



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

February 19, 1992

The Honorable Bob Smith
United States Senate
Washington, D.C. 20510-2903

Dear Senator Smith:

I am responding to your letter of January 8, 1992, in which you requested that the U.S. Nuclear Regulatory Commission (NRC) address issues raised by Mr. and Mrs. Charles Pratt regarding the firing of two workers by Northeast Utilities (NU) at the Millstone Nuclear Power Station.

The NRC is aware of the concerns raised by these two workers and of the fact that they were recently fired by NU. The NRC staff promptly advised these two individuals of their rights to file complaints with the U.S. Department of Labor (DOL) under the Energy Reorganization Act. They have since filed complaints with the DOL. On January 17, 1992, DOL completed an investigation and concluded that discrimination was a factor in the firing of the two workers.

NU has filed an appeal which will be considered by a DOL Administrative Law Judge. It is normally the NRC's practice to await the completion of any DOL actions before deciding what, if any, actions should be taken against the company for alleged worker discrimination, unless the NRC finds an immediate health and safety concern. The NRC staff has not concluded at this time that the facts in the case of these two individuals represent an immediate health and safety concern. In a letter to NU of November 13, 1991, the NRC requested that the utility provide to the NRC the basis for terminating the employment of these two individuals and the actions the utility has taken or plans to take to ensure that this employment action would not have a chilling effect on others who may desire to raise perceived safety concerns. The NRC staff is reviewing NU's response of December 27, 1991, and the DOL Area Director's finding issued on January 17, 1992.

The two workers have provided the NRC with a large number of concerns. The NRC has been concerned with not only the large number but, more importantly, with the fact that these complaints were not submitted through the normal communication channels (worker to supervisor) for resolution. Moreover, the NRC and NU have continued to discuss the failure of other independent means provided by NU (such as its Nuclear Safety Concerns Program) to ameliorate that situation. The NRC and NU have also discussed the broader implications for all NU employees who may raise or consider raising safety concerns. In a parallel effort conducted separately from the above discussions between the NRC and NU, the NRC established a special review group on December 13, 1991, to review the written record possessed by the NRC to determine if an atmosphere exists (or existed) at NU's nuclear facilities which (1) encourages employees to identify quality discrepancies or safety concerns, or (2) has (or had) a chilling effect on the willingness of NU employees to report such. The

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Enclosure 1

The Honorable Bob Smith

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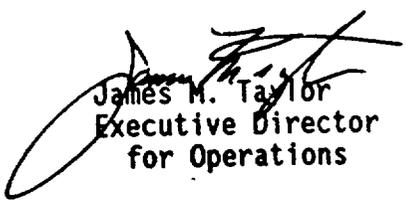
conclusions and recommendations of this special NRC review group are expected to be available in March 1992.

Our records indicate that the NRC received approximately 526 concerns from the two workers since April 1988. The NRC has thoroughly evaluated each concern so that any immediate safety issue would be promptly identified and corrected. None of the complaints received by the NRC from the two workers has represented a major safety problem. Most of their concerns have been of a type that should be routinely resolved by daily departmental interactions within the utility organization. A recurrent theme among many of the concerns is the quality and use of procedures at Millstone, wherein routine activities had not been rigorously conducted using established administrative controls. While these concerns are not significant individually, the NRC has found related programmatic weaknesses about which it is concerned. The NRC conducted its most recent Systematic Assessment of Licensee Performance (SALP) at Millstone during the 18-month period of mid-1989 through 1990. The results of the SALP highlighted NU's failure to effectively address the root causes for lapses in attention to detail and adherence to procedures during routine activities. I have enclosed a copy of our final SALP report. We continue to press these issues with the utility. After the NRC completed the SALP, several NU task forces independently assessed the issue of procedural adherence. At meetings with the NRC held in October and December 1991, NU managers discussed the findings of these task forces.

The NRC recently responded directly to your constituents, Mr. and Mrs. Pratt, regarding these matters. I have enclosed a copy of our letter of December 16, 1991.

I appreciate the opportunity to respond to your questions, and I assure you that the NRC will conduct a complete evaluation of issues surrounding the individuals mentioned herein and will monitor closely the overall performance of the NU organization.

Sincerely,



James M. Taylor
Executive Director
for Operations

Enclosures:

1. Final Millstone SALP Report
2. December 16, 1991, letter
(T. Martin, NRC, to Charles
and Joan Pratt)



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
478 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406

MAR 05 1991

Docket Nos. 50-245, 50-336, and 50-423

Northeast Nuclear Energy Company
ATTN: Mr. E.J. Mroczka
Senior Vice President - Nuclear
Engineering and Operations
P.O. Box 270
Hartford, Connecticut 06141-0270

Gentlemen:

**Subject: Systematic Assessment of Licensee Performance (SALP) Report
Nos. 50-245/89-99; 50-336/89-99; 50-423/89-99**

An NRC SALP Board conducted on January 28 - 29, 1991, reviewed and evaluated the performance of activities at the Millstone Station for the period of June 16, 1989, through December 15, 1990, for Millstone Units 1 and 2 and for the period of October 16, 1989, through December 15, 1990, for Millstone Unit 3. The enclosed Initial SALP Report documents the results of this assessment.

We will schedule a management meeting to discuss the SALP evaluation at your corporate headquarters in Berlin, Connecticut, at a mutually acceptable date. At the SALP meeting you should be prepared to discuss our assessments and your plans to improve performance. The meeting is intended to be a candid dialogue wherein any comments you may have regarding our report may be discussed. Additionally, you may provide written comments within 20 days after the meeting.

