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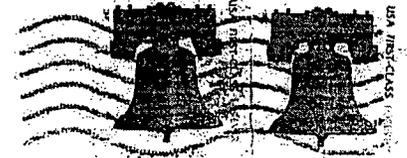


**Constellation Energy**

R.E. Ginna Nuclear Power Plant, LLC

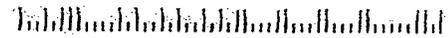
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Dr. Dale Klein  
Chairman of the Nuclear Regulatory Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

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Dr. Dale Klein  
Chairman of the Nuclear Regulatory Commission  
U.S. Nuclear Regulatory Commission,  
Washington, D.C. 20555

cc: Congressman Jim Walsh, Senator Hillary Rodham Clinton, Senator Charles E. Schumer  
Governor Eliot Spitzer, Mayo Shattuck, Michael Wallace, Mike Hefley

Dear Chairman,

We are a group of employees at the R. E. Ginna Nuclear Power station that have concerns about how the power plant is being managed. We can no longer guarantee the safety of the public, our families or our fellow workers. This is not about money, not about our salaries. It is about plant, personal and nuclear safety. Prior to the sale of Ginna station to Constellation Energy we had no problem guaranteeing everyone's safety. We could go home at night and relax knowing our fellow operators were keeping an eye on things. We had confidence that our management team and engineering group had done their best that day to ensure we were operating and maintaining the plant in the safest possible way. We could assure our neighbors and family that everything was under control. Today, we can no longer say that, we can no longer say that the plant is being operated safely.

This is not about money, this about safety. We make a good living. We are not asking for money, we are asking for the safe operation of the plant. We are asking for leaders and managers to run this plant. What we have now are incompetent money grabbing lackeys. Who are we? We are Ginna employees that were hired by RG&E. We are employees that were here before Constellation bought the plant. There are not many of us now. A lot of us have retired, were forced to leave or left the plant on our own. A number of us have left because we were concerned about the safety of the plant. We were placed in positions and given tasks that we could not complete safely. We were given assignments that would have resulted in sub-par work. The rest of us, the ones still "hanging on" are looking to leave. We are trying to get jobs that are > 100 miles of the plant. Hopefully we will be far away when the accident happens. It is not "if" but "when". An accident is inevitable at Ginna. The management of the plant is in the hands of incompetent buffoons. We do not say this lightly. We try to resolve our issues internally, not involving others or the government. We have failed to stop these idiots in their systematic raping and pillaging of the resources and materials at the plant. We can no longer guarantee the safety of the public. We are deeply concerned.

You want specific issues? Details of their incompetence? Details of their willful violations of regulations? There have been many NRC, OSHA, EPA, Labor and State regulation violations. We are not going to provide specifics. Why? Because we could be identified by the allegations. The NRC's track record with allegations and whistleblowers is dismal. It seems you side with the utility too much leaving the whistleblower hanging in the wind. You'll have to send in a team, with some members of the Office of Investigations to interview us under oath. We'll have to tell the truth and management can not discriminate against every operator and plant worker that is interviewed. We have seen Constellations response to several employee allegations and they have went on "discreet" witch hunts trying to find the "mole". Don't think there is a problem at Ginna? Take a look at the LER trends, come and read all the condition reports that have been generated. Interview your resident inspectors. Two very competent individuals who have probably submitted reports on the deteriorating performance at Ginna. Are you familiar with the precursors that lead to the Davis-Bessie event? They are here at Ginna. We are working on our own Davis-Bessie type event.

