



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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December 27, 2007

EA-07-314

Dr. Stephen Mecca, Chairman
Rhode Island Atomic Energy Commission
Providence College
Department of Engineering-Physics Systems
River Avenue
Providence, RI 02859

SUBJECT: CHILLING EFFECT CONCERNS AT THE RHODE ISLAND NUCLEAR
SCIENCE CENTER

Dear Dr. Mecca:

This letter is in reference to NRC's concerns about the safety conscious work environment at the Rhode Island Nuclear Science Center (RINSC). Our concern is based on a recent allegation of employment discrimination, and actions alleged to have taken place to cause a chilling effect (i.e., an environment which is not conducive to raising nuclear safety concerns at the RINSC.)

The NRC Office of Investigations (OI) recently investigated alleged employment discrimination by the RINSC. Their investigation did not substantiate the claim of discrimination. However, interviews by NRC investigators with RINSC staff and Rhode Island Atomic Energy Commission (RIAEC) Commissioners supported the claim that there may be a chilling effect at the RINSC. Recent observations by NRC inspectors also support this claim. We remind you that a "chilling effect" or a reluctance to raise safety concerns may result when employees perceive that adverse action could be taken against them for raising concerns and that such reluctance is detrimental to nuclear safety.

Based on information gathered from the OI investigation, it appears that RINSC management has an adversarial style when dealing with employees having differing or opposing views. Accordingly, the NRC is concerned that RINSC management has exhibited behavior which is not conducive to creating an environment where employees feel encouraged to raise concerns. For example, on several occasions, RINSC management was perceived to "verbally abuse" employees (as characterized by several interviewees) for having differing or opposing views. Several other interviewees confirmed management's intimidating behavior when dealing with such views.

Therefore, the NRC requests that the RIAEC fully evaluate the work environment and determine if the employees feel free to raise safety concerns without fear of retaliation. We request that your evaluation be conducted by an organization independent of the groups being surveyed. As guidance, you may consider referring to the NRC Regulatory Issue Summary 2005-18, "Guidance for Establishing and Maintaining a Safety Conscious Work Environment," which was written to facilitate licensees to develop and maintain a work environment conducive to raising

concerns. In your response, please provide the results of the evaluation and advise the NRC of those actions taken or planned to address this problem, if you determine that such an environment exists. Please respond in writing to the NRC within 90 days of the date of this letter.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response will be made available to the public. Therefore, your response should not, to the extent possible, include any personal privacy, propriety, or safeguards information so that it can be made available to the public. If personal privacy information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the personal privacy-related information and a redacted copy of your response that deletes the personal privacy-related information. Identify the particular portions of the response in question which, if disclosed, would create an unwarranted invasion of personal privacy, identify the individual whose privacy would be invaded in each instance, describe the nature of the privacy invasion, and indicate why, considering the public interest in the matter, the invasion of privacy is unwarranted. If you request withholding on any other grounds, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information).

After reviewing your response, the NRC will determine whether any further action is necessary. Please contact Mr. Gregory C. Cwalina at 301-415-2983 or by email at GCC@NRC.GOV if you have any questions. We appreciate your cooperation.

Sincerely,

(Original /s/ by M. J. Case)

Michael J. Case, Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Docket No. 50-193
License No. R-95

cc:

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ADAMS ACCESSION NO: ML080100241

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NAME	VHall	DThatcher	KWitt	JEads	MCase	GCwalina
DATE	12/26/07	12/27/07	12/27/07	12/27/07	12/27/07	12/27/07

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