

Congress of the United States

Washington, DC 20515

September 1, 1998

The Honorable Hubert T. Bell
Inspector General
Nuclear Regulatory Commission
11555 Rockville Pike

REC'D BY SEB
Rockville, Maryland 20852

Dear Mr. Bell:

1 SEP 98 3:40

We are writing to request that your office conduct a review of the process and specific conclusions of a series of NRC Office of Investigations inquiries involving complaints of harassment and intimidation raised by former employees at Millstone Station in Waterford, Connecticut, and investigations relating to violations of refueling technical standards. Specifically, we are referring to NRC Office of Investigations Reports 1-95-040, 1-95-046, 1-95-048, 1-97-002, 1-97-026, 1-97-037, 1-96-007, 1-96-014, 1-96-034, and 1-96-018. We are very troubled about both the process and the conclusions.

As you know, the NRC has been highly critical of how Northeast Utilities (NU) has handled employee complaints about safety. The NRC issued a special order requiring NU to hire outside experts to reform its entire approach to handling employee concerns. The NRC demanded that full compliance with that order occur before Millstone 3 would be allowed to restart. Despite the NRC's very serious concerns, it appears that in the specific cases examined (or at least those cases made public to date), the NRC has found no evidence of discrimination. For example:

- ▶ We understand that the NRC's Office of Investigations has closed claims of harassment brought by Mr. George Galatis and Mr. George Bertencourt because of insufficient evidence. These individuals are former Millstone engineers who publicly revealed information regarding Millstone's noncompliance with license limits on the amount of nuclear fuel that could be moved into the spent fuel pool during refueling. An editorial in the *New London Day* on August 10, 1998, stated that Mr. Ernest C. Hadley, counsel to Mr. Galatis, reported at a public meeting in April 1996 that he saw the executive summary of an NRC report concluding that Mr. Galatis was indeed discriminated against. We are very concerned about whether and why the conclusions in any draft report may have been changed.
- ▶ With respect to OI Case No. 1-95-048 and a possible 10 CFR 50.9 violation, the Office of Investigation has apparently concluded that NU did not provide "false, inaccurate or incomplete information" relating to refueling requirements. We are very concerned about the basis for this conclusion, particularly in view of the NRC's own previous conclusion that NU had been violating the technical specifications with respect to the refueling requirements.

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9/1...To OIG for Direct Reply...Date due: Sept. 16...Copy to: Chairman, Comrs, OGC, EDO, OCA to Ack...98-0814

- ▶ With respect to the cases involving 109 employees who were laid off in January 1996, the NRC apparently conducted a "generic" review and then only investigated a limited number of individual cases. We are troubled by this process, and request an investigation of whether such an approach complies with appropriate procedures for evaluating complaints brought to the NRC by employees of nuclear power plants and comparable procedures in other agencies.
- ▶ We also understand that the NRC has concluded that there is not sufficient evidence to substantiate allegations of discrimination with respect to any of the 109 employees, including those whose complaints were not individually investigated. We do not understand how the NRC could have reached any conclusion about the merits of cases where no investigation was undertaken.

We would appreciate your prompt attention to this request

Sincerely,

CHRISTOPHER J. DODD
United States Senator

JOSEPH I. LIEBERMAN
United States Senator

SAM GENDERSON
Member of Congress