



Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

February 16, 2001

Mr. Luis Reyes, Regional Administrator  
U.S. Nuclear Regulatory Commission  
Region II  
Sam Nunn Atlanta Federal Center  
61 Forsyth St., SW, Suite 23T85  
Atlanta, Georgia 30323-8931

Dear Mr. Reyes:

#### CONCERNS RESOLUTION PROGRAM YEAR 2000 REPORT

TVA described the results of the Year 2000 review of the Concerns Resolution Program during our recent discussions held on February 7, 2001. The review is performed periodically by TVA's Office of Inspector General to assess the effectiveness of the Concerns Resolution Program. The review methodology used both statistically valid surveys of the TVA Nuclear (TVAN) workforce and reviewing closed case files investigated by the Concerns Resolution staff. In summary, the review found that the:

- TVAN workforce felt free to raise nuclear safety and quality issues,
- Issues associated with the closed files were properly addressed with few exceptions, and
- Number of allegations made directly to the NRC by TVAN workforce has declined since 1993.

You requested that TVA provide copies of the TVA Office of Inspector General reports referred to in our discussions. Accordingly, we are enclosing the five reports that represent the Year 2000 review of the Concerns Resolution Program.

TVA requests that the NRC not place these five reports in the public document room pursuant to the deliberative process privilege under exemption 5 of the Freedom of Information Act (FOIA), 5 U.S.C. § 552(b)(5), also 18 CFR § 1301.7(a)(5) of TVA's FOIA regulations and 10 CFR § 2.790(a)(5) of the NRC's regulations. This privilege protects information which is predecisional and deliberative, impacting the advisory and consultative process by which TVA decisions and policies are formulated. These reports

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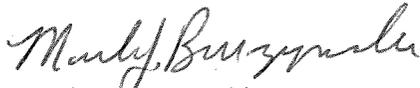
are developed primarily for internal use in an effort to assess program effectiveness and to make decisions regarding program modifications. Moreover, public release of the information could inhibit candor in the information-gathering process, thus hindering an accurate evaluation of the program, which exemption 5 is intended to protect against.

These reports should also be withheld pursuant to the governmental confidential commercial information privilege incorporated within exemption 5 of the FOIA, (18 CFR § 1301.7(a)(5) of TVA's FOIA regulations). This privilege protects governmental confidential commercial information which, if released, could cause competitive harm to TVA. TVA made a significant monetary investment in developing this information, which included independent reviews of the statistical analyses and of the data gathering techniques. Accordingly, this information is of the type which exemption 5 is intended to protect.

In accordance with standard interagency FOIA practice, we also ask that any requests the NRC might receive from the public for release of these documents be referred to TVA for disposition.

If you have any questions or need to forward such referrals, please call me at (423) 751-2508.

Sincerely,



Mark J. Burzynski  
Manager  
Nuclear Licensing

Enclosures