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January 14, 1999  
IPN-99- 003

Mr. A. Randolph Blough, Director  
Division of Reactor Projects  
U.S Nuclear Regulatory Commission, Region I  
475 Allendale Road  
King of Prussia, PA 19406-1415

Subject: Indian Point 3 Nuclear Power Plant  
Docket No. 50-286  
**Response to NRC December 11, 1998 Letter**

- References:
1. NRC Letter, C. Hehl to J. Knubel, "November 25, 1998, Response to Our Potential Chilling Effect Letter of October 23, 1998," dated December 11, 1998.
  2. NYPA Letter (IPN-98-125), J. Knubel to C. Hehl, "Response to NRC October 23, 1998 Letter," dated November 25, 1998.
  3. NYPA Letter (IPN-98-137), J. Knubel to C. Hehl, "Revised Response to NRC October 23, 1998 Letter," dated December 14, 1998.

Dear Mr. Blough:

This letter responds to Mr. Hehl's December 11, 1998 letter (Reference 1) in which he requested that the Authority describe our plans to communicate with IP3 staff to ensure employees understand that they are free to raise safety concerns.

The Authority has long been committed to ensuring the safe, reliable operation of its two nuclear power facilities, including providing employees and contractors with avenues to raise safety concerns. Employees and contractors are actively encouraged to identify safety problems and bring them to management's attention or to other Authority or governmental sources. Discrimination or retaliation against an individual raising safety issues will not be tolerated.

Actions I have taken, or plan to take to further ensure that employees understand the Authority's programs to maintain a positive safety conscious climate at Indian Point 3 are detailed below.

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## **Nuclear Generation Department Memorandum Distributed**

On December 17, 1998, I distributed to Nuclear Generation personnel at IP3, FitzPatrick and our headquarters office, a memorandum highlighting the Authority's policies. I emphasized that everyone at the Authority should feel comfortable about raising safety issues and I restated our policies about fostering and developing a positive safety culture.

The memo describes the duty of all personnel to create an environment that encourages individuals to come forward with any concern that may impact the safe operation of the plant. It also notes that anyone who discourages a questioning attitude through their actions toward a person who raises safety concerns will be subject to appropriate disciplinary action, which may include separation from the Authority.

### **Tailgate Meeting**

In addition to the distribution of my memo, the memo was the subject of "tailgate meetings" at IP3, FitzPatrick and White Plains office. Tailgates are informal meetings where this type of issue can be discussed. They offer personnel the opportunity to comment on or ask questions about important issues in a low-key environment. Tailgate meetings are usually conducted weekly between supervisors, managers and their direct reports. They are held at both plants and the White Plains office.

### **Nuclear Safety Culture Assessment**

As previously stated (Reference 2), the Authority will conduct a nuclear safety culture assessment. This assessment will be conducted by an independent organization to evaluate the safety conscious work environment. The organization currently under consideration for this task has significant experience conducting similar assessments at other nuclear power plants, as well as at industrial facilities. The vendor will assess the willingness of employees and contractors at IP3 and FitzPatrick to identify potential nuclear safety issues and concerns. It is planned that the safety culture assessment will be started in March with a report issued by mid-1999. Results of this assessment will be shared with the Senior NRC Resident Inspector.

### **Existing Authority Policies and Programs**

The Authority recognizes that management's commitment to a safety culture alone is insufficient. Existing Authority policies, programs and procedures backup that commitment. Authority policies on safety and the rights and responsibilities of individuals have been captured in several top-tier documents called Nuclear Administrative Policies, or NuAPs. These NuAPs form the basis for the programs that implement them. The following paragraphs summarize the relevant NuAPs.

- Nuclear Administrative Policy on Nuclear Safety (NuAP 1.1) outlines various programs to assure that nuclear safety and quality are considered in plant operation. Under this policy, individuals are encouraged to identify conditions adverse to quality, to propose preventive actions and to share their concerns with their supervisors and managers. Those not wishing to do so are encouraged to go the Nuclear Safety SPEAKOUT program, the NRC or other state or federal agencies.

- Nuclear Administrative Policy on Employee and Contractor Concerns and Protection (NuAP 1.9) establishes the methods for individuals to express their safety or quality concerns and describes the protections afforded them.
- Nuclear Administrative Policy on Identification and Correction of Conditions Adverse to Quality (NuAP 1.10) and Nuclear Administrative Policy on Management Expectations (NuAP 1.2) establish policies and procedures to promote high quality and safe operations. These NuAPs are in place to promote an atmosphere of good communications where individuals can feel free to raise safety or quality concerns to any level, within the Authority or to outside agencies.

Plant-specific procedures are used to implement the NuAP policy.

- IP3 Administrative Procedure on Deviation and Event Reports (AP-8) details the process for individuals to document and report concerns about plant systems, structures and components. The DER process is the principal process for raising potential safety concerns. Individuals are encouraged (and expected) to initiate a DER (Deviation Event Report) for degraded or nonconforming conditions. The DER process is used extensively by the IP3 plant staff. Over 2200 DERs were written at IP3 during 1997 and 1998.
- IP3 Plant Standard on Expectations of Managers and Supervisors (PS-01.06) and IP3 Plant Standard on Employee Feedback (PS-01.12) outline management's expectations about the responsibilities of manager and supervisors toward their assigned personnel and plant work standards. Managers and supervisors are expected to enhance performance by encouraging communication between management and employees.

These policies and the implementing programs and procedures make up an important part of this commitment, while providing a firm foundation for complementary, self-assessment initiatives.

### **Continuing Awareness Programs**

Ongoing efforts at Indian Point 3, FitzPatrick and the White Plains office are designed to keep employees aware of their right to raise safety or quality concerns, as well as their responsibility to promote a safety culture. Some of these efforts include:

- "All-Hands" Meetings – These are meetings conducted for all plant personnel, usually reserved for issues of the utmost importance.
- SPEAKOUT Program -- The Authority's commitment to candid and open communications is clear in our SPEAKOUT program where employees and contractors can confidentially and anonymously raise their safety concerns. The SPEAKOUT program is well publicized to all plant personnel and described during general employee training. Both employees and contractors are advised about the purpose of the SPEAKOUT program, as well as the protections it affords them.

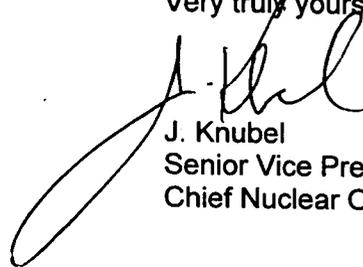
- Plant Newsletter – A weekly newsletter highlights current events, personnel changes, profiles of employees, as well as other issues that affect employees or contractors.
- Posters and Banners – Posted at the entrances of both IP3 and FitzPatrick, they stress the importance of safety to everyone entering the plant. Posters inside the plants reinforce personnel safety. While posters and banners often focus on industrial safety, they still carry the message that safety is very important at the Power Authority.
- Tailgate Meetings -- Tailgates are usually conducted weekly and were recently used to discuss my December 17, 1998 memorandum to Nuclear Generation Department personnel.

To keep the message "fresh" and new, different ways of communicating these policies may be developed.

This letter supplements the information previously sent to you on this subject (References 2 and 3). We will continue to monitor the effectiveness of these actions to assure that a chilling effect does not exist at the Authority's nuclear facilities.

If you have any questions, please feel free to contact me.

Very truly yours,



J. Knubel  
Senior Vice President and  
Chief Nuclear Officer