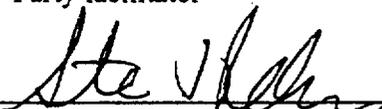
Originating Supervisor

5/26/99
Date



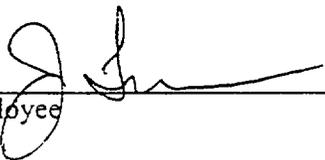
3rd Party facilitator

5/26/99
Date



Second Level Supervisor

Facilitator 5/26/99
6/1/99
Date



Employee

5/26/99
Date



STANDARD DISTRICT PROCEDURES	SECTION EMPLOYMENT PRACTICES	SUBJECT GRIEVANCES, MONTHLY-RATED AND EXEMPT EMPLOYEES
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SUPERSEDES SDP 606-12, Grievances, Monthly-Rated Employees dated 5/83

SUMMARY

States the District's policy, guidelines and procedures for initiating and processing employee complaints of unfair treatment.

POLICY

The District and its employees have a mutual obligation to try to settle grievances fairly and promptly.

INTENT

To provide the framework for presenting and settling grievances.

DEFINITIONS

- A. A **GRIEVANCE** is an employee objection to the application of a District rule, policy, or approved memorandum of understanding on personnel practices or working conditions to the employee's particular situation. An objection to the terms and provisions of a rule, policy, or memorandum of understanding is not considered a grievance. However, an objection to the way a rule, policy, or memorandum of understanding is applied in a particular grievant's situation would be considered a grievance.
- B. **DATE OF OCCURRENCE** is that time you could reasonably be expected to know that you have been adversely treated.
- C. **MONTHLY-RATED EMPLOYEE** — An employee paid according to a monthly salary schedule and occupying a position in a classification designated as Confidential or OSE-represented.
- D. **EXEMPT EMPLOYEE** — A nonrepresented employee in a professional, management, or administrative classification.

SECTION I APPLIES TO OSE-REPRESENTED EMPLOYEES.

GUIDELINES

A. GENERAL

- 1. **Settling Grievances** — Normally, grievances are settled at the supervisor or department manager levels. Grievances may be appealed beyond the department manager for hearing by persons not directly connected with the dispute.

Additionally, at the option of the department manager, grievances may be referred to joint fact finding prior to referring the grievance to arbitration.

- 2. **Timely Filing of Appeal** — Filing of appeals to arbitration or the Joint Advisory Council must meet specified deadlines. This is required even though there is possibility of resolution at supervisor or department manager levels.

A/28

Seventy-two

SECTION

SUBJECT

**STANDARD
DISTRICT
PROCEDURES****EMPLOYMENT PRACTICES****GRIEVANCES, MONTHLY-RATED
AND EXEMPT EMPLOYEES****GUIDELINES (Cont.)****A. GENERAL (Cont.)**

3. Representation — Parties to the grievance may have someone else represent them to counsel and advocate their position. The right of employees to organize for representation purposes is recognized.

Discrimination against employee representatives or against employees for membership or nonmembership in a lawful employee organization is prohibited.

Employees who are grievants, representatives or witnesses will be given time off with pay to attend hearings and will be reimbursed for personal expenses (excluding legal fees) incurred in connection with the hearing.

4. Employee Records — Employees are entitled to copies of documents concerning work performance, absenteeism and disciplinary action that are in their official personnel file.

An employee may have documents relating to work performance, absenteeism and disciplinary actions removed if the documents are six or more years old. However, documentation involving theft or insubordination may be retained for longer periods at management's option.

5. Legal Redress — Nothing in these procedures is to be construed as depriving a person of rights in a court of competent jurisdiction.

B. IF YOU HAVE A GRIEVANCE, YOU SHOULD:

1. Prepare your case

- Prepare reasons why you feel you have been treated unfairly; consult with union and District representatives or engage outside legal counsel if you need guidance. Discussion of grievances will be held at a time and place that does not interfere with work in progress.

2. Meet with responsible supervisor

- Immediately make appointment to discuss your complaint with the responsible supervisor. Present your arguments to the supervisor, along with any evidence and witnesses you feel necessary.
- The responsible supervisor may, among other things, withdraw, change or continue with the action being grieved.

3. Refer to your department manager

- If you still feel you have been treated unfairly after meeting with the responsible supervisor, refer your cause immediately to your department manager. Your department manager may call for an investigation and may, among other things, withdraw, change or continue with the action being grieved.



STANDARD DISTRICT PROCEDURES	SECTION EMPLOYMENT PRACTICES	SUBJECT GRIEVANCES, MONTHLY-RATED AND EXEMPT EMPLOYEES
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GUIDELINES (Cont.)

B. IF YOU HAVE A GRIEVANCE, YOU SHOULD: (Cont.)

4. Appeal to third party

- If you decide that the action is still unfair, you may appeal for a hearing by persons not involved in the dispute, such as an arbitrator or the Joint Advisory Council.

C. APPEALS — All grievances pertaining to appeals of suspensions, demotions, removals, and dismissals will be referred to final and binding arbitration.

All other grievances may be referred to the Joint Advisory Council or to final and binding arbitration at the option of the grievant.

I. Appeals to Arbitration

a. What can be heard?

- Any grievance.

b. Who can be heard?

- All OSE-Represented employees having appropriate grievances.

c. How to appeal.

- Removals, demotions, suspensions, and dismissals.

You must appeal a removal, demotion, suspension, or dismissal directly to the General Manager within five days of receipt of the notice of such action, or prior to the effective date of the action (whichever is later).

- All other grievances.

Grievances for other than removals, demotions, suspensions, and dismissals must be referred for arbitration within 30 days of the date of occurrence. A written request for arbitration must be filed with the Supervisor, Employee Relations, in the Personnel Department.

d. Who will hear it?

- An arbitrator, who shall not be an employee or officer of the District, will be selected in a manner mutually agreed upon by the District and the representative of the Organization of SMUD Employees (OSE).

STANDARD DISTRICT PROCEDURES	SECTION	SUBJECT
	EMPLOYMENT PRACTICES	GRIEVANCES, MONTHLY-RATED AND EXEMPT EMPLOYEES

GUIDELINES (Cont.)

C. APPEALS (Cont.)

e. Who will pay for it?

- Costs of the arbitration proceedings, including the arbitrator's fee, court reporter fee, and transcript, but excluding attorney and witness fees, will be jointly paid by the District and the grievant on a 50-50 basis.

f. Hearing and decision.

- The arbitrator shall examine the case to the extent and manner justified.
- Conclusions of the arbitrator will be final and binding on both parties.

2. Appeal to the Joint Advisory Council

- a. Refer to Section III of this SDP.

SECTION II APPLIES TO EXEMPT EMPLOYEES.

GUIDELINES

A. GENERAL

1. Settling Grievances — Normally, grievances are settled at the supervisor or department manager levels. Grievances may be appealed beyond the department manager for hearing by persons not directly connected with the dispute.
2. Timely Filing of Appeal — Filing of appeals to the General Manager or the Joint Advisory Council must meet specified deadlines. This is required even though there is possibility of resolution at supervisor or department levels.
3. Representation — Parties to the grievance may have someone else represent them to counsel and advocate their position.

Employees who are grievants, representatives or witnesses will be given time off with pay to attend hearings and will be reimbursed for personal expenses (excluding legal fees) incurred in connection with the hearing.

4. Employee Records — Employees are entitled to copies of documents concerning work performance, absenteeism and disciplinary action that are in their official personnel file.

An employee may have documents relating to work performance, absenteeism and disciplinary actions removed if the documents are six or more years old. However, documentation involving theft or insubordination may be retained for longer periods at management's option.



STANDARD DISTRICT PROCEDURES	SECTION EMPLOYMENT PRACTICES	SUBJECT GRIEVANCES, MONTHLY-RATED AND EXEMPT EMPLOYEES
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GUIDELINES (Cont.)

A. GENERAL (Cont.)

5. Legal Redress — Nothing in these procedures is to be construed as depriving a person of rights in a court of competent jurisdiction.

B. IF YOU HAVE A GRIEVANCE, YOU SHOULD:

1. Prepare your case

- Prepare reasons why you feel you have been treated unfairly; consult with your District representatives or engage outside legal counsel if you need guidance. Discussion of grievances will be held at a time and place that does not interfere with work in progress.

