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NUCLEAR SAFETY REVIEW STAFF OFFICE PROCEDURE

TITLE: EMPLOYEE RESPONSE TEAM PROGRAM ADMINISTRATION DATE: 6/24/85 R1

I. PURPOSE

This procedure describes the methods for NSRS interface with Quality Technology Company (QTC) and other TVA organizations when performing investigations of employee concerns.

II. SCOPE

This procedure identifies NSRS responsibilities and those of other TVA organizations whose participation is vital to assure implementation of this program. It is in effect for the duration of QTC services.

III. POLICY

NSRS administers QTC Personal Services Contract TV-66317A, which serves to expand the investigation capabilities of NSRS and to allow an outside organization to solicit and respond to employee concerns in confidence. The contractor, Quality Technology Company (QTC), has established the Employee Response Team Program to assure WBN and other TVA employees have a method to voice safety concerns confidentially without fear or threat of adverse job action.

NSRS will assure that the contractor complies with the contract and NSRS Procedure 0307, "Employee Response Team Program," and act as liaison between QTC and other TVA organizations, except where prohibited (i.e., in the case of concerns raised against NSRS).

IV. REFERENCES

- A. NSRS Procedure 0307, "Employee Response Team Program," (developed by QTC, approved by NSRS).
- B. NSRS Procedure 0303, "Conduct of Investigations."
- C. TVA Code II, "Expression of Staff Views."
- D. TVA Instruction III CONDUCT, Complaints.
- E. TVA Board of Directors' memorandum to all Employees dated April 30, 1985.
- F. NSRS Procedure 0207, "Handling Employee Concerns."
- G. TVA Code VIII, "Occupational Health and Safety."

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V. ABBREVIATIONS/ACRONYMS/DEFINITIONS

A. Abbreviations/Acronyms

1. QTC Quality Technology Company
2. ERT Employee Response Team
3. ERTTP Employee Response Team Program
4. IG NSRS Investigations Group
5. OGC Office of the General Counsel
6. OC Office of Construction
7. OE Office of Engineering
8. PMO Project Manager's Office
9. OCS Office of Corporate Services
10. OHS Occupational Health and Safety
11. OER Office of Employee Relations
12. NUC PR Office of Nuclear Power
13. DNS NUC PR Division of Nuclear Services
14. NEB-NLS OE Nuclear Engineering Branch, Nuclear Licensing Section

B. Definitions

1. Investigation - A planned, indepth, sequence of actions thoroughly performed so as to produce a documented, replicable conclusion(s) regarding the validity (or substantiation) of an issue of concern. Such actions would normally include: interviews with personnel cognizant of the issue, review of pertinent requirements and documentation, and critical observation of activities and/or hardware.
2. Evaluation - A systematic series of actions performed to produce a documented, replicable conclusion regarding the validity of an issue of concern, but which may be less formal and indepth than an investigation. Evaluations would normally require only communication of readily obtained accurate information or justification regarding an issue to an employee who may have been misinformed about the facts or requirements of his/her issue.

Example:

Issue: There is no ASME code plate on any of the valves in the component cooling water system.

Evaluation: The statement is true. However, the CCW system was designed and constructed to ANSI B-31.1 requirements and as such, it is not required or permissible to install ASME code stamped plates on the valves.

VI. RESPONSIBILITIES

A. NSRS

1. Director, NSRS is responsible for:
 - (a) Administration of the QTC contract.
 - (b) Establishing and maintaining the ERTTP and approval and implementation of NSRS procedures to assure TVA employees that they may state issues of concern regarding nuclear safety confidentially without fear or threat of adverse job action.
 - (c) Assuring that investigations or evaluations are conducted for each reported issue of concern either by members of his staff, or by referral to other designated TVA or contractor organizations in accordance with this procedure.
 - (d) Assuring that results of investigations or evaluations are reported to appropriate levels of management for action if required, and are made available to interested TVA employees.

The Director may delegate authority to accomplish these duties and responsibilities to members of his staff.