Shortly following the SALP period, as a result of its review of a Unit 3 event in which erosion/corrosion-related wear caused the failure of two main steam drain lines, the NRC noted an apparent performance weakness in the Engineering and Technical Support area. This weakness involved the documentation and control of the program to inspect piping systems for this type of degradation. This weakness has not been assessed in this report. However, we do not believe it would change the category assigned to the Engineering and Technical Support area.

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Enclosure 1

Northeast Nuclear Energy Company

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Your cooperation with us is appreciated.

Sincerely,



Thomas T. Martin
Regional Administrator

Enclosure: SALP Report No. 50-245/89-99; 50-336/89-99; 50-423/89-99

cc w/encl:

W. D. Romberg, Vice President, Nuclear Operations
D. O. Nordquist, Director of Quality Services
R. M. Kacich, Manager, Generation Facilities Licensing
S. E. Scace, Station Director, Millstone
H. F. Haynes, Nuclear Unit Director, Millstone Unit 1
J. S. Keenan, Nuclear Unit Director, Millstone Unit 2
C. H. Clement, Nuclear Unit Director, Millstone Unit 3
Gerald Garfield, Esquire
Chairman Carr
Commissioner Rogers
Commissioner Curtiss
Commissioner Remick
K. Abraham, PAO (30 copies)
Public Document Room (PDR)
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Nuclear Safety Information Center (NSIC)
NRC Senior Resident Inspector
State of Connecticut



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
476 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1416
DEC 16 1991

Docket Nos. 50-245, 50-336, 50-423

Charles and Joan Pratt
66 Rowell Road
Brentwood, NH 03833

Dear Mr. and Ms. Pratt:

I have been asked to respond to your letter to Chairman Selin, dated November 21, 1991, in which you requested that the NRC look fully into the situation regarding two workers recently fired by Northeast Utilities (NU). The NRC intends to perform a thorough review of this matter. Our actions, both historical and planned, are described below.

As you may be aware, the NRC regulates safety issues in the nuclear industry, which includes potential worker discrimination associated with raising such concerns. We take very seriously violations of our regulations regarding employees' protection, and have the authority to (and will) take prompt action against licensees in those cases where the facts support such action. To date, however, the NRC staff has not concluded that the facts in this case represent an immediate health and safety concern. The NRC has taken the initiative to request, in a letter to Northeast Utilities dated November 13, 1991, that the utility provide to the NRC the basis for terminating the employment of these two individuals as well as the actions they have taken or planned to assure that this employment action would not have a chilling effect on others who may desire to raise perceived safety concerns. However, you should be aware that only the U.S. Department of Labor (DOL) has the authority to order back pay, reinstatement, or other compensation to individuals. The two workers in question were promptly advised of their DOL rights. After complaints are filed with DOL by the individuals, they will either attempt to conciliate the matter between NU and the individuals, or perform an investigation. Unless the NRC determines that there is an immediate health and safety concern, it is the NRC's usual practice to await the completion of any DOL actions before deciding what, if any, actions should be taken against the company for alleged worker discrimination.

The NRC has been concerned regarding the responsiveness of the Northeast Utilities nuclear organization to safety concerns for the last three years. Our systematic assessments of NU's performance at the Millstone and Haddam Neck stations have addressed the issue of responsiveness to concerns. In response to those assessments, the utility developed an enhanced program to resolve employee concerns in January 1990. A team inspection, which we conducted in October 1990, evaluated the structure and effectiveness of NU's Nuclear Safety Concerns Program. Our team found, at that time, an open and responsive atmosphere to communicating safety issues, although most employees interviewed preferred to resolve concerns using the normal line management process. A copy of our report is attached for

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Enclosure 2

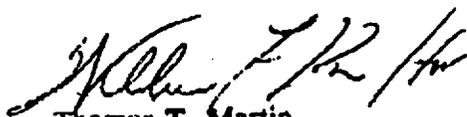
Charles and Joan Pratt

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your information. While that conclusion represents but a single data point, the issue of responsiveness has continued to be addressed. More recently, we met with NU on three occasions, September 3, October 8, and December 9, to discuss internal NU Task Forces that were focused at, in part, improvements in the organization's responsiveness to and resolution of safety concerns.

I appreciate the opportunity to respond to your concerns, and I assure you that the NRC will conduct a complete evaluation of issues surrounding the individuals mentioned above, as well as the overall NU organizational response to the safety concerns of its employees.

Sincerely,



Thomas T. Martin
Regional Administrator

Enclosure: As Stated

CONGRESSIONAL CORRESPONDENCE SYSTEM
DOCUMENT PREPARATION CHECKLIST

This checklist is to be submitted with each document (or group of Qs/As) sent for filing into the CCS.

1. BRIEF DESCRIPTION OF DOCUMENT(S) Senator Bob Smith
2. TYPE OF DOCUMENT Correspondence Hearings (Qs/As)
3. DOCUMENT CONTROL Sensitive (NRC Only) Non-sensitive
4. CONGRESSIONAL COMMITTEE and SUBCOMMITTEES (if applicable)

Congressional Committee

Subcommittee
5. SUBJECT CODES
(a) _____
(b) _____
(c) _____
6. SOURCE OF DOCUMENTS
(a) _____ 5520 (document name _____)
(b) _____ Scan- (c) _____ Attachments
(d) _____ Rekey (e) Other _____
7. SYSTEM LOG DATES
(a) 3/3/92 Date OCA sent document to CCS
(b) _____ Date CCS receives document.
(c) _____ Date returned to OCA for additional information
(d) _____ Date resubmitted by OCA to CCS
(e) _____ Date entered into CCS by _____
(f) _____ Date OCA notified that document is in CCS
8. COMMENTS