2. Meet with responsible supervisor

- Immediately make appointment to discuss your complaint with the responsible supervisor. Present your arguments to the supervisor, along with any evidence and witnesses you feel necessary.
- The responsible supervisor may, among other things, withdraw, change or continue with the action being grieved.

3. Refer to your department manager

- If you still feel you have been treated unfairly after meeting with the responsible supervisor, refer your cause immediately to your department manager. Your department manager may call for an investigation and may, among other things, withdraw, change or continue with the action being grieved.

4. Appeal to third party

- If you decide that the action is still unfair, you may appeal for a hearing by persons not involved in the dispute, such as the General Manager or the Joint Advisory Council.

C. APPEALS

1. Appeals to the General Manager

a. What can be heard?

- Any grievance of a decision calling for removal, demotion, discharge, or suspension.



STANDARD DISTRICT PROCEDURES	SECTION EMPLOYMENT PRACTICES	SUBJECT GRIEVANCES, MONTHLY-RATED AND EXEMPT EMPLOYEES
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GUIDELINES (Cont.)

C. APPEALS (Cont.)

- b. Who can be heard?
 - All Exempt Employees having appropriate grievances may appeal to the General Manager.
 - c. How to appeal.
 - Written request may be filed with the General Manager by the grievant within five days of receipt of mailed notice of removal, demotion, discharge, or suspension, or prior to the effective date of action, whichever is later.
 - d. Who will hear it?
 - The General Manager, upon receiving written request, will immediately appoint a committee of three to hear the case. The committee will consist of District officers or assistant officers (other than elected officials), department managers or area heads.
 - The General Manager will mail notice of hearing time and place to the last known address of person being heard.
 - e. Hearing and ruling on the grievance.
 - The committee will examine the case to the extent that it feels warranted.
 - The committee may, among other things, order the employee discharged, suspended or reinstated. The committee's order is final unless further appealed to the General Manager within 10 days after the date of the order.
2. Appeal to the Joint Advisory Council
- a. Refer to Section III of this SDP.

SECTION III APPLIES TO OSE-REPRESENTED AND EXEMPT EMPLOYEES.

A. JOINT ADVISORY COUNCIL

- 1. Membership
 - a. Appointed Members — Three Members and one Alternate Member are appointed by the General Manager. The Alternate Appointed Member serves during the absence of an Appointed Member.

GUIDELINES



	SECTION	SUBJECT
STANDARD DISTRICT PROCEDURES	EMPLOYMENT PRACTICES	GRIEVANCES, MONTHLY-RATED AND EXEMPT EMPLOYEES

GUIDELINES (Cont.)

A. JOINT ADVISORY COUNCIL (Cont.)

b. Elected Members — Elected members are determined by vote for terms beginning on July 1 of:

- even-numbered years, from and by employees represented by the Organization of SMUD Employees (OSE), are:

- One OSE-Represented Member
- One OSE-Represented Alternate Member to serve in absence of the OSE member, and

- odd-numbered years, from and by OSE-represented employees, confidential employees, and exempt employees below evaluation grade A9 or B8 are:

- Two Members-at-Large
- One Alternate Member-at-Large to serve in absence of a Member-at-Large

EXCEPTION: The General Manager may exclude certain monthly-rated supervisors from voting or holding elected membership on the Council. The Council may make recommendations for this purpose.

Permanent vacancies not exceeding three months may be filled by the respective alternate members.

c. These procedures will be revised to provide hourly-rated employees with representation on the J.A.C. if the optional grievance procedure is discontinued.

2. Appeal to the Joint Advisory Council (J.A.C.)

a. What can be heard?

- Any grievance, except those involving removal, demotion, discharge, or suspension will be heard by the Council.

b. Who can be heard?

- All employees may elect to have their grievance heard by the Council.

c. Who will hear it?

- The Council has three members appointed by the General Manager and three members elected by designated monthly-rated employees.



STANDARD DISTRICT PROCEDURES	SECTION EMPLOYMENT PRACTICES	SUBJECT GRIEVANCES, MONTHLY-RATED AND EXEMPT EMPLOYEES
------------------------------	---------------------------------	---

GUIDELINES (Cont.)

A. JOINT ADVISORY COUNCIL (Cont.)

- d. How to appeal.
 - Written request for hearing must be filed with the Secretary, J.A.C., within 30 days of date of occurrence. The Council will respond within 15 days of being made aware of the grievance.
- e. Hearing and decision.
 - The Council may postpone hearing the grievance if resolution remains possible at supervisory levels.
 - Council members shall not serve if directly involved in a matter being considered.
 - Except that all constituted members shall have a vote on each and every issue before the Council, the J.A.C. sets its own rules of conduct and procedures which are generally informal in nature. For this reason, neither the District nor employees may be represented by an attorney in a JAC proceeding.
 - The Council will agree on witnesses to be heard.
 - The Council may, among other things, recommend change, withdrawal or continuation of an action being taken.
 - The Council's decision is sent to the General Manager for implementation as permitted by law.
 - The General Manager shall respond to the Council within 30 days of receipt of the recommendation.
- 3. JAC Meetings — The Council will meet as needed at a mutually-agreed-upon time and place. Special meetings to consider urgent matters are held by mutual consent. Time off with pay is allowed members to attend meetings of the Council.
- 4. JAC Rules — The Council establishes its own rules of conduct and meeting procedures, including the designation of a chairperson and secretary.

From: Phil V. Joukoff
To: Len Williamson
Date: 7/6/99 1:23PM
Subject: 4-1999-011

Len,

I was contacted telephonically today by Mrs. NARDIZZI, no first name as she goes by Mrs. NARDIZZI, 214-767-4736, ext. 249, who advised me that she was an OSHA investigator assigned to handle SAUM's allegations at Rancho Seco/SMUD. NARDIZZI reported that SMUD was "howling" at her investigative efforts as NRC and the State of California were pursuing the same allegations. NARDIZZI asked what the status/conclusions were of our investigation and I told her the matter was under investigation, and that was all the information that we were prepared to disseminate. NARDIZZI told me that SAUM had contacted her last week and reported that he had been placed on administrative leave by SMUD and that his site access had been withdrawn. According to NARDIZZI, SAUM was to receive word this week from SMUD as to what additional actions were to be taken.

Also, I spoke with Ray MULLIGAN on 7/2 who reported that SAUM had called him basically reporting the same information as NARDIZZI, with the addition that SAUM wanted the NRC to direct SMUD to reinstate his site access. MULLIGAN told SAUM that this was something that NRC could not do.

Based upon MULLIGAN's call, I called SAUM this morning and left a message for him to call me back. I left two such similar messages with SAUM approximately two weeks ago, but did not hear from him on this occasion. I will advise you what SAUM reports when I talk with him.

Phil

ALB

From: Blair Spitzberg
To: Dennis Boal, Vincent Everett
Date: 7/2/99 8:22AM
Subject: SAUM

While at the Decommissioning and Spent Fuel Conference in Michigan, Steve Redeker of Rancho Seco told me that on June 29 or 30, Rancho Seco had placed Saum on administrative leave for violating the terms of his agreement for reinstatement into his job position. Redeker did not give me any further details but wanted us to know in the event that Saum contacted us with any allegations.

- Blair

CC: Russell Wise

A/31

Registrar
SAUM, JAMES N
08452
Transcript

6/3/99 page 1

Date	Code	Name	Status	Pass/Fail
04/28/99	ED164	SPIRIT ROADSHOW #1	F	
09/03/98	SA402	INJURY & ILLNESS PREVENTION PROGRAM	F	
08/12/98	SA423	BLOODBORNE PATHOGENS	F	
06/02/98	SA403	S.O.A.R.	F	
11/17/97	ED152	EXTRAORDINARY CUSTOMER SVC TRNG	F	
05/03/95	ED140	COLLABORATIVE COMMUNICATION SKILLS	F	
07/12/94	ED125	FRONTLINE CUST SVC	F	
05/05/94	ED133	SOLVING PROBLEMS	F	
05/02/94	ED139	BECOMING A MORE EFF IND CONTRIBUTOR	F	
03/15/94	ED138	NEGOTIATING (GETTING TO YES)	F	
01/18/94	ED102	DISCRIMINATION (KOVAK)	F	
01/15/93	ED131	COMMUNICATING EFFECTIVELY	F	

A/32

TRAINING RECORDS OF JAMES SAUM. KCP FROM BRUCE NOTAKEUS, SMUD, ON
6/3/99 @ SMUD HQ, SACRAMENTO, CA.