2. Investigations Group is responsible for:
 - (a) Receiving issues of concern regarding nuclear safety expressed by TVA employees either directly or through the QTC ERT. In the former case, the Investigations Group maintains the identities of employees in confidence, and in the latter case, neither NSRS or other TVA groups are cognizant of employees' identities, because QTC ERT maintains the identities in confidence.
 - (b) Performs, directs QTC to perform, or requests other TVA organizations to perform, investigations or evaluations of reported issues of concern.
 - (c) Provides reports or other documentation of the results of investigations and evaluations conducted by NSRS to the Director, NSRS/designee(s), for review, approval, and distribution.
 - (d) Reviews reports or other documentation of results of investigations and evaluations performed by QTC and other TVA organizations as part of the ERTTP for completeness.
 - (e) Makes recommendations for corrective actions when appropriate.

- (f) Performs follow-up of corrective action to assure resolution of safety-related issues.
 - (g) Establishes a method to track the status of uniquely identified issues from notification through closure.
3. Other TVA organizations are responsible for:
- (a) Dedicating the resources necessary to establish or support currently existing programs designed to achieve prompt and responsive action when in receipt (1) of an NSRS investigation report requiring response, (2) of a referral from NSRS to conduct an investigation or evaluation into an identified issue, or (3) of notification by NSRS to evaluate a potential license-impacting or reportable issue.
 - (b) Taking corrective action in accordance with TVA requirements where appropriate to resolve conditions or problems verified by an ERTIP investigation/evaluation.
 - (c) Assuring that internal programs are established and are supported that provide methods for and encourage TVA employees to state issues of concern without fear or threat of adverse job action in accordance with references IV.C and IV.E.
4. Quality Technology Company is responsible for:
- (a) Providing qualified personnel and other resources to implement that portion of the ERTIP for which QTC contracted, e.g.:
 - (1) Conducting initial confidential interviews of TVA employees.
 - (2) Processing nuclear safety-related issues of concern through supervision of dedicated telephone service for that purpose.
 - (3) Performing investigations of issues in accordance with documented plans and procedures when directed by NSRS.
 - (4) Providing investigation reports and report packages to NSRS for review for completeness and for approval.
 - (5) Providing responses to TVA employees who have raised issues of concern when such response is feasible (i.e., the identity of the employee is known to QTC).

- (6) Providing prompt notification to TVA through NSRS regarding issues of concern which may impact plant licensing requirements or which may be potentially reportable to the NRC.
 - (7) Providing information on the status and progress of the ERT to NSRS as specified in reference IV.A, and as requested by NSRS.
- (b) Protecting the identities of TVA employees who have stated issues of concern to QTC's ERT, subject to legal requirements.

VII. IMPLEMENTING INSTRUCTIONS

A. General

The QTC-ERT will interview all TVA WBN employees at Watts Bar and Watts Bar Engineering Project personnel in Knoxville in order to provide a confidential method for these employees to express any unresolved nuclear safety-related issues of concern. Additionally QTC will supervise a dedicated telephone system and U.S. Mail Post Office Box for the purpose of soliciting nuclear safety-related concerns from other TVA employees and ex-employees who may be cognizant of unresolved issues regarding nuclear safety.

The identity of an individual in conjunction with the results of his/her interview, whether conducted in person or not, SHALL AT ALL TIMES BE RETAINED IN CONFIDENCE BY QTC AND TVA SHALL MAKE NO ATTEMPT TO LEARN THE IDENTITIES OF PERSONS WHO HAVE/HAVE NOT EXPRESSED ISSUES OF CONCERN THROUGH QTC.

Issues of concern expressed by individuals will be documented by QTC in accordance with reference IV.A and submitted to NSRS Investigations Group Head or designee for evaluation and assignment of investigating organization responsibility. The Head, Investigations Group/designee will notify QTC-ERT and the assigned organization in writing of the responsibility for conducting an investigation or evaluation. The Investigations Group will maintain a log of concern code numbers and assigned investigating groups.

The investigating organization (including NSRS) will report the results of their completed investigations or evaluations to NSRS IG for review, logging, and transmittal to QTC-ERT for preparation of the response to the employee and closing of the concern. Investigation/evaluation reports should contain:

- o The Employee Concern Assignment Request, Form K.
- o Results of the investigation in a format similar to ERT Form 0 or as prescribed by the investigation organization's program for evaluating and resolving concerns.