We can no longer guarantee the safety of the public. This not about money. This is not about all the changes being made. We are not adverse to change. We object to change that is not well thought out, that is done solely to justify a manager's bonus. Most of the changes being made are short-term efforts. Quick "fixes" to make a manager's mark. Little thought is given to the impact these "fixes" may have on the plant over the long-term. The "fixes" that have been implemented to date have placed the plant in its current position – unsafe. Plant staff was cut based on an industry-biased staffing study. This was based on saving money, reducing staff reduces costs. They did not analyze what these people did or what regulatory related work they were performing. Individuals were let go with no turnover of duties. Management is not concerned with missing regulatory requirements. They operate under the philosophy that when the regulators figure out they missed a requirement they will have moved on. It will be another manager's problem. We have witnessed conversations in which management decided the fine for non-compliance is cheaper than compliance. Need a place to start your investigation? Look at the qualifications of the managers at Ginna. Several do not meet the technical specification requirements outlined in ANSI-18.1. Ask them to explain how they selected these individuals for their positions. Then look at the decisions and business plans these "individuals" have set into motion. You'll find problems and issues.

Mr. Chairman, you may be wondering why we sent a copy of this letter to Mr. Shaduck, Wallace and Hefley. Why would we warn them of our issues? We want them to sweat. We want them to get their finances and homes in order. If your investigation teams are any good these individuals will be spending time in Federal court defending themselves against charges of conspiracy, falsification of government records and violation of federal statutes. Mr. Mayo, Wallace and Hefley: forget trying to back pedal, your mistakes have already been placed into action. Do not try to hold meetings to hear our concerns. We have tried to tell you our concerns in a number of forums. You have ignored us and played lip service to our concerns. You have made it very obvious through your actions that you could care less about our safety concerns. So forget holding meetings to "hear" the issues. The only time you'll see us in the same room with you will be at the trial. When you are being prosecuted, we'll be in the audience cheering on the prosecution.

Why is Senator Clinton, Senator Schumer and Congressman Walsh receiving a copy of this letter? While we have a lot of respect for the NRC, we know that as a government agency you can be "influenced" by congress. We want the Senators and Congressman aware that they stand to lose votes and get caught up in a scandal if an accident does occur at the plant and they were aware of the conditions of the plant. So folks this letter is to inform you of the dire conditions that exist at the plant. This letter is to document the notification of members of congress and will be released to the news media when an accident occurs. We want to make sure the NRC will do the right thing. That the Justice department will prosecute and that the influence that Mayo Shaduck has will not sweep this under the rug.

Why is Governor Spitzer receiving a copy of this letter? As the New York state Attorney General, Mr. Spitzer prosecuted a number of companies and individuals that violated state and federal laws. Mr. Spitzer protected the consumer and the public. Now as Governor of new York Mr. Spitzer has shown an interest in the operation of the New York power plants. He has recently voiced his concerns about the operation of Indian Point 3. Well Mr. Spitzer, there are several more plants to worry about. So Mr. Chairman if you won't take action, if the congressman and senators will not take action, maybe the Governor will be interested in protecting the public.

A word about INPO. Mr. Chairman, Constellation management will try to cite the excellent record they have with INPO as an indicator of how well they run their plants. As you know INPO is a self-funded organization. They are financed and staffed by individuals from the various power plants. We suspect that their inspections and ratings of the plant's performance is rigged. We believe that senior management uses INPO to obtain favorable inspections along with unfavorable inspections. Why would anyone ask for an unfavorable inspection? To support the removal of plant staff and processes. It also justifies making changes, short-term, to allow them to show their management "styles" justifying unwarranted bonuses. INPO is used to justify management changes and salaries and is controlled by nuclear power plant management. It no longer serves the purpose of improving plant safety. It is a sham, a vehicle controlled by the nuclear power plant operators to justify their bonuses. Do not be influenced by the ratings and reviews performed by INPO. They are all rigged for the benefit of the utility CEOs.

There is a chilled environment at Ginna. Management is being trained to use a threatening environment to drive their change agenda. Want proof? Look at the leadership training provided to all Constellation supervisors. One of the topics taught at the "STAR Academy" is to place your workers in a "fearful" state and then back off slightly to get the "most out of them". They teach their supervisors to keep the workers so overloaded with work that they will not have time to complain. Constellation managers believe that they can replace anyone no matter how much experience they have. They believe that they can find willing workers for any position. That is "willing" not necessarily "qualified". They do not focus on an individuals qualifications but on their willingness to do what they are told and their salary. The cheaper the better.