6/3/99

Sent via Overnight Express



SACRAMENTO MUNICIPAL UTILITY DISTRICT □ P. O. Box 15830, Sacramento CA 95852-1830, (916) 452-3211
AN ELECTRIC SYSTEM SERVING THE HEART OF CALIFORNIA

LEG 99-0586
May 25, 1999

Philip V. Joukoff
Senior Investigator
c/o USNRC
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011

Re: James Saum Investigation

Dear Mr. Joukoff:

I am writing to confirm the times, dates and locations of the witness interviews we have arranged for you in this matter. They are:

June 1 at Rancho Seco:

Jeff Jones	9 a.m.
Dennis Gardiner	10 a.m.
Rich Mannheimer	11 a.m.
Tom Tucker	Noon
BREAK	1 - 1:30 p.m.
Steve Redeker	1:30 p.m.
Jim Field	2:30 p.m.

June 3 at SMUD Headquarters, 6201 S Street, Sacramento (please call for directions):

Jerry Williams	10 a.m.
Debbie Alberte	11 a.m.
Beverly Dahle	1 p.m.
Chuck Aldous	2 p.m.

Please feel free to give me a call at (916) 732-6122 if you wish to discuss these matters further. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Notareus".

Bruce Notareus
Senior Attorney

/dm

cc: Dana Appling
Corporate Files

A/33

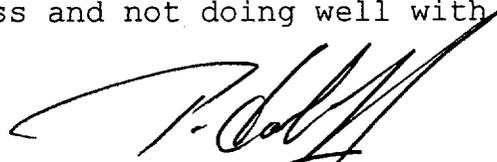
Telephone call from Bruce NOTAREUS, General Counsel, SMUD on May 14, 1999:

NOTAREUS was contacted by REDEKER re: OI's desire to conduct interviews of RSNRS employees. NOTAREUS advised that he would need to contact the involved employees, determine their involvement in this matter, and to see if any of them desire his legal representation. NOTAREUS advised that he has handled or is handling all the SAUM matters with USDOL and the State of California and he will be the attorney to handle this matter with OI. NOTAREUS added that he would travel to RSNRS on the afternoon of May 17, 1999 and/or the morning of May 18, 1999, to start meeting with RSNRS employees regarding their interviews. Depending on the outcome of these meetings, he may be able to have some employees ready to meet with OI on May 18, 1999, in the afternoon. NOTAREUS is unavailable on May 19, 20 and 21, 1999, due to already scheduled depositions on other SMUD matters. NOTAREUS related that June 1, 3 and 4, 1999 are all available at this time for OI interviews if he is to be involved.

NOTAREUS volunteered the following information regarding SAUM and his employments at RSNRS:

1. SAUM has spent much of his career at RSNRS working with the RSNRS security systems. When the plant was operational, there were 1800 to 2000 people working at RSNRS and SAUM blended in with the workforce.
2. Since RSNRS shutdown, the number of employees has been decreasing to where there are now only 200 employees maximum. SAUM is very difficult to work with personally and has had a history of problems with FIELDS. FIELDS asked RSNRS management for options to solve their differences, and SAUM and FIELDS became postured over this area.
3. This posturing began "taking it's toll" as SAUM began expressing his opinions regarding FIELDS to other RSNRS employees which put FIELDS in a difficult situation. The situation came to a head last summer and RSNRS tried to have a mediator work with FIELDS and SAUM, but SAUM was resistant to this process.
4. Finally, SAUM was ordered to seek help from EAP as other employees received comments from SAUM that alarmed them. This information is documented in SMUD's filings with DOL. NOTAREUS agreed to supply these documents to OI.
5. NOTAREUS related that, per his attorney, SAUM did not attend the EAP meeting and was terminated by RSNRS. Subsequently, he was rehired with conditions including that a facilitator be involved.

6. SAUM is currently in this process and not doing well with the facilitator.



5/14/99

Interviews for week of May 24, 1999

James FIELD
Richard MANHEIMER
Steve REDEKER
Estabon NAVA
Tom TUCKER
Dennis GARDINER
SAUM's supervisors before FIELD

Records:

SAUM's personnel file
SAUM's security/fitness for duty file

August 13, 1999:

Talked with REDEKER who advised that these interviews and record reviews could be accomplished next week as follows;

Wed - May 19, 1999:

8:00 am to 12:00 pm - record reviews at RSNCS
1:00 pm to 5:00 pm - interviews
TUCKER, GARDINER, MANHEIMER,

Thurs - May 20, 1999:

8:00 am to 5:00 pm

Interviews - FIELD, NAVA, Former supervisor, REDEKER

REDEKER advised that SMUD had documents created in response to complaints filed by SAUM with USDOL and State of California that he would make available to OI.

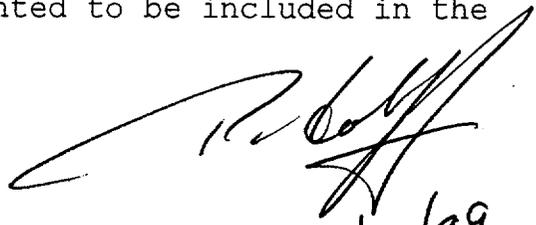
REDEKER can be reached at 916-732-4827.

REDEKER recontacted SA and advised that the interview schedule could not be met for next week due to his travel and desire of SMUD General Counsel to be involved in the interviews. REDEKER reported that June 3, 4, 7, 8, and 9 were all good dates for interviews, but OI could conduct record reviews any day after next Monday (May 17, 1999).

ELW1 was briefed and asked that SMUD be requested to schedule some interviews for week of May 17, 1999.

A/34

SA spoke with Jerry DELEZENSKI, QA Mgr, RSNGS, 916-732-4914 who related that he would attempt to arrange some interviews for next week, but REDEKER would be unavailable due to meetings with both DOE and NRC over the next two weeks that include 3 trips to Washington, D.C.. DELEZENSKI agreed to call SA on May 17, 1999, with the results of his actions. DELEZENSKI reported that Bruce NORETARIUS, SMUD General Counsel, wanted to be included in the interviews.



5/13/99

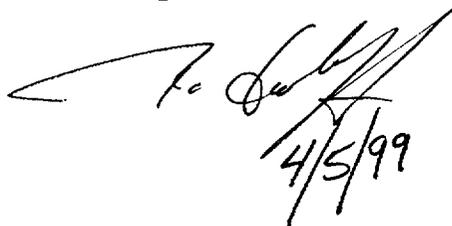
Note to Case File: 4-1999-011

April 5, 1999

Received a telephone call from SAUM who advised the address and telephone number of his previous attorney as follows:

Joanna BROOKS
415-512-8700

SAUM related that BROOKS could supply information to NRC regarding her witnessing the treatment of SAUM by SMUD/RSNGS.

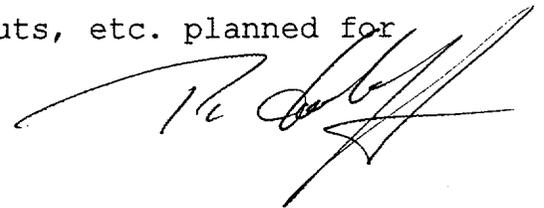

4/5/99

Note to Case File 4-1998-001

March 25, 1999

Per discussion this date with ELW1, determine from SAUM the following;

1. What protected activity was he engaged on?
2. What was the adverse action that was taken?
3. What are some examples of the H&I that he was subjected to?
4. Who are the coworkers that can support his position regarding H&I/employment discrimination?
5. Are there any anticipated RIFs, early outs, etc. planned for Rancho Seco/SMUD?

A handwritten signature in black ink, appearing to be "R. D. Hoff", is written over the bottom right portion of the list. The signature is stylized and somewhat cursive.

