

December 15, 2006

Mr. Michael A. Balduzzi  
Site Vice President  
Entergy Nuclear Operations, Inc.  
Pilgrim Nuclear Power Station  
600 Rocky Hill Road  
Plymouth, MA 02360-5508

RI-2005-A-0120

Subject: NRC Office of Investigations Case No. 1-2006-007

Dear Mr. Balduzzi:

The Region I Field Office, NRC Office of Investigations (OI) initiated an investigation (Case No. 1-2006-007) on November 25, 2005, to determine whether an NRC Senior Reactor Operator/ Control Room Supervisor (SRO)/(CRS) at the Pilgrim Nuclear Power Station was discriminated against for having raised safety concerns. The SRO/CRS claimed that he was harassed and intimidated by management due to raising safety concerns about the Operations Standards training program, specifically about certain interim criteria. Based on the information developed during this investigation, OI did not substantiate that the SRO/CRS was discriminated against for having raised safety concerns.

OI reviewed documents and received testimony indicating that Pilgrim management understood the SRO/CRS' concerns and agreed that it was appropriate for him to raise such concerns. OI determined that Entergy appropriately investigated his concerns using an independent investigator (outside attorney) due to a potential conflict of interest. OI noted that Pilgrim management discussed whether or not the SRO/CRS should resume shift duties following training because of their concern that he would not follow operations management's expectations of implementing the interim guidance, and its associated impact on the crew. OI believes that this was a legitimate concern by the licensee. After obtaining an objective party to evaluate and monitor the SRO/CRS' training performance, Pilgrim management concluded that his training performance and conduct were satisfactory, and that the SRO/CRS should return to shift duties. OI viewed these actions as a good faith effort to be fair and impartial about the SRO/CRS' behavior, and his right to raise safety concerns. Although OI believes that an operations manager lost his temper with the SRO/CRS, OI found that there was insufficient evidence to prove he took discriminatory actions against the SRO/CRS.

Please note that final NRC investigation documents, such as the OI report described above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records, a copy of which is enclosed for your information.

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Should you have any questions regarding this letter, please contact Mr. R. Powell of my staff at (610) 337-6967.

Sincerely,

/RA/

David C. Lew, Director  
Division of Reactor Projects

Enclosure:  
10 CFR 9.23, Request for Records

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