So what do we want from the NRC? We want an investigation. A detailed, no holds barred investigation into all aspects of the plant's operation. You will find numerous violations and evidence of willful violations by plant management. Management of the plant needs to be taken away from Constellation. The NRC should appoint a second party to manage the plant. This second party should include managers and operators that have left the plant or retired. former RG&E employees with plant experience. NOT Constellation lackeys! Not Exelon leaches and no one recommended by Mr. Hefley. Former RG&E Ginna personnel have in-depth knowledge of the plant and have a safety conscious work ethic. They will ensure the plant is operated safely. This second party should also include representatives from the Union of Concern Scientist. Why have an anti-nuclear group involved? While we do not believe in a lot of what they do, we do believe they will keep the process of re-establishing safe operation of the plant honest and above board. They will be a pain in the ass, but they have a vested interest in the safe operation of the plant. Unlike Constellation management, they are not driven by their annual bonus.

We understand what we are asking is unprecedented. The NRC has never taken over control of a plant from an owner. We are scared. Scared of what could happen if Constellation is allowed to continue to operate Ginna. We do not scare easily. Most of us served in the Nuclear Navy. Some of us served on nuclear submarines and were in situations in which we did not think we would return home. We were scared then, we are scared now. Plant accident has the potential to spread radioactivity for miles downwind, over 50 miles downwind. Depending on the severity of the accident this radioactivity could severely impact upstate New York economies. If you think our emergency response organization can minimize the impact of an accident you are sorely misinformed. Our emergency organization is lead by these same "leaders" individuals that do not have indepth plant knowledge but are making critical decisions during emergencies. How do we know they will perform poorly? We have seen them in action during our emergency drills. Poor performance. Poor leadership. Which brings up another key point. A number of us are licensed with the NRC to operate the plant. We have individual licenses from

the NRC to run this plant. We are held personally responsible for our actions. We have to maintain our licenses on a yearly basis. The management of this plant does not have licenses. They do not have individual contracts with the NRC. They believe they are above the law, that the Corporation will protect them. That they will not be held personally responsible for their actions. Several senior managers at Davis-Besse believed the same thing, they are now being prosecuted. The same needs to happen at Ginna.

What will happen if you do nothing? We will continue to do what we can to operate the plant safely. We will continue to leave the plant until no one with plant knowledge is left. We will also start to release information to the news media and several anti-nuclear groups. We will let the public drive the effort. We will use the media to generate change. We have documentation of their violations of regulations. Baring this in the media will have a negative impact on the public's opinion of nuclear power and could affect the industry's ability to build new plants. At this point we don't believe the industry can build a plant safely. They are too focused on getting their bonuses. We wish we could say that this is just an isolated issue. We believe the other plants in the Constellation fleet, Calvert Cliffs and Nine Mile Point, are in the same boat. They have similar managers, all "appointed" by Mr. Hefley and his lackeys. It will be a race to see which plant has the next industry crippling accident. We also know that this gross mismanagement by Mr. Hefley and his lackeys is not an isolated event, it is a national crisis. Remember Enron? While Enron was a financial disaster it has a lot of similarities to our situation. Grab a copy of Kenneth Lay's speeches and compare them to Mayo Shadducks... they sound very similar, promising high returns with a rosy corporate future. Kenneth Lay was going to prison for his part in the Enron scandal. Mayo Shadduck will have the same opportunity.

We can no longer guarantee the safe operation of this plant. We do not want more money. We want to operate this plant safely for the next 20 years. We need your help in this matter. Do not delay, conditions at the plant are deteriorating day by day. Time is critical. We don't know how long we can hold off the poor management decisions being made everyday.

Ginna Founders