--- WARNING ---

Len Williamson / Phil Jankoff
OI 4-95-011

SENSITIVE
ALLEGATION MATERIAL

THE ATTACHED DOCUMENT CONTAINS MATERIAL WHICH
MAY RELATE TO AN OFFICIAL NRC INQUIRY
OR INVESTIGATION WHICH MAY BE
EXEMPT FROM PUBLIC DISCLOSURE
PURSUANT TO ONE OR MORE PARTS OF
TITLE 10, CODE OF FEDERAL REGULATIONS

OFFICIAL USE ONLY

SPECIAL HANDLING

REQUIRED

WHEN NO LONGER NEEDED,
DISPOSE OF THE ATTACHED DOCUMENT
BY SHREDDING

From: Phil V. Joukoff
To: Jack Whetstine
Date: 3/24/99 11:09AM
Subject: Court Reporter

Jack,

Please arrange a court reporter for me as follows;

Date: Friday, March 26, 1999 at 10:00am

Location: Heritage Inn
11269 Point East Dr.
Rancho Cordova, California 95742
(916) 635-4040

Times: 10:00am to 3:00pm

(Please have the court reporter meet me in the lobby)

Thanks,

Phil

CC: James Cavanaugh

A/35

Note to Case File: Case No. 4-1999-011

March 24, 1999:

I. Talked telephonically with SAUM, 916-452-3211, ext. 4987, who confirmed his earlier appointment for an OI interview on March 26, 1999, 10:00am, at the Heritage Inn, 11269 Point East Dr., Rancho Cordova, Ca., 95742, 916-635-4040.

II. Sent E-mail to Jack WHETSTINE/Jim CAVANAUGH requesting court reporter for the interview.

III. Made reservations at the Heritage Inn for the interview, confirmation no. 81630.

A handwritten signature in black ink, appearing to be "R. Kelly" or similar, written in a cursive style.

A/36

Bruce Notareus

From: Steve Redeker
Sent: Tuesday, July 06, 1999 12:58 PM
To: Bruce Notareus
Subject: FW: Request Collaboration Meeting on PDQs

-----Original Message-----

From: James Saum
Sent: Monday, June 14, 1999 9:00 AM
To: Steve Redeker; James Field
Cc: James Saum
Subject: Request Collaboration Meeting on PDQs

I would like to meet with you to identify any deterrents to reporting PDQs.

I have been engaged in making the best use of Gary Sprung's time and efforts during his site visit last week, 6/7 through 6/11. I worked overtime on Friday, 6/11/99, and completed Y2K testing per the Plant's original schedule. Also we successfully implemented ISFSI Phase 1 software and resolved the software problems which prevented us from testing. These efforts and accomplishments allow us to continue testing without Gary Sprung on site presence. Thus, with this focus and overtime on Friday, we have met our goals for Gary Sprung's site visit.

I would like to have this meeting today, so that I can meet my schedule of 6/14/99 on this task. I would like to meet with both of you or individually.

A/37

SYNOPSIS

This investigation was initiated on August 4, 1998, by the Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region IV (RIV), to determine if an engineer at Sacramento Municipal Utility District's (SMUD) Rancho Seco Nuclear Generating Station (RSNGS), was discriminated against by management for identifying safety concerns.

Based on the evidence developed during this investigation, including an interview with the alleged, a review by the Regional Counsel, and the RIV technical staff, the allegation that an engineer was discriminated against by management for identifying safety concerns was not substantiated.

NOT FOR PUBLIC DISCLOSURE WITHOUT APPROVAL OF FIELD OFFICE
DIRECTOR, OFFICE OF INVESTIGATIONS, REGION IV

Case No. 4-1998-037

1

A/38

Review of SAUM's February 8, 1999, Letter To WISE

1. Interviewed by OI on August 20, 1998. Alleges that his supervisor retaliated against him on September 3, 1998 by placing him on temporary paid leave pending psychiatric evaluation.

What supervisor did this?

Did he/she act alone?

How was he advised of the evaluation?

Was there a meeting?

Who attended?

Is there any documentation? Can you give us a copy?

What was he told was the reason for the evaluation?

What adverse consequences employment conditions occurred?

Did his supervisor know that he was interviewed by NRC on August 20, 1998?

Did his supervisor know he was involved in protected activities?

What was the reason he was given for the psychiatric evaluation?

2. On October 8, 1998, SAUM did not attend a scheduled psychological evaluation upon his attorney's advice.

What advice was given by his attorney?

What transpired between September 3, 1998 and October 8, 1998?

To whom did he communicate that he would not attend the psychological evaluation?

How was this communicated?

Were there any witnesses?

3. On October 9, 1998, SMUD General manager issued a notice of termination.

1. How was this communicated to SAUM?

A/39

2. Do you have a copy of this notice?

3. Was there a meeting? Who attended? Any meeting minutes?

4. On October 23, 1998, a Skelley hearing with the General Manager was held.

1. Who attended the meeting?

2. Was it transcribed?

3. What transpired at the meeting?

5. On October 23, 1998, the General Manager rescinded her decision to terminate employment.

1. Why was this done?

2. What were the conditions?

3. An agreement was signed, can NRC have a copy? What is your interpretation, point by point (there are 5) of the agreement?

4. Did you feel at the time you signed the agreement that it was violating your rights? If so, why did you sign?

5. Did your attorney review/sign the agreement?

6. In the past, you received discrimination for writing PDQs, explain this discrimination. By whom? Any documentation? Any witnesses?

6. On December 11, 1998, a psychological evaluation was completed which concluded no aberrant behavior.

1. What occurred between October 23 and December 11, 1998?

2. What was your status during this time?

3.



RANCHO SEC0

CASE CHRONOLOGY

FILE NUMBER

4-1999-011

DATE OPENED

2-24-99

OPENED BY

J RUNDOFF

DATE

ACTIVITY

2/24/99

Opened case

3/22/99

Phil sets up interview on 26 mar 99

3/25/99

Receive DOJ complaint - provide to Phil
Phil has working file -

01/31/00

Case FOD closed

ACTIVITY CODES

L/M = LETTER OR MEMO

TC = TELEPHONE CALL

INSP = INSPECTION

MTG = MEETING

INV = INVESTIGATION

REP = REPORT ISSUED

A/40

CASE CHRONOLOGY

RANGHO SECO

FILE NUMBER 4-1999-011

DATE OPENED 2/24/99

OPENED BY JANKOFF

DATE	ACTIVITY
3/5/99	CASE FILE RCVD AT OI:UCFO
3/19/99	TC: WITH SAUM - SCHEDULE INTERVIEW - SAUM WANTS TO CONSULT HIS ATTNY - WILL CALL BACK
3/15/99	TC: FROM SAUM - AGREES TO INTERVIEW - PREFERRED FRIDAY 5/26/99
3/14/99	TC: SAUM - INTERVIEW ON 3/16/99, 10AM, HERMANE JIM, PAUCO (CORROVA)
3/15/99	RCVD SAUM'S DOL COMPLAINT VIA FAX FROM ELW1
3/26/99	TRVL → UCFO TO KANAWA (CORROVA) INTERVIEW SAUM
3/22/99	FED EX SAUM EXHIBITS TO AXA FOR PHOTOGRAPHING
3/29/99	TC: PACKAGING COURT REPORTER FOR 1/2 WITH MPAC (CORROVA)
4/2/99	TC: SAUM - INT ON 4/2/99 @ HAZELHURST INN, KANAWA (CORROVA)
4/2/99	TRVL UCFO → KANAWA (CORROVA) - INTERVIEW SAUM
4/5/99	TC: SAUM - HE PROVIDED TELEPHONE NUMBER FOR JOYANA (CORROVA)
5/3/99	L/M OF EVENT AND SPITSBURG: SAUM'S TECHNICAL QUESTIONS
5/1/99	TC: KANAWA (CORROVA) - WILL REARRANGE INTERVIEWS / REARRANGE INTERVIEWS
5/1/99	INTER CONVERSATION WITH SMUD (SARKKMENT) COUNSEL
5/14/99	TC: BRUCE NOTARUS @ SMUD
5/18/99	TV: UCFO → BSNBS - REVIEW RECORDS - INT. NANA FLOWERS & FIELD
5/25/99	L/M FROM NORMANS SMUD RE: INTERVIEWS
6/1/99	TV: UCFO → BSNBS INT: JONES, GARDNER, MANNHEIMER, TUCKER, KOBEX, FIELD
6/3/99	TV: UCFO → SMUD HQ (SARKKMENT) INT: WILLIAMS, HIBBER
6/4/99	DATE HIBBS, ROGERS, COLUMBO
6/4/99	RCVD TC VOYENMAIL FROM SAUM - RETURNED HIS CALL
6/12/99	LEFT MRS. TC: JIM WILLIAMS @ RIV - SAUM CALLED HIM - REPORTED SITE ACCESS SUSPENDED
7/6/99	RCVD. E-MAIL FR BOAL - SAUM'S SITE ACCESS REVIEWED
7/6/99	PER INFO TO SPITSBURG FROM KOBEX
7/6/99	TC: LEFT MSG FOR SAUM TO CALL OI:UCFO

