

U.S. NUCLEAR REGULATORY COMMISSION

REGION I

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License Nos.: DPR-63
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Licensee: Niagara Mohawk Power Corporation
301 Plainfield Road
Syracuse, New York 13212


Facility: Nine Mile Point, Units 1 and 2

Location: Scriba, New York

Dates: August 21 through August 25, 1989

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Approved by:


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9/6/89
Date

Inspection Summary:

Areas Inspected: Special team inspection conducted to assess the licensee's programs and practices for addressing employee safety concerns and whether employees are harassed or intimidated for raising safety concerns. This inspection involved 106 hours by the four inspectors.

Results: The inspection identified no unsafe conditions. The inspectors noted that the employees interviewed expressed no reluctance in reporting concerns to management and were sufficiently familiar with the numerous reporting mechanisms available for reporting employee concerns. In addition, the inspectors identified no evidence of harassment or intimidation of employees who had raised safety concerns.



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DETAILS

1. Objective

The objective of this special assessment team inspection was to gather sufficient information to assess whether licensee programs, policies and practices for addressing employee safety concerns are acceptable and do not result in any discrimination against, harassment or intimidation of the employees raising those concerns.

2. Methodology

To gather the necessary information to make this assessment, the Team conducted a limited review of the programs and policies established for handling safety concerns and focused a majority of their efforts on interviewing Nuclear Division employees. The employee interviews were structured to determine the following information: has licensee management adequately established and communicated the mechanisms available to the employee to identify and raise safety concerns for resolution; have the employees used these various mechanisms and is the climate within the licensee's organization conducive to raising concerns; and once concerns have been identified to licensee management, have the concerns been addressed in a timely and effective manner, and has the initiator of the concern been provided a status or resolution of the concern.

The Team conducted both scheduled interviews and random interviews during tours of the facilities. The scheduled interviews were a mixture of employees preselected by the Team, employees selected by the licensee and volunteer interviewees solicited by the Team. After being made aware of the Team's presence on site and that request for volunteers for interviews, the Mechanical Maintenance Shop extended an invitation to be interviewed as a group. The Team accepted the invitation and interviewed the shop staff following their 7:00 a.m. morning meeting on August 25. Other shops on site extended similar offers to be interviewed as a group, but could not be accommodated by the team because of time constraints.

3. Overall Assessment

The Team concluded that there is currently no reluctance of employees to report concerns (safety or otherwise), to their management. Also, the Team concluded that there is no evidence of any discrimination, harassment or intimidation of employees who have raised concerns. Quite to the contrary, a large percentage of the interviewees stated that they were strongly encouraged to bring concerns forward and in some instances praised for this action.



4. Summary of Information Identified During Employee Interviews

The inspectors interviewed 97 station employees individually, ranging from line workers to managers and conducted one group interview consisting of both line workers and supervisory staff. The summarized interview results are listed below.

- a. The inspectors found that station employees have no reluctance in bringing identified concerns forward to their immediate management. The employees also expressed no reluctance in taking the concerns to succeeding higher levels of management until the issue was resolved to their satisfaction. The interviewees expressed no fear in having their identities associated with the raising of concerns, and had felt no need to premise their raising of concerns upon the receipt of confidentiality. To the contrary, many employees stated that they wanted to be identified with their specific safety concerns because it is now viewed as a positive employee contribution. Also, many wanted to be involved in determining the solution to their concern.
- b. The employees were sufficiently familiar with the numerous methods available for reporting concerns. These methods included their normal chain of command, the Quality First Program (QFP), "Tell it to the Superintendent" program, problem reports, corrective action reports (CARs), and if necessary, reporting concerns to the NRC.
- c. Most employees noted an improvement in recent years in the resolution of employee concerns. Most attributed the improvement to increased management reception and responsiveness to employee concerns. Many also noted that communications between management and workers had much improved, pointing to the town hall meetings conducted by the Executive Vice President as an example. Many cited increased emphasis on teamwork. Others were appreciative of the increased mechanisms now available for reporting and tracking employee concerns.
- d. A minority of those interviewed at the worker level, indicated that conditions for reporting and resolving concerns had always been satisfactory, and therefore, they did not feel that conditions had improved, but remained steadily acceptable.
- e. Most interviewees who had recently reported concerns to their management were satisfied with both the timeliness and thoroughness of management in resolving their concerns. Two specific examples noted by the inspectors were the resolution of a concern raised by security guards of radon gas contamination of their trousers while watchstanding in certain areas of the plant; and, the recent improvement in



engineering staff reviews of local leak rate testing results, as well as, their generally more frequent site visits and interactions with station workers. Most acknowledged that the priority that they would give their concerns was not necessarily the same as that given by their management, but recognized that management had to deal with a broader scope of concerns in varied areas.