- ° A clear statement regarding the merit or validity of the issue raised by the employee.
- ° Proposed and/or completed corrective actions taken, if the concern was substantiated and action was necessary (e.g., NCR No. _____ issued, ECN No. _____ issued, QCP No. _____ revised, hanger relocated, transmitter recalibrated, etc.)

NOTE: Investigation and evaluation reports prepared by QTC and NSRS investigators will contain in the transmittal memorandum, Attachment 3, recommendations made by NSRS for corrective action when determined necessary, as opposed to proposed or completed corrective actions. These reports will be approved by the Director NSRS/designee and distributed to the affected line/staff organization for response and action. Upon receipt of the response, NSRS IG will resolve any questions regarding its adequacy and timeliness, then transmit a copy of the report with TVA response to QCT-ERT. QTC will then prepare a response to the employee and close the concern.

QTC will provide periodic status reports on the progress and problems of the ERTTP to NSRS for information, evaluation, and distribution to cognizant line/staff managers.

B. Details and Exceptions

- QTC
1. QTC provides the WBN site NSRS representative with copies of coded Employee Concern Assignment Requests (ERTTP Form K) on a routine basis (e.g., each morning, Monday through Friday).
- NSRS
2. NSRS reviews and logs the forms on Attachment 1, "Investigation Assignment Log," and determines the appropriate investigating organization using the following guidelines:

<u>Issue Classification</u>	<u>Investigation Assignment</u>
Nuclear safety related	NSRS/QTC-ERT
Intimidation, harassment, reprisal	OGC
Production cost, schedule	OC or PMO
Design cost, schedule	OE or PMO
Personnel issues/general policy	OER
Industrial safety	NUC PR NS or OCS/OCH&S
Security	OCS/Public Safety
Procurement process	OCS/PURCH
Nuclear plant non-CSSC/non-"Q"	NUC PR/OE/OC as applicable

"Working conditions"

Management practices
Other

NUC PR/OE/OC or PMO
as applicable
PMO/Site Director
As determined by
NSRS

Exceptions

1. Issues raised about the NSRS will be transmitted by QTC-ERT directly to the General Manager for disposition.
2. Issues previously reported by an employee to his/her supervisor, but which remain unresolved may not be re-referred to the affected organization, if this fact is disclosed in the interview. Such issues will be assigned to another investigating organization as determined by NSRS.
3. Other extenuating circumstances, as determined by the Director NSRS/designee, may require the investigation be assigned other than as indicated above.

NSRS

The Head, IG/designee will transmit the Employee Concern Assignment Request (reference IV.A ERT Form K) to the assigned organizations designated representative if named, or to the manager of the division/ office if an interface representative is not named, using Attachment 2, "Request for Investigation/Evaluation." This transmittal form memorandum will include a proposed due date for either a status response to NSRS or the completed investigation report. A copy of the memorandum with ERT Form K will be returned to QTC-ERT.

3. Investigations/Evaluations

NSRS
QTC

- a. Investigations/Evaluations performed by NSRS or QTC-ERT will be performed and documented in accordance with references IV.A and IV.B with exceptions as follows:
 - (1) Formal two-week notification to the investigated organization will not be made, nor will formal entrance and exit meetings be held. Rather, informal notification of intention and presence at the affected location will be made to the cognizant manager by the investigation team leader, as well as notification of completion and preliminary results.
 - (2) Investigation reports shall not contain names of personnel contacted for information. Lists of personnel contacted for an investigation shall be retained in NSRS or QTC-ERT confidential files.

- (3) Investigation/evaluation reports may be written and typed locally at WBN by QTC or NSRS personnel, or at NSRS offices in Knoxville.
- (4) At the discretion of the Head, IG, potentially sensitive reports and those which may affect a plant's operating license or are determined to require evaluation for reportability will be referred to the Director, NSRS, for approval. Otherwise they may be approved by the Head, IG/designee.
- (5) Upon approval, NSRS and QTC-ERT investigation reports will be transmitted to the TVA organization(s) responsible for corrective action if the issue is substantiated and recommendations are made by NSRS. This transmittal will be made using Attachment 3, "NSRS Investigation Report I-_____, (Subject)," and will contain the recommendation(s) made by NSRS, and a response due date.
- (6) If no corrective action is recommended, i.e., no recommendations are made, the report will be distributed as follows:
 - o NSRS file copy
 - o QTC-ERT (for transmittal to the employee)
 - o Affected organization manager
 - o Other TVA management as necessary
- (7) If investigation reports contain recommendations for corrective action, the report will not be considered final until the response is received and evaluated, at which time distribution as indicated in (6) above will be made. QTC-ERT will be given a copy of the preliminary report for tracking and interim response to the concerned employee.