INVESTIGATION STATUS RECORD

Case Number:	4-1999-011	Case Agent:	JOUKOFF, PHILIP V
Allegation Number:	RIV-1999-A-0031	Date Opened:	02/24/1999
Docket Number(s):	05000312	ECD:	5/1999
Facility:	RANCHO SECO	Priority:	High
Case Code:	RP	Status:	FWP
Source of Allegation:	Alleger		
Subject/Allegation:	DISCRIMINATION AGAINST ENGINEER BY MANAGEMENT FOR REPORTING SAFETY CONCERNS TO THE NRC		

Monthly Status Report:

02/24/1999: On February 8, 1999, James N. SAUM, Senior Electrical Engineer at Sacramento Municipal Utility District's (SMUD) Rancho Seco Nuclear Generating Station (RSNGS), reported to Russ WISE, Senior Allegation Coordinator, RIV, that employment discrimination was continuing since his last meeting with the NRC on August 20, 1998, during which time he reported that he was the subject of employment discrimination by his management for identifying safety concerns. SAUM provided a chronology of events as they related to alleged employment discrimination. In September 1998, SAUM's access was revoked as he was placed on temporary paid leave pending a psychiatric evaluation. On January 11, 1999, his site access was restored, and he returned to work at RSNGS. He reported that on January 13, 1999, Steve REDEKER, Plant Manager, RSNGS, threatened to terminate his employment if he found out that he [SAUM] reported a plant problem directly to the NRC without first writing a PDQ [NFI] and without reporting the problem first to his supervisor. SAUM stated that REDEKER insisted this was a condition the general manager imposed as a condition for his continued employment.

SAUM also reported that the NRC should contact Tim SHAW, Plant Chemistry Specialist, RSNGS, who also had suffered employment discrimination for reporting a safety concern with a planned release of liquid effluent water from RSNGS. According to SAUM, the planned effluent release exceeded 10 times the allowed radiological specific activity limit for tritium. SAUM stated SHAW was intimidated and harassed by RSNGS for reporting the potential violation to the California Regional Water Quality Board, National Pollutant Discharge System Permit, NPDES CA004758. SAUM related he had filed a complaint with the Department of Labor and felt that because of the "intolerable working environment," he no longer felt free to report problems. SAUM was interviewed by OI:RIV and the staff on August 3 and 20 1998, regarding his allegations and subsequent inquiries involving that investigation reported in OI case No. 4-1998-037.

On February 22, 1999, the RIV Allegation Review Board (ARB) discussed SAUM's allegation of employment discrimination and requested OI:RIV interview SAUM and determine the exact nature and extent of his concerns. Status: Field Work in Progress (FWP) ECD: 05/99 (90-day) Potential Violation: 10 CFR 50.7

Completion Date:	Total Staff Hours: 0.0
Issue Date:	Months Open: 0.0
DOJ Actions:	OE Action:
All OI Violations: HI - No Result	DOJ Referral:

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ESTIGATION STATUS RECORD

Case Number:	4-1999-011	Special Agent:	JOUKOFF, PHILIP V
Allegation Number:	RIV-1999-A-003	Date Opened:	02/24/1999
Docket Number(s):	05000312	Priority:	High
Facility:	RANCHO SECO	Status:	FWP
Case Code:	RP		
Source of Allegation:	Allegor		
Subject/Allegation:	DISCRIMINATION SAFETY CONCERN	Management for Reporting	

*Phil - Pls
file in
your case
files. Thanks*

Monthly Status Report:

03/31/1999: On March 26, 1999, SAUM was reinterviewed by OI:RIV in Rancho Cordova, California, and alleged that he was the subject of employment discrimination by SMUD management in retaliation for his having raised nuclear safety concerns to SMUD management and the NRC. At the request of SAUM, an additional interview with him was scheduled for April 2, 1999, so that he could provide additional allegations to the NRC. The transcripts of interviews have been provided to the RIV staff and RIV Regional Counsel for review.
Status: FWP ECD: 05/99 (90-day)

Completion Date:	Total Staff Hours: 5.0
Issue Date:	Months Open: 1.1
DOJ Actions:	OE Action:
All OI Violations: HI - No Result	DOJ Referral:

INVESTIGATION STATUS RECORD

Facility: RANCHO SECO Case Agent: JOUKOFF, PHILIP V
Case Number: 4-1999-011 Date Opened: 02/24/1999

05/31/1999: The Regional Counsel and RIV staff have reviewed the transcript of interview with SAUM and related documents. Additional interviews conducted week of May 17, 1999, and final interview scheduled for week of June 1, 1999. The 90-day decision point has been met, and the initial ECD is being established for 11/99. Status: FWP ECD: 11/99

06/30/1999: On June 1, 1999, OI:RIV interviewed six Rancho Seco employees at Rancho Seco including James FIELD, SAUM's current supervisor; one of his former supervisors, Steve REDEKER, Plant Manager; and three peer engineers. On June 3, 1999, OI:RIV interviewed six Sacramento Municipal Utility District (SMUD) employees at SMUD headquarters, Sacramento, California, including another of SMUD's former supervisors, a SMUD nuclear services purchasing agent, three peer engineers, and a SMUD security investigator. Based upon the record reviews and interviews conducted, OI:RIV has determined that SAUM's allegation of employment discrimination is unsubstantiated. Draft ROI in preparation. Status: RID ECD: 11/99

07/31/1999: No change. Status: RID ECD: 11/99

08/31/1999: No change. Status: RID ECD: 11/99

09/30/1999: No change. Status: RID ECD: 11/99

10/31/1999: Report in draft for FOD/Administrative review. Status: ECD: 11/99

11/30/1999: Report in draft for FOD/Administrative review. Status: ECD: 12/99

12/31/1999: No change. Because of the review and issuance of other high priority cases, the ECD on this investigation needs to be extended until 03/2000. STATUS: RID ECD: 03/2000

01/31/2000: Case FOD Closed 1/31/2000.

Completion Date:	01/31/2000	Total Staff Hours:	645.5
Issue Date:	02/01/2000	Months Open:	11.0
DOJ Action(s):		OE Action:	
OI Violation(s):	Harassment and Intimidation - Unsubstantiated	DOJ Referral Date:	

INVESTIGATION STATUS RECORD

Case Number:	4-1999-011	Case Agent:	JOUKOFF, PHILIP V
Allegation Number(s):	RIV-1999-A-0031	Date Opened:	02/24/1999
Docket Number(s):	05000312	ECD:	11/1999
Facility:	RANCHO SECO	Priority:	High
Case Code:	RP	Status:	RID
Primary Alleg Source:	A		
Subject/Allegation:	DISCRIMINATION AGAINST ENGINEER BY MANAGEMENT FOR REPORTING SAFETY CONCERNS TO THE NRC		

Monthly Status Report:

06/30/1999: On June 1, 1999, OI:RIV interviewed six Rancho Seco employees at Rancho Seco including James FIELD, SAUM's current supervisor; one of his former supervisors, Steve REDEKER, Plant Manager; and three peer engineers. On June 3, 1999, OI:RIV interviewed six Sacramento Municipal Utility District (SMUD) employees at SMUD headquarters, Sacramento, California, including another of SMUD's former supervisors, a SMUD nuclear services purchasing agent, three peer engineers, and a SMUD security investigator. Based upon the record reviews and interviews conducted, OI:RIV has determined that SAUM's allegation of employment discrimination is unsubstantiated. Draft ROI in preparation. Status: RID ECD: 11/99

Completion Date:	Total Staff Hours: 5.0
Issue Date:	Months Open: 4.2
DOJ Actions:	OE Action:
All OI Violations: HI - No Result	DOJ Referral:

INVESTIGATION STATUS RECORD

Case Number: 4-1999-011
Allegation Number(s): RIV-1999-A-0031
Docket Number(s): 05000312
Facility: RANCHO SECO
Case Code: RP
Primary Alleg Source: A

