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 50-388 Susquehanna Steam Electric Station, Unit 2, Pennsylv 05000388
 AUTH.NAME AUTHOR AFFILIATION
 BYRAM, R.G. Pennsylvania Power & Light Co.
 RECIP.NAME RECIPIENT AFFILIATION
 MARTIN, T.T. Region 1 (Post 820201)

SUBJECT: Responds to 940802 request for description of actions, if any, taken or planned to assure that employment action in question does not have chilling effect in discouraging employees from raising perceived safety concerns.

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Robert G. Byram
Senior Vice President—Nuclear
610/774-7502
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SF. 0.1 1994

Mr. Thomas T. Martin, Regional Administrator
Region I
U.S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, PA 19406-1415

**SUSQUEHANNA STEAM ELECTRIC STATION
RESPONSE TO EMPLOYEE PROTECTION CONCERN
PLA-4194** **FILE R41-2**

Docket Nos. 50-387
and 50-388

- References:
1. Letter, T.T. Martin to R.G. Byram, "Employee Protection Concern", dated August 2, 1994.
 2. Letter, M.J. Corcoran (Dept. of Labor) to H.G. Stanley, dated July 13, 1994.
 3. Letter, E.C. Wenzinger to R.G. Byram, "NRC Region I Combined Inspection 50-387/93-13; 50-388/93-13", dated October 20, 1993.

Dear Mr. Martin:

The purpose of this letter is to respond to your request (ref. 1) for a description of "the actions, if any, taken or planned to assure that this employment action does not have a chilling effect in discouraging other licensee or contractor employees from raising perceived safety concerns." The employment action in question is described in a letter (ref. 2) to PP&L from the Department of Labor (DOL) as:

"The complainant, (name), suffered a downgrading of his annual performance evaluations, based in part on his decision to report conditions which he believed could lead to or cause violations of Nuclear Regulatory Commission guidelines."

PP&L responded to the individual's DOL complaint. In that response PP&L maintains that no discrimination occurred in this matter and is pursuing an appeal of the DOL's determination. PP&L recognizes, however, that the existence of a "chilling effect" can be totally independent of the validity of a complaint. We have therefore reviewed this particular situation in light of our current Employee Concerns Program (ECP). Our ECP as described in Attachment 1 to this letter was reviewed by NRC Region I personnel as documented in Reference 3.

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As discussed in Attachment 1, the ECP (proceduralized in Nuclear Department Administrative Procedure NDAP-00-1510) contains stated policy that "No one will be penalized for raising a nuclear safety concern to any level of PP&L management or the Nuclear Regulatory Commission". This policy has been communicated to Nuclear Department employees. The vehicles used have included training courses (some of which include periodic retraining) on the ECP, postings throughout the department that describe the program and how it can be used, and articles in the department newsletter.

Additionally, to upgrade the effectiveness of our ECP, training is being conducted to improve supervisory skills for communicating with employees.

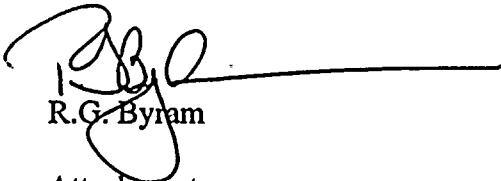
PP&L believes that the above noted efforts have mitigated any existing potential for a "chilling effect"; however, we plan to take the following additional actions:

- Supervisors will communicate with their direct reports, including contractors, reinforcing PP&L's stated policy regarding employee concerns.
- NDAP-00-1510 will be revised to specifically prohibit reprisal through the performance appraisal process.

The ECP has served PP&L well, and we believe that it mitigates any potential for a "chilling effect" to take hold within the Nuclear Department. We also recognize, however, that we must be vigilant and make periodic adjustments to the ECP, based on experience and periodic assessments. We believe that the ECP is a key element in assuring the safe operation of Susquehanna SES.

Please contact me if you have any further questions on this matter.

