



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

FILE COPY

May 26, 1999

[Redacted]

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SUBJECT: ALLEGATION REPORT RII-1999-A-0065

[Redacted]

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This letter refers to your communications with the NRC Resident Inspector on May 5, 1999, in which you expressed concern at Carolina Power and Light (CP&L) Company's Harris facility. Your concern dealt with the CP&L's access authorization program for nuclear power plants.

Enclosure 1 to this letter, documents your concern as we understand it. We have initiated actions to develop and examine the facts and circumstances of your concern. Therefore, if we have misunderstood or mischaracterized your concern as described in the enclosure, please contact me so that we can assure that it is adequately addressed prior to the completion of our review.

The NRC Office of Investigations (OI) is conducting an investigation on this matter and plans to conduct an interview with you in the near future. Our evaluation of your concern will normally be performed within six months; however, since this matter involves NRC follow up of alleged wrongdoing, it may take longer. You will be informed of the results of our review.

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The NRC brochure, "Reporting Safety Concerns to the NRC," Enclosure 2 to this letter, contains information that you may find helpful in understanding our process for review of safety concerns. It includes an important discussion (on pages 5-7) of our identity protection procedures and limitations. **Please read that section.** The brochure also includes a discussion of the right of an individual to file a complaint with the U.S. Department of Labor (DOL) if the individual believes she or he has been discriminated against for raising safety concerns and the individual desires a personal remedy.

The NRC is responsible for enforcement actions against utilities, vendors, or individuals who discriminate against individuals who raise safety concerns. The DOL review is a public process. DOL is responsible for providing personal remedies, such as reinstatement, back pay, and so forth. **The NRC cannot provide you with personal remedies. This type of remedy can only come from DOL.** For DOL to accept a complaint, it must be in writing and it must be submitted to DOL within 180 days of the date of the discriminatory act or the date you received any written notice of an adverse personnel action (e.g., layoff or suspension), **whichever occurs first.** (Please see pages 8-10 of the brochure.) Should you decide to file, the office for processing your DOL complaint is as follows:

Mr. Arthur M. Johannes, Regional Supervisor Investigator
U. S. Department of Labor - OSHA
Atlanta Federal Center
61 Forsyth Street, SW, Room 6T50
Atlanta, GA 30303-3415
Phone number: 404-562-2260

Information in this record was deleted in accordance with the Freedom of Information Act, exemptions 7c

FOIA- 2001-0130

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Certified Mail Number: Z 483 601 405
RETURN RECEIPT REQUESTED

Enclosures: (See page 2)

If you file a complaint with DOL, please send a copy to us also.

If a request is filed under the Freedom of Information Act (FOIA) related to your areas of concern, the information provided will, to the extent consistent with that act, be purged of names and other potential identifiers. Finally, you are not considered a confidential source unless an explicit request of confidentiality has been formally granted in writing.

Thank you for notifying us of your concern. We will advise you when we have completed our review of this matter. Should you have any questions or comments during the interim regarding this matter, please call me toll-free at 1-800-577-8510 during the office hours from 7:30 a.m. to 5:15 p.m. or respond in writing. Our mailing address is P.O. Box 845, Atlanta, GA 30301.

Sincerely,



Al Ignatonis,
Senior Allegation Coordinator

Enclosures: 1. Statement of Concern
2. NRC brochure "Reporting Safety Concerns to the NRC"

ENCLOSURE 1

RII-1999-A-0065

CAROLINA POWER AND LIGHT (CP&L) COMPANY

SHEARON HARRIS NUCLEAR POWER PLANT, UNIT 1

STATEMENT OF CONCERN

A corporate manager may have directed the root-cause investigators to change their identified root causes and findings that identified [REDACTED]. The investigators were investigating the circumstances of several noncompliances associated with the licensee's (CP&L) unescorted site access authorization program for nuclear power plants.

The licensee investigators told "someone" [REDACTED] the corporate manager had directed them to change their findings.

One of the licensee investigators, refused to change the findings. [REDACTED] subsequently questioned the investigator's performance.

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ENCLOSURE 2

[REDACTED], 670

Distribution w/enl:
O. DeMiranda, EICS

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