Case Agent: JOUKOFF, PHILIP V
Date Opened: 02/24/1999
ECD: 11/1999
Priority: High
Status: RID

Subject/Allegation: DISCRIMINATION AGAINST ENGINEER BY MANAGEMENT FOR REPORTING SAFETY CONCERNS TO THE NRC

Monthly Status Report:

07/31/1999: No change. Status: RID ECD: 11/99

Completion Date:
Issue Date:
DOJ Actions:
All OI Violations: HI - No Result

Total Staff Hours: 5.0
Months Open: 5.2
OE Action:
DOJ Referral:

*

A. EGATION ASSIGNMENT FOR
(FOLLOWUP ARB)

Allegation Number: RIV-1998-A-0132⁰³¹ Licensee/Facility: Rancho Seco

ARB Date: 2/22/99 >120 days: >180 days:

Allegation Summary: The NRC received concerns regarding the licensee's procedures for free release of RAM. An audit identified determined the free release program deficient: (1) surveys were conducted in high background areas; (2) survey instrument response time was not required to be set on fast response; and (3) the speaker was not required to be turned on to permit the operator to hear the "ticking." In addition, the individual alleged that he was the subject of harassment and intimidation by the Plant Manager. OI initiated an investigation and did not substantiate that the individual was the subject of H&I. The technical concerns have been resolved. OE has reviewed the OI report and determined that enforcement action is not appropriate. **Note: This allegation is on the agenda (rescheduled from 2/16/99) for OI closure. However, the allegor has provided additional information regarding his concern. The information alleges that as a condition for continued employment, the allegor must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the problem to the NRC first. Allegor also mentioned another employee that suffered H&I for reporting a concern.**

Previous ARB Decision:

Overall Responsibility (Division/Branch): OI to interview allegor.
w/ support by DNMS.

Status:

Planned Date for Completion:

OI Action: OI Case Number:
ARB Recommended Priority: _____

ARB Chairman: _____ **Date:** _____

ARB Attendees: _____, DRP, DRS, DNMS
W. L. Brown, RC _____ L. Williamson, OI _____ R. Wise, SAC _____
R. Mullikin, AC _____, Enforcement Other: _____

cc: Allegation File, ARB Meeting File, OI

A/42

ALLEGATION ASSIGNMENT FORM (FOLLOWUP ARB)

Allegation Number: RIV-1999-A-0031 **Licensee/Facility:** RANCHO SECO

ARB Date: 5/17/99 >120 days: 6/23/99 >180 days: 8/22/99

Allegation Summary: The alleger stated that as a condition for continued employment, the alleger must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the problem to the NRC first. Alleger also mentioned another employee that suffered H&I for reporting a concern. Allegation RIV-1999-A-0031 was opened to address the new concerns. The alleger filed a DOL complaint of discrimination.

Previous ARB Decision: The 3/30/99 ARB requested that OI interview the alleger and the allegation be reconsidered by the ARB after the DNMS:FCDB review of the OI transcript. The FCDB review and recommendations are attached as background information.

Overall Responsibility (Division/Branch): ACES

Status: *Memo from alleger to be given to FCDB.*

Planned Date for Completion:

OI Action: **OI Case Number:** 4-1999-011
ARB Recommended Priority: _____

ARB Chairman: _____ **Date:** _____

ARB Attendees: , DRP , DRS , DNMS
W. L. Brown, RC___ L. Williamson, OI___ R. Wise, SAC___
R. Mullikin, AC___ _____, Enforcement Other: _____

cc: Allegation File, ARB Meeting File, OI

INVESTIGATION STATUS RECORD

Case Number:	4-1999-011	Case Agent:	JOUKOFF, PHILIP V
Allegation Number(s):	RIV-1999-A-0031	Date Opened:	02/24/1999
Docket Number(s):	05000312	ECD:	11/1999
Facility:	RANCHO SECO	Priority:	High
Case Code:	RP	Status:	FWP
Primary Alleg Source:	A		
Subject/Allegation:	DISCRIMINATION AGAINST ENGINEER BY MANAGEMENT FOR REPORTING SAFETY CONCERNS TO THE NRC		

Monthly Status Report:

05/31/1999: The Regional Counsel and RIV staff have reviewed the transcript of interview with SAUM and related documents. Additional interviews conducted week of May 17, 1999, and final interview scheduled for week of June 1, 1999. The 90-day decision point has been met, and the initial ECD is being established for 11/99. Status: FWP ECD: 11/99

Completion Date:	Total Staff Hours: 5.0
Issue Date:	Months Open: 3.2
DOJ Actions:	OE Action:
All OI Violations: HI - No Result	DOJ Referral:

ALLEGATION ASSIGNMENT FORM (TIMELINESS ARB)

Allegation Number: RIV-1999-A-0031 **Licensee/Facility:** RANCHO SECO

ARB Date: 7/19/99 **>120 days:** 6/23/99 **>180 days:** 8/22/99

Allegation Summary: The alleger stated that as a condition for continued employment, the alleger must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the proble to the NRC first. Alleger also mentioned another employee that suffered H&I for reporting a concern. Allegation RIV-1999-A-0031 was opened to address the new concerns. The alleger filed a DOL complain of discrimination. The 3/30/99 ARB requested that OI interview the alleger and the allegation be reconsidered by the ARB after the DNMS:FCDB review of the OI transcript.

Previous ARB Decision: The 5/17/99 ARB requested that DNMS:FCDB review the memo referenced by the alleger.

Overall Responsibility (Division/Branch): DNMS:FCDB

Status: *Awaiting DNMS review of transcript.*

Planned Date for Completion:

OI Action: **OI Case Number:** 4-1999-011
ARB Recommended Priority: _____

ARB Chairman: _____ **Date:** _____

ARB Attendees: , DRP , DRS , DNMS
K. D. Smith, RC L. Williamson, OI R. Wise, SAC
R. Mullikin, AC , Enforcement Other: _____

cc: Allegation File, ARB Meeting File, OI

**ALLEGATION ASSIGNMENT FORM
(TIMELINESS ARB)**

Allegation Number: RIV-1999-A-0031 **Licensee/Facility:** RANCHO SECO

ARB Date: 8/16/99 **>120 days:** 6/23/99 **>180 days:** 8/22/99

Allegation Summary: The allegor stated that as a condition for continued employment, the allegor must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the problem to the NRC first. Allegor also mentioned another employee that suffered H&I for reporting a concern. Allegation RIV-1999-A-0031 was opened to address the new concerns. The allegor filed a DOL complaint of discrimination. The 3/30/99 ARB requested that OI interview the allegor and the allegation be reconsidered by the ARB after the DNMS:FCDB review of the OI transcript.

Previous ARB Decision: The 5/17/99 and 7/19/99 ARBs requested that DNMS:FCDB review the memo referenced by the allegor.

Overall Responsibility (Division/Branch): DNMS:FCDB

Status: *DNMS continues to review memo, will re-ARB*

Planned Date for Completion:

OI Action: **OI Case Number:** 4-1999-011
ARB Recommended Priority: _____

ARB Chairman: _____ **Date:** _____

ARB Attendees: , DRP , DRS , DNMS
K. D. Smith, RC L. Williamson, OI R. Wise, SAC
R. Mullikin, AC, , ACES Others:

cc: Allegation File, ARB Meeting File, OI

From: Phil V. Joukoff
To: Len Williamson
Date: Mon, Nov 15, 1999 11:54 AM
Subject: Re: Rancho Seco

Len,

FIELD and I had a brief interview/discussion about SAUM and his allegations in May while I was at RSNRS reviewing records. I documented this as a Results of Interview and it is in Supplemental Information. Subsequently, I interviewed FIELD on the record in more detail in June and he repeated the info from the first interview, and added more info/details in response to questioning. The second or reinterview is the interview that is in the body of the report, as it contains all the details and is more comprehensive. I placed the first interview in Supplemental as we had done it, but it does not add to the case.

Phil

>>> Len Williamson 11/15/99 08:57AM >>>
Phil;

You show a reinterview with Field, but no initial interview. Was the interview shown his initial interview?