Very truly yours,



R.G. Byram

Attachments

cc: NRC Document Control Desk (original)
NRC Region I
Mr. D. Mannai, NRC Resident Inspector - SSES
Mr. C. Poslusny, Jr., Sr. Project Manager - OWFN

ATTACHMENT 1

An Overview of the PP&L Nuclear Department Employee Concerns Program

History

Pennsylvania Power & Light Company's process for handling internal safety concerns has evolved over time, with the current Employee Concerns Program (ECP) being established in 1989. In May 1993, a decision was made to conduct a review of the ECP by an independent contractor. The contractor conducted interviews of a representative sample of over 70 bargaining unit and management employees, including contractors working in the department. The interview results were utilized in a workshop facilitated by the contractor, but run by a smaller group of employees and contractors who had been interviewed. The workshop participants concluded that the overall program was sound, but opportunities existed for improvement. A task force was set up to review the workshop data, and in August 1993 issued a report recommending specific actions to improve the program. These recommendations were accepted and implemented by department management. The NRC reviewed the program in their Combined Inspection 50-387/93-13; 50-388/93-13, dated October 20, 1993.

PP&L Policy

Section 2.0 of NDAP-00-1510 , "Nuclear Safety Concerns of Individuals" states:

"The policy of Pennsylvania Power & Light is to address all concerns pertaining to the safety of the Susquehanna Station in a forthright manner and without reprisal. It is absolutely essential that the nuclear power plants be operated safely. If anyone involved in the design, operation or maintenance of Susquehanna has a concern about nuclear safety, management needs to know about it so that it can be addressed. THE COMPANY WANTS TO HEAR YOUR NUCLEAR SAFETY CONCERNS. THE INTENTION IS TO CAPTURE AND RESOLVE NUCLEAR SAFETY CONCERNS, NO MATTER WHAT THE SOURCE. Management is interested in the validity of the issue, not in how it was raised. No one will be penalized for raising a nuclear safety concern to any level of PP&L management or to the Nuclear Regulatory Commission."

PP&L believes that nuclear safety concerns should be processed through the existing deficiency management programs, with the individual's supervisor acting as advocate for resolution of the concern. The deficiency management programs are the vehicle used by the line organization to identify issues potentially impacting nuclear safety and to assign resources to correct them. The ECP exists for those cases where an employee is not comfortable raising the issue through these programs, or they have been provided with an unsatisfactory result.

Features

The ECP provides a user-friendly and non-threatening avenue for employees to raise concerns outside of the line organization:

- ECP representatives have been appointed at both the Station and the General Office to address concerns either not taken to or not resolved by the line organization.
- ECP representatives are respected individuals with strong personnel skills as well as strong technical credentials.
- ECP representatives are peers of the individuals most likely to raise concerns, thereby increasing the likelihood that concern will be identified.
- The ECP does not require the individual to be knowledgeable of the administrative process for addressing issues. The program will facilitate the documentation process.
- A posting identifying the ECP representatives (including their pictures and phone numbers) and providing information about the program is located at visible locations department-wide.

Access to Senior Department Management is Assured:

- ECP representatives report to the Manager-NSAG, who reports directly to the Senior VP-Nuclear.
- Concerns raised within the ECP are reported to Senior Department management and are reviewed by the Susquehanna Review Committee.

Feedback to the Concerned Individual is Required:

- ECP representatives become the advocate for resolution of the issue for the concerned individual. They track progress and provide direct feedback to the individual.

Confidentiality is Provided:

- Provisions exist to preserve confidentiality of the individual if requested.

Training

- All Nuclear Department employees, and principal contract engineering firms have been trained on the ECP.
- General Employee Training was revised to include the ECP, so new employees or contractors requiring site access will receive training.
- The Engineering Certification Program includes an eight hour course which covers each of the deficiency management programs as well as the ECP, in detail.
- More detailed supervisor training on management's expectations for handling employee concerns has been developed, and is in the process of being delivered.
- The Department newsletter, *Nuclear Notes*, has contained five articles explaining the ECP since implementation.


Exit Interviews

All full time employees leaving the Nuclear Department receive an exit interview. At that time, they are asked to comment on any concerns they have about the safe operation of Susquehanna.

AFFIDAVIT


COMMONWEALTH OF PENNSYLVANIA)
COUNTY OF LEHIGH) : SS

I, ROBERT G. BYRAM, being duly sworn according to law, state that I am Senior Vice President - Nuclear of Pennsylvania Power & Light Company and that the facts set forth in the attached response to Employee Protection Concern, are true and correct to the best of my knowledge, information and belief.



Robert G. Byram
Sr. Vice President - Nuclear

Sworn to and subscribed
before me this *1st* day
of *September*, 1994.



Notary Public

NOTARIAL SEAL
NANCY M. LICINI, Notary Public
Allentown, Lehigh County, PA
My Commission Expires April 28, 1998