- f. Few employees interviewed had direct experience with the Quality First Program (Q1P). With the exception of one individual, all interviewees stated that they would use the program if necessary and had no reservations about its effectiveness or ability to adequately resolve concerns. The one individual who took exception had no direct dealings with Q1P, but stated that he was aware of another individual who had gone to Q1P with a concern; and to the interviewee's knowledge, that individual had not received feedback on resolution of the concern.
- g. A significant number of the supervisory-level personnel interviewed communicated to the inspectors that it was their understanding that a precondition to utilizing the Q1P was to exhaust the normal chain of command to get a concern resolved. Although the NRC team agrees that the use of the chain of command should be encouraged and utilized whenever possible, this supervisory-level employee concept has a potential for undermining the independence and confidentiality of the Q1P. None of the worker-level personnel shared this misconception.
- h. Of the contract personnel interviewed, all stated that they were afforded the same mechanisms to raise safety concerns as their Niagara Mohawk counterparts and felt free to make any concern known without fear of harassment or intimidation for doing so.
- i. From one interviewee, the inspectors received information that there were incidences of three other employees being harassed and/or intimidated as a result of concerns they raised. The Team subsequently interviewed these individuals and could not substantiate that these employees were harassed, intimidated or otherwise rebuked for their actions.
- j. The Team accepted an invitation to attend the morning shop meeting of the Mechanical Maintenance Department on August 25. Questions and answers were exchanged between the Team members and employees for approximately one hour. The Team members participating concluded there to be generally candid and uninhibited communications between the workers and shop supervision.



5. Program Review

The Team conducted a limited review of some of the programs available to employees to raise safety and personnel-related concerns outside the normal chain of command. Specifically, the Team reviewed the Quality First Program (Q1P) and the "Tell It to the Superintendent" Program, and this review confirmed, to the extent possible, the comments received during the interview process regarding the use of these programs and the results achieved.

5.1 "Tell It to the Superintendent" Program

This program provides an anonymous, if desired, means to communicate in writing a concern to the General Superintendent for his personal consideration. In a relatively short period of time the General Superintendent will notice the concern at various locations on site and provide his response. The Team concluded that this program is frequently used (approximately 70 concerns in the past year), and is generally well received by the station employees. The preponderance of concerns are personnel-related.

5.2 Quality First Program (Q1P)

The Q1P provides a 24-hour per day service to Nuclear Division employees for addressing any type concern which may impact the safe operation of the nuclear facilities. The Q1P also conducts exit interviews with all employees and contractors who have completed their activities at the site. Concerns may be addressed to Q1P with confidentiality, if desired.

The inspector verified that the Q1P was widely advertised on site and easily accessible to all station personnel. A review of active and closed concerns indicated the following:

- There has been a decline in the total number of concerns over the years; 1986 (71), 1987 (22), 1988 (18) and 1989 (9 to date).
- Confidentiality appeared to be adequately maintained by the Q1P manager.
- Concerns received appropriate prioritization for review, based upon their safety significance.
- Issues involving wrongdoing were properly referred to the Security Department.
- Concerns involving the Quality Assurance organization were properly handled to ensure independent overview by senior management.



- Concerns were reviewed and closed out in reasonable time periods (the goal is 45 days and the current average is approximately 60 days).
- Of the four harassment and intimidation (H&I) concerns addressed by the QIP to date, one was substantiated by the licensee. The inspector determined that the conclusions in all cases were well supported by investigation facts and detailed interviews. In the case of the one substantiated H&I concern, the inspector concluded that appropriate management action was taken to address the problem.

The Team concluded that QIP provides a viable alternative to employees for the independent and confidential assessment of a safety concern.

6. Allegation

During the interview process, the Team received one allegation. The Team reviewed the specifics of the allegation and the context in which it was provided in the interview. It was concluded that the allegation is of a technical nature and its detailed followup was outside the scope of this inspection. Followup of this allegation will be conducted during a subsequent routine inspection.

The Team interviewed the alleged to determine if the concerns involved in the matter had been communicated to licensee management. The alleged indicated that the concerns had been discussed with management and had been addressed. However, the disposition of these concerns was not to the individuals' satisfaction.

The Team questioned whether the individual had pursued the alternate methods available for reporting concerns, such as through the QIP. The individual indicated that because the concerns were not considered safety issues and because of a lack of confidence in the QIP process, these concerns were not provided.

The Team concluded that the individual's lack of confidence in the QIP process was not based on facts, but rather on supposition. The Team therefore concluded that this individual represents an isolated case among the other interviewees and the individual's lack of confidence in QIP did not adversely affect the Team's conclusions regarding the adequacy and effectiveness of this process.



7. Operator Assessment

As part of the ongoing NRC review of licensee readiness for restart, the inspectors have closely monitored operator performance and behavior. During this inspection the team received excellent cooperation from the operators and the entire station and Engineering Department staffs. Employees interviewed were helpful and candid in their responses.

8. Exit Meeting

At the conclusion of the inspection, a meeting was held with senior station management to discuss the scope and findings of this inspection. Based on the NRC Region I review of this report and discussions held with licensee representatives, it was determined that this report does not contain Safeguards or 10 CFR 2.790 information.