Len

A/43

**ALLEGATION ASSIGNMENT FORM
(TIMELINESS ARB)**

Allegation Number: RIV-1999-A-0031 **Licensee/Facility:** RANCHO SECO

ARB Date: 7/19/99

>120 days: 6/23/99 **>180 days:** 8/22/99

Allegation Summary: The allegor stated that as a condition for continued employment, the allegor must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the proble to the NRC first. Allegor also mentioned another employee that suffered H&I for reporting a concern. Allegation RIV-1999-A-0031 was opened to address the new concerns. The allegor filed a DOL complain of discrimination. The 3/30/99 ARB requested that OI interview the allegor and the allegation be reconsidered by the ARB after the DNMS:FCDB review of the OI transcript.

Previous ARB Decision: The 5/17/99 ARB requested that DNMS:FCDB review the memo referenced by the allegor.

Overall Responsibility (Division/Branch): DNMS:FCDB

Status: *Awaiting DNMS review of transcript.*

Planned Date for Completion:

OI Action: **OI Case Number:** 4-1999-011
ARB Recommended Priority: _____

ARB Chairman: _____ **Date:** _____

ARB Attendees: , DRP , DRS , DNMS
K. D. Smith, RC L. Williamson, OI R. Wise, SAC
R. Mullikin, AC , Enforcement Other: _____

cc: Allegation File, ARB Meeting File, OI

A/44

From: Phil V. Joukoff
To: Len Williamson
Date: Fri, Jul 16, 1999 7:40 PM
Subject: 4-1999-011

Len,

FYI and the case file, I received the following information today regarding this case.

I spoke telephonically this morning with James SAUM, the alleger, who reported that he had been terminated by SMUD. SAUM provided the following rambling comments on the situation. The conversation was disjointed as it appeared to me that SAUM was not listening to my answers to his questions, but was rather expressing his disapproval with the entire situation, including the actions of the NRC.

1. The USDOL investigator, Mrs NARDIZZI, asked for the NRC's support in her investigation but NRC did not assist. I told SAUM this was not the case as USDOL and NRC are pursuing parallel investigations in this case for different purposes and we had told NARDIZZI that the matter was currently under active investigation.

2. SAUM needs an immediate decision regarding whether NRC's investigation of his discrimination concerns would reveal any wrongdoing on the part of SMUD and/or SMUD employees. SAUM stated he needs support from NRC to proceed, including a finding of "technical merit" regarding his allegations, or he would have to "drop" his USDOL case against SMUD. SAUM added that all of his technical claims, as reported to Vince EVERETT, are valid despite that NRC did not substantiate his allegations. I told SAUM that we were still investigating his case. I also told SAUM that if he had any additional allegations/concerns, he should provide them in written form to Russ WISE.

3. SAUM reported that he was being "coerced" by USDOL into taking a "VSP lay off package" being offered by SMUD to settle this matter as California DOL had ruled against him, and USDOL will rule against him if he does not have a finding from NRC that there is merit to his case. I told SAUM that we did not discuss the status of cases that under investigation. I told SAUM that as he felt coerced, he should discuss this matter with his attorney to obtain guidance. SAUM told me that he had no funds to pay an attorney.

4. SAUM again wanted NRC's help in obtaining access to his office at Rancho Seco to retrieve papers and computer stored data regarding his allegations/filings with NRC and USDOL. SAUM stated that some of the papers in his office were his "personal" papers and that he had spent \$80 at "Kinkos" coping these papers. I asked SAUM whether he had made copies of SMUD documents at "Kinkos", and he said yes, and that these copies were his property. When I asked SAUM if he felt that copies of SMUD documents made at his expense were his property, he did not answer my question but asked that I call NARDIZZI and tell her that "maybe there is merit to my case". I agreed to call NARDIZZI to discuss the matter.

Subsequently, NARDIZZI telephoned me and reported the following;

1. She was attempting to negotiate a settlement between SMUD and SAUM, that had been proposed by SMUD, that included 6 months of pay (\$40,503), payment for accrued personal leave (\$23,029) and sick leave (\$22,237), and payment of SAUM's attorney fees up to \$25,000, for a total maximum settlement of \$110,770. SMUD had also agreed to give a neutral reference of SAUM to any prospective employers that contacted SMUD, and to remove his termination letter from his personnel file. SMUD had also offered 18 months of "COBRA" medical benefits to SAUM, but NARDIZZI was unsure as to who was to pay for this benefit.

2. NARDIZZI wanted NRC to encourage SAUM to accept this offer and I advised her that NRC did not get involved in such matters. I told NARDIZZI that I had recommended to SAUM that he seek legal

A/ys-

advice from an attorney, and she reported that she had advised SAUM of the same.

3. NARDIZZI felt that SAUM did not have a good discrimination case against SMUD and should settle. I told her we had the matter under investigation at this time.

I am sending you via FEDEX two letters I received from SMUD this week. The first is SAUM's termination letter with attached supporting documents, and the second is SMUD's response to SAUM regarding his obtaining access to his office at Rancho Seco.

Based upon my review of these documents, and the above info., I still feel that we should continue to close this case as unsubstantiated.

Let me know your thoughts,

Thanks,

Phil

From: Phil V. Joukoff
To: Len Williamson
Date: Thu, Jul 8, 1999 3:32 PM
Subject: 4-1999-011

Len,

I spoke telephonically to SAUM this afternoon when he returned my call from 2 days ago. SAUM reported the following information:

1. On June 30, 1999, he was placed on administrative leave/was suspended by SMUD after reading aloud a letter to REDEKER reporting that SAUM did not want to discuss his DOL complaint with SMUD employees. SAUM added that he reported to REDEKER that he wanted his attorney present to witness his discussions with SMUD management.
2. SAUM's site access has also been suspended and he is unable to retrieve some confidential and important papers that are in his desk at work that involve his complains to both NRC and DOL. According to SAUM, SMUD will not let him into his office.
3. SAUM wants NRC's assistance in obtaining his documents that are in his desk and wants this problem resolved "once and for all" regarding SMUD intimidating him by suspending his employment.

I told SAUM that I felt NRC could not order SMUD to allow him access to his papers/documents/ office, but that I would pass his request along to RIV (I believe that this is the same request that SAUM made of Ray MULLIGAN last week in which MULLIGAN told SAUM that NRC could not help him).

Let me know what you would like to do.

Phil

A/46

From: Phil V. Joukoff
To: Len Williamson
Date: Tue, Jul 6, 1999 3:23 PM
Subject: 4-1999-011

Len,

I was contacted telephonically today by Mrs. NARDIZZI, no first name as she goes by Mrs. NARDIZZI, 214-767-4736, ext. 249, who advised me that she was an OSHA investigator assigned to handle SAUM's allegations at Rancho Seco/SMUD. NARDIZZI reported that SMUD was "howling" at her investigative efforts as NRC and the State of California were pursuing the same allegations. NARDIZZI asked what the status/conclusions were of our investigation and I told her the matter was under investigation, and that was all the information that we were prepared to disseminate. NARDIZZI told me that SAUM had contacted her last week and reported that he had been placed on administrative leave by SMUD and that his site access had been withdrawn. According to NARDIZZI, SAUM was to receive word this week from SMUD as to what additional actions were to be taken.

Also, I spoke with Ray MULLIGAN on 7/2 who reported that SAUM had called him basically reporting the same information as NARDIZZI, with the addition that SAUM wanted the NRC to direct SMUD to reinstate his site access. MULLIGAN told SAUM that this was something that NRC could not do.

Based upon MULLIGAN's call, I called SAUM this morning and left a message for him to call me back. I left two such similar messages with SAUM approximately two weeks ago, but did not hear from him on this occasion. I will advise you what SAUM reports when I talk with him.

Phil

A/47

ALLEGATION ASSIGNMENT FORM
(FOLLOWUP ARB)

Allegation Number: RIV-1999-A-0031 Licensee/Facility: RANCHO SECO

ARB Date: 5/17/99 >120 days: 6/23/99 >180 days: 8/22/99

Allegation Summary: The allegor stated that as a condition for continued employment, the allegor must write a PDQ first regarding a plant problem. He was threatened with termination if he reported the problem to the NRC first. Allegor also mentioned another employee that suffered H&I for reporting a concern. Allegation RIV-1999-A-0031 was opened to address the new concerns. The allegor filed a DOL complaint of discrimination.

Previous ARB Decision: The 3/30/99 ARB requested that OI interview the allegor and the allegation be reconsidered by the ARB after the DNMS:FCDB review of the OI transcript. The FCDB review and recommendations are attached as background information.

Overall Responsibility (Division/Branch): ACES

Status:

Memo from allegor to be given to FCDB.