Other TVA organizations

- b. Investigations performed by other TVA organizations should be conducted in accordance with the assigned organizations' programs for investigating concerns or differing opinions.

A monthly status report, identifying concern code number and status of investigation/resolution should be submitted to the Head, IG, by the investigating organizations' managers using Attachment 4, "ERTP Monthly Status Report," or similar format.

When investigations are completed, submit a copy of the final report, with actions taken to correct problems if applicable to the Director, NSRS, for review

and distribution per a.(6) above. The reports should identify the organization's investigators, but should not include names of personnel contacted for information. Such issues should be retained in confidence by the investigating organization.

The following specific points are applicable:

- (1) If organizations disagree with an investigation assignment (i.e., feel it should be handled by another organization), contact NSRS for reevaluation.
- (2) If additional information is determined to be required to properly and fully address the issue of concern, contact the QTC-ERT Program Manager at (615) 365-4414.
- (3) Investigators shall make no attempt to identify the individual who raised the issue.

All

Exception: Allegations of intimidation and harassment will require disclosure of the name of the harassed individual by QTC-ERT directly and only to the OGC investigator.

C. Peripheral Issues

All

During the course of investigating a specific issue, it is likely that additional issues may arise. These "peripheral" issues will be handled as follows:

1. If identified by another TVA investigating organization, handle in accordance with that organization's existing program, or report to QTC-ERT for processing per reference IV.A.
2. If identified by NSRS or QTC-ERT, report the pertinent information for processing per reference IV.A.

NSRS D. Issues Brought Directly to NSRS by TVA Employees

Issues disclosed directly to NSRS by employees will be processed and investigated confidentially in accordance with references IV.C and IV.F using the report format described in reference IV.A and this procedure.

E. Issues Which Are Potentially Reportable to the NRC

QTC

1. QTC-ERT will notify the Head, IG/designee of issues which may need evaluation for reportability, preliminarily as a result of employee interviews, and finally, as a result of their investigation into the issue using reference IV.A, Form M.

QTC-ERT will also immediately notify NSRS of conditions which do or may involve plant licensing requirements resulting either from interviews or the investigation process.

- NSRS 2. The Head, IG/designee will refer all final requests for reportability evaluation to NEB-NLS in OE for Watts Bar and Bellefonte (until WBN-1 is licensed) or to the Manager, Division of Nuclear Services, for licensed plants, as follows:
- a. The Final Request for Reportability Evaluation, Form M, will be forwarded for action, or
 - b. The NSRS investigation report transmittal (Attachment 3 of this procedure) will include a reportability determination as a recommendation.
- NSRS 3. Issues of possible immediate concern to plant operations will be communicated to the Site Director, or shift engineer during late shifts, by NSRS using the most expeditious means available, e.g., telephone or in-person visit.
- Other
TVA
Organiza
tions 4. Although unlikely, it is possible that other organizations while performing non-nuclear safety-related investigations for the ERTF may discover potentially NRC reportable items and/or items of immediate concern to plant operations. These items should be handled in accordance with that organization's procedures or should be communicated to NSRS if the organization has no applicable procedures addressing this situation.
- OE-NEB/
NLS
NUC PR, NS 5. Process such notifications and requests in accordance with established procedures.

F. Closure of Investigations

- QTC 1. QTC will close the investigation file for each issue when the concerned employee has been sent a final response per reference IV.A, or if not possible due to anonymity, when the investigation report has been reviewed by NSRS and issued.
- NSRS 2. NSRS will close investigations independently of QTC after verification of adequacy of corrective action taken (if corrective action was recommended) for those investigations performed by NSRS/QTC-ERT.
3. NSRS will notify other affected organizations which have performed an investigation when QTC has closed the investigation file, by copy of the coded response to the employee (reference IV.A ERT Form Q) or by memorandum when an employee response is not possible due to anonymity.

