



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION IV  
611 RYAN PLAZA DRIVE, SUITE 400  
ARLINGTON, TEXAS 76011-4005

June 6, 2006

(b)(7)(C)

SUBJECT: ALLEGATION NO. RIV-2006-A-0033

Dear (b)(7)(C)

This letter is in regard to the concerns you brought to the NRC in your letter dated April 13, 2006, to the NRC Resident Inspectors at the Callaway Plant. In addition to this letter, you provided clarifying information during your conversation with Mr. Anthony Gody, Operations Branch Chief, and Ms. Judith Walker, Allegations Coordinator, on May 24, 2006, and our conversation on May 22, 2006. Specifically, you clarified your understanding of the approximate number of individuals that had regular contact with the (b)(7)(C) you clarified that you had been told that no regulatory requirements were violated in the requalification and grading process, and you provided one additional concern. nc

The enclosure to this letter documents our understanding of your concerns. Please note that we have modified this list of concerns to better characterize the issues and reflect our updated information. If the summary of your concerns is not accurate, please contact me so that we can correct any misunderstanding before we complete our review.

Thank you for clarifying your concerns with us. We will advise you when we have completed our review of this matter. Should you have any questions or comments during the interim regarding this matter, please call me Monday - Friday between 8:00 a.m. and 4:30 p.m. central time at 800-952-9677 extension 245 or on the NRC Safety Hotline at 800-695-7403. Should you want to respond in writing, our mailing address is listed in the header of this letter.

Sincerely,

Harry A. Freeman  
Senior Allegation Coordinator

Enclosure:  
Statement of Concerns

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

4/10

**STATEMENT OF CONCERNS**

RIV-2006-A-0033

Allegedly:

**Concern 1**

✓ An (b)(7)(C) was not attentive to his duties for months.

**Concern 2**

✓ (b)(7)(C) told licensee management about the problem but management took no action to address the issue until they were forced to by an Employee Concerns Program investigation.

**Concern 3**

✓ You were subjected to retaliation for reporting this fitness-for-duty problem to the Employee Concerns Program in that you did (b)(7)(C)

**Concern 4**

The operations crew may have been "carrying" the inattentive (b)(7)(C) during licensed operator requalification in that the shift crew had to compensate for the (b)(7)(C) inadequacies and the grading standard was relaxed in order for the crew to pass. (b)(7)(C) told you that this was not a regulatory issue since the exam still met the NRC threshold.

**Concern 5**

Based upon your concerns, the NRC is concerned that although the inattentive (b)(7)(C) has been purportedly (b)(7)(C) the licensee has not (b)(7)(C) and the individual may be placed on shift as needed.

**Concern 6**

You believe that there was a failure of the licensee's fitness-for-duty program in that 20 to 30 individuals had regular contact with the (b)(7)(C) but did not pursue resolution of his lack-of-attention to duties.

**Concern 7**

✓ On more than one occasion, an on-shift (b)(7)(C) left the control room area for four to five hours. During these absences the shift crew could not contact the (b)(7)(C) by any communications method. The (b)(7)(C)

ENCLOSURE

bcc w/enclosure:  
Allegation File

**SECTION ON DELIVERY**

(b)(7)(C)

Delivery address comment:  
If YES, enter delivery address below:  No

3. Service Type  
 Certified Mail  Express Mail  
 Registered  Return Receipt for Merchandise  
 Insured Mail  C.O.D.  Yes

4. Restricted Delivery? (Extra Fee)  Yes

6-A-0033

2. Article Number  
(Transfer from service label)  
666

PS Form 3811, February 2004

Domestic Return Receipt

102585-02-M-1540

Article Addressed to:  
(b)(7)(C)

Item 4 if Restricted Delivery is desired.  
 ■ Print your name and address on the reverse so that we can return the card to you.  
 ■ Attach this card to the back of the mailpiece, or on the front if space permits.

72

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(b)(7)(C)

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