Planned Date for Completion:

OI Action: OI Case Number: 4-1999-011

ARB Recommended Priority: _____

ARB Chairman: _____ Date: _____

ARB Attendees: _____, DRP _____, DRS _____, DNMS
W. L. Brown, RC _____ L. Williamson, OI _____ R. Wise, SAC _____
R. Mullikin, AC _____, Enforcement Other: _____

cc: Allegation File, ARB Meeting File, OI

Ally



UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INVESTIGATIONS, REGION IV
611 RYAN PLAZA DR., SUITE 400
ARLINGTON, TX 76011-8064

April 15, 1999

MEMORANDUM FOR: Russ Wise, Allegation Coordinator
Region IV

FROM: E. L. Williamson, Director ^{ELW}
Office of Investigations Field Office, Region IV

SUBJECT: RANCHO SECO NUCLEAR GENERATING STATION:
DELIBERATE DISCRIMINATION AGAINST AN ENGINEER
BY MANAGEMENT FOR REPORTING SAFETY CONCERNS
(CASE NO. 4-1999-011)

On March 26, 1998, and April 2, 1999, James SAUM, Engineer, Technical Services Department, Rancho Seco Nuclear Generating Station, was interviewed by Special Agent Philip Joukoff, Office of Investigations (OI), Nuclear Regulatory Commission (NRC), Region IV (RIV), to determine whether he was subjected to discrimination by management for reporting safety concerns.

Attached is a copy of the transcript of interview and related documents for the staff's review and determination of any safety/technical concerns or violations of NRC regulations. In addition, OI:RIV requests a written response regarding your review. Since the OI investigation is pending, please ensure that appropriate measures are enacted to safeguard the dissemination of the transcripts and related information.

Attachments:
As stated

cc: B. Brown

A/49



UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INVESTIGATIONS, REGION IV
611 RYAN PLAZA DR., SUITE 400
ARLINGTON, TX 76011-8064

April 15, 1999

MEMORANDUM TO: William L. Brown, Regional Counsel
Region IV

FROM: E. L. Williamson, Director ^{ELW}
Office of Investigations Field Office, Region IV

SUBJECT: RANCHO SECO NUCLEAR GENERATING STATION:
DELIBERATE DISCRIMINATION AGAINST AN ENGINEER
BY MANAGEMENT FOR REPORTING SAFETY CONCERNS
(CASE NO. 4-1999-011)

On March 26, 1998, and April 2, 1999, James SAUM, Engineer, Technical Services Department, Rancho Seco Nuclear Generating Station, was interviewed by Special Agent Philip Joukoff, Office of Investigations (OI), Nuclear Regulatory Commission (NRC), Region IV (RIV), to determine whether he was subjected to discrimination by management for reporting safety concerns.

Attached is a copy of the transcript of interview and related documents for your review to determine if SAUM was engaged in protected activity and if he may have been the subject of discrimination, harassment, and intimidation. In addition, OI:RIV requests a written response regarding your review. Since the OI investigation is pending, please ensure that appropriate measures are enacted to safeguard the dissemination of the transcript and related information.

Attachments:
As stated

cc: R. Wise

A/50

SACRAMENTO MUNICIPAL UTILITY DISTRICT

OFFICE MEMORANDUM

TO: Jim Saum

DATE: June 7, 1999
MNTS 99-0065

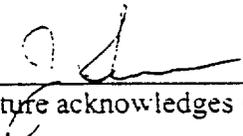
FROM: Jim Field 

SUBJECT: **WRITTEN REMINDER - MAINTAINING INTERPERSONAL
RELATIONSHIPS**

This memo serves as a Written Reminder that the District requires, as a condition of your continued employment, that you work toward improving your relationships with your coworkers in an effort to increase your effectiveness as a District employee.

On May 19, 1999, you approached a co-worker with the intent of getting him to sign a written statement attesting to the flexibility that you had shown in a recent collaborative work effort. This was the fourth occasion on which you approached this coworker on this subject. You pursued the issue with the coworker even though he made it clear to you that he did not wish to engage you on this matter any further. The coworker shouted at you in an effort to get you to leave him alone and was so unsettled by the incident that he left work for the remainder of the day and later complained to me that he felt you were harassing him.

We have repeatedly told you that you needed to improve in the development and maintenance of interpersonal relationships in the workplace. On February 23rd we discussed your repeated questioning of Dale Flowers' (the contracted facilitator) professional ethics. This resulted in an Oral Reminder. Your conduct in this regard is highly unprofessional and inconsistent with the performance improvement program under which you are currently employed. I must caution you that continued treatment of your co-workers in this manner will result in the imposition of additional and more severe disciplinary action up to and including the termination of your District employment. I sincerely hope that you take this admonition to heart and redirect your efforts in a more positive direction.

Signature 
(Signature acknowledges the receipt of this memo.)

Date 6/10/99

cc: Steve Redeker
Personnel Services

A/52

II EMPLOYEE DEVELOPMENT

Employee Strengths

- 1) Knowledge of instrument and control equipment
- 2) Knowledge of radiation monitoring and security systems
- 3) Knowledge of regulations
- 4) Thoroughness
- 5) Work standards

Areas Needing Improvement

- 1) Communication
- 2) Interpersonal Skills
- 3) Collaborative Problem Resolution/Negotiations
- 4) Exhibiting a positive and cooperative attitude toward co-workers, supervisors, and management
- 5) Accepting responsibility for personal actions
- 6) Accepting a need for change
- 7) Control of emotions in communication
- 8) Maintaining focus on work assignments
- 9) Inability to put the past behind and focus on the future

Activities To Be Completed

a) Build and maintain good working relationships

- Act respectfully to co-workers at all levels of the organization in consideration of their knowledge, expertise, ideas, and assigned roles in the success of site operation.
- Act respectfully and be supportive of supervision/management and of management direction in action and casual conversation
- Meet with selected supervisors to understand how they view working relationships. Provide a "Lessons Learned" document that includes actions to be taken
- Attend the following training courses in support of this area. (Prepare a brief report containing lessons learned and action plan following each course):

Understanding Yourself and Others – (Course #311 as offered by the California State Training Center) Targe Date – 5/14/99

Indications of progress in this area would be:

- Completion of lessons learned document per above
- Successful implementation of actions described in lessons learned document.
- Improved relationships as reported by site supervisors
- Assessment of 3rd party facilitator

b) Demonstrate a collaborative style in all interactions

- Listen to the ideas of others, give these ideas full consideration and convincingly communicate to others your full consideration.
- Demonstrate interactive problem solving.
- Attend the following training courses in support of this area. (Prepare a brief report containing lessons learned and action plan following each course):

Conflict Management – (Course #345 as offered by the California State Training Center) Target Date – 6/24/99

Dealing with Difficult People – (Course #420 as offered by the California State Training Center) Target Date 6/3/99

Conflict Resolution and Confrontation Skills – (as offered by Fred Prvor Seminars – date and location to be announced)

Indications of progress in this area would be:

- Completion of lessons learned document per above
- Successful implementation of actions described in lessons learned document.
- Greater satisfaction with problem resolutions as reported by site supervisors
- Assessment of 3rd party facilitator
- Specific experiences noted where collaborative problem solving resulted in a “win-win” solution to the problem

c) Improve communication

- Demonstrate good listening skills.
- Routinely use feedback to assure common understanding.
- Control emotions (particularly anger) in communications.
- Do not feed past issues into current problem solving.
- Recognize when an impasse has been reached and avoid a protracted debate.

- Attend the following training courses in support of this area. (Prepare a brief report containing lessons learned and action plan following each course).

Interpersonal Communication -- (Course #816 as offered by the California State Training Center) - Target Date 4/27/99

Stress Management -- (Course #335 as offered by the California State Training Center) Target Date - 4/8/99

Effective Listening -- (Course #813 as offered by the California State Training Center) Target Date - 6/11/99

- Indications of progress in this area would be:

- Completion of lessons learned document per above.
- Successful implementation of actions described in lessons learned document.
- Feedback from site supervisors relative to the clarity, success, and ease of each communication.
- Assessment of 3rd party facilitator.

Comments:

J. J. Tellez
Originating Supervisor

4/6/99
Date

Steve W. ...
Second Level Supervisor

4/7/99
Date

[Signature]
Employee

4/7/99
Date