

OFFICE OF THE SECRETARY
CORRESPONDENCE CONTROL TICKET

Date Printed: Mar 06, 2008 16:26

PAPER NUMBER: LTR-08-0119

LOGGING DATE: 03/05/2008

ACTION OFFICE: EDO

To: Collins, R

Cys: EDO
DEDMRS
DEDR
DEDIA
AO
OI
OE
NRR
NSIR

AUTHOR: Danielle Brian

AFFILIATION: DC

ADDRESSEE:

SUBJECT: Concerns Project on Government Oversight's (POGO) allegations re interviews with Peach Bottom security officers

ACTION: Appropriate

DISTRIBUTION: RF

LETTER DATE: 03/05/2008

ACKNOWLEDGED: No

SPECIAL HANDLING: EDO/OIG for A.A.
Made publicly available in ADAMS via EDO/DPC

NOTES:

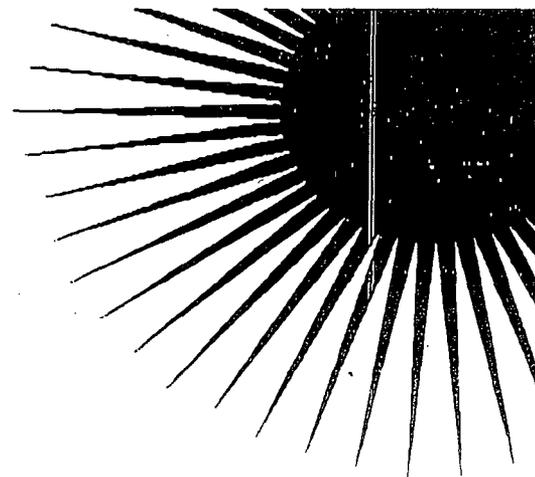
FILE LOCATION: ADAMS

DATE DUE:

DATE SIGNED:

Project On Government Oversight

Exposing Corruption Exploring Solutions www.POGO.org



March 5, 2008

Richard J. Urban
Senior Allegation Coordinator
U.S. Nuclear Regulatory Commission
Region I
475 Allendale Road
King of Prussia, PA 19406-1415

Via facsimile: (610) 337-5208

Dear Mr. Urban:

This letter is in response to your February 26, 2008, letter regarding the Project On Government Oversight's (POGO) allegation that the NRC Office of Investigations (OI) conducted interviews with Peach Bottom security officers in the presence of Exelon and/or Wackenhut attorneys.

POGO believes that such a practice has a chilling effect on the security officers' ability to be forthcoming in the interviews. If witnesses to wrongdoing were to be truthfully forthcoming under these circumstances, they would have every reason to believe their jobs would be in jeopardy. One member of my staff, who has 25 years experience as a congressional investigator, has repeatedly observed this ill-advised practice during interviews of company executives and employees by government investigators, including those from the NRC. We raised this issue with the three NRC Commissioners, and even suggested some possible alternatives for legal assistance to the witnesses that would be free from conflicts of interest. Our intent was not to suggest to the Commissioners that we knew the specific names of interviewed security officers whose testimony was affected by the presence of company attorneys. However, we have seen documents and have spoken with individuals involved with the investigation who told POGO that a number of the OI interviews took place in the presence of Exelon and/or Wackenhut attorneys.

Although we very much appreciate the intent of the Commission to take this concern seriously, we did not realize this concern would be turned over to Region I to investigate. Indeed, Region I may be the least capable office to investigate a matter involving the Peach Bottom sleeping guards incident, as it

666 Eleventh Street, NW
Suite 900
Washington, DC
20001-1844
Phone: 202-617-1122
Fax: 202-347-1116

www.POGO.org
info@pogo.org

POGO is a 501(c)(3) organization.

has a very clear interest in making the Peach Bottom matter go away. I am not surprised that Region I has therefore so quickly dispensed of this matter with no findings.

Instead, POGO has brought this issue to the attention of the NRC IG, which we believe is far better capable of thoroughly and effectively undertaking such a review.

Sincerely,

A handwritten signature in cursive script, appearing to read "Danielle Brian".

Danielle Brian
Executive Director

cc Commissioner Pete Lyons
Inspector General Hubert Bell