Additional action taken to close investigations performed by other organizations will be in accordance with their established procedures, or the discretion of the organization's manager.

G. Records and Logs

NSRS NSRS IG will maintain the following records and logs:

- Copies of all investigation reports/evaluation results
- Investigation Plans
- Employee Concern Assignment Requests
- Requests for Reportability Evaluation (final only)
- Employee Concern Disposition Form
- NSRS item follow-up and closure memoranda
- QTC-ERT daily, weekly, monthly reports
- Log of concerns (coded)/Assignments
- Assignment Log (by organization)
- QTC-ERT Trend Reports
- Special Reports (as generated)

VIII. ATTACHMENTS AND APPENDICES

A. Attachments

1. Investigation Assignment Log
2. Request for Investigation/Evaluation
3. NSRS Investigation Report Transmittal Form
4. ERTM Monthly Status Report

PROCD2:B

NSRS INVESTIGATION ASSIGNMENT LOG (1)

QTC Concern Number	Prior- ity	Cate- gory	Subject	Received NSRS Date	Date Assigned (Memo)	I or E	Assigned to	Due Date		Notes	Date Received	
								Resp	Report		Resp	Report

Footnotes: (1) Attachment 1 to NSRS Office Procedure 0308, "Employee Response Team Program Administration"

UNITED STATES GOVERNMENT

Memorandum

TENNESSEE VALLEY AUTHORITY

TO :

FROM : K. W. Whitt, Director, Nuclear Safety Review Staff, E7B31 C-K

DATE :

SUBJECT: REQUEST FOR INVESTIGATION/EVALUATION

Reference: NSRS Procedure 0308, "Employee Response Team Program Administration"

The following employee concern is hereby transmitted to you for investigation or evaluation in accordance with the provisions of the referenced Employee Response Team Program. If you have any questions, please contact _____ at telephone _____.

QTC Concern Number _____

Subject _____

Status/Completion Due Date _____

Attachments (list) _____

Total Pages Transmitted _____

cc: _____
Director/Designee - NSRS

To: K. W. Whitt, Director of Nuclear Safety Review Staff, E7B31 C-K

From: _____

I hereby acknowledge receipt of concern number _____
and associated documents. Total number of pages received _____

Signature Date

(Please copy entire page for return)



UNITED STATES GOVERNMENT

Memorandum

TENNESSEE VALLEY AUTHORITY

TO :

FROM : K. W. Whitt, Director, Nuclear Safety Review Staff, E7B31 C-K

DATE :

SUBJECT: NUCLEAR SAFETY REVIEW STAFF INVESTIGATION REPORT TRANSMITTAL

Transmitted herein is NSRS Report No. _____

Subject _____

Concern No. _____

and associated recommendations for your action/disposition.

It is requested that you respond to this report and the attached recommendations by _____. Should you have any questions, please contact _____ at telephone _____.

cc: _____
Director, NSRS/Designee

--Copy and Return--

To: K. W. Whitt, Director of Nuclear Safety Review Staff, E7B31 C-K

From: _____

Date: _____

I hereby acknowledge receipt of NSRS Report No. _____

Subject _____

for action/disposition.

Signature

Date

(Please copy entire page for return)



ERTP MONTHLY STATUS REPORT (1)

Month _____ Submitting Organization _____

QTC Concern Number	Subject	Date of Receipt From NSRS	Date Investigation/Evaluation Initiated	Status

Footnotes: (1) Attachment 4 to NSRS Office Procedure 0308, "Employee Response Team Program Administration"

NSRS INVESTIGATION ASSIGNMENT LOG (1)

Page _____

QTC Concern Number	Prior- ity	Cate- gory	Subject	Received NSRS Date	Date Assigned (Memo)	I or E	Assigned to	Due Date		Notes	Date Received	
								Resp	Report		Resp	Report

Footnotes: (1) Attachment 1 to NSRS Office Procedure 0308, "Employee Response Team Program Administration"

ERTP MONTHLY STATUS REPORT (1)

Page ____ of ____

Month _____ Submitting Organization _____

QTC Concern Number	Subject	Date of Receipt From NSRS	Date Investigation/ Evaluation Initiated	Status
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Footnotes: (1) Attachment 4 to NSRS Office Procedure 0308, "Employee Response Team Program Administration"