

U. S. NUCLEAR REGULATORY COMMISSION

REGION II

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Report No.: 50-335/97-08, 50-389/97-08

Licensee: Florida Power and Light Company

Facility: St. Lucie Nuclear Plant, Units 1 & 2

Location: 6351 South Ocean Drive
Jenson Beach, FL 34957

Dates: June 9 - 20, 1997
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EXECUTIVE SUMMARY

St. Lucie Nuclear Plant, Unit 1 & 2
NRC Inspection Report 50-335/97-08, 50-389/97-08

This special inspection reviewed the licensee's program for addressing and resolving employee safety concerns.

- Procedures were satisfactory in that they were clear, concise, and thoroughly documented the Speakout process.
- The Speakout program was effective in investigating individuals' concerns. Safety-related employee concerns were being adequately resolved.
- A weakness was identified in that Speakout did not take responsibility to verify that employee concern related corrective actions were completed. Concern resolution had not been included as a key element of the Speakout program, and it resided with line management. The lack of this element had led employees to the perception that Speakout was ineffective.
- The program had improved in transmitting the results of the investigations to the concerned individuals. It was further concluded that improvement would be necessary to establish full employee confidence. Speakout closure letters to employees with substantiated concerns were often sent prior to completion of corrective action. No follow-up letters were sent to announce when a concern was resolved.
- Speakout was readily accessible, and employees were familiar with the various avenues available to express their concerns.
- During interviews, employees questioned the effectiveness of the Speakout program. Interviews with managers indicated that management was unaware of the reason for this perception.



Report Details

I. Operations

08 Miscellaneous Operations Issues

08.1 Resolution of Employee Concerns (40001)

a. Inspection Scope

The St. Lucie Nuclear Plant employee concerns program (ECP), was last reviewed by the NRC in April 1996. This review was documented in Inspection Report 50-335/96-07, 50-389/96-07. The review concluded that the program was effective in handling and resolving employee safety concerns. The NRC identified several weaknesses associated with the implementation of the Florida Power and Light Company (FP&L) ECP. Specifically; (1) investigative techniques and methods used to make corrective action recommendations had the potential to reveal albeit inadvertently the identity of the concerned employee; (2) letters to the concerned employee did not provide adequate feedback; and (3) corrective action recommendations were not tracked through implementation.

In response to these weaknesses, recognition of ongoing organizational changes at St. Lucie, and other NRC insights, the NRC determined that a followup review of the licensee's ECP was warranted.

The review was organized into three parts. The first part included a review of the licensee's current procedures and organization of the ECP. The second part included a review of recent employee concern files. The third part involved interviews of randomly selected licensee employees and supervisors to gain insight into their views about raising nuclear safety problems and to determine their confidence level with licensee processes for documenting, evaluating, and resolving those problems.

b. Observations and Findings

Procedures and Organization

The licensee's ECP is designated as "Speakout" and is implemented by Nuclear Division Policy NSS-1, "Nuclear Safety Speakout Program," Revision 6, dated April 11, 1997. Additionally, Site Administrative Procedure ADM-21.01, "Nuclear Safety Speakout Program," Revision 0, dated January 22, 1997, implemented the St. Lucie ECP.

Classification of employees' concerns were appropriately assigned within the procedures. Concern classification were as follows:

- Class 1 - Nuclear Safety or Quality concerns
- Class 2 - Management concerns
- Class 3 - Industrial Safety concerns
- Class 4 - Security and potential wrongdoing concerns
- Class 5 - Miscellaneous concerns

The licensee's current procedures documented responsibilities of the Speakout Review Committee (SRC). The SRC was established to ensure that concerns were appropriately classified and that investigative reports were responsive to the concern. In addition, cognizant line organization Department Heads were tasked with investigating any concerns assigned by Speakout and determining, initiating, and following through corrective actions with appropriate Plant Management.

Speakout procedures were generally adequate in that they were clear, concise, and thoroughly documented the Speakout process. The inspectors observed that for substantiated concerns, ownership by Speakout was relinquished before the corrective actions were completed and the concern resolved.

The President, Nuclear Division, has overall responsibility of the Speakout programs at St. Lucie and Turkey Point. The Director of Nuclear Assurance reviewed the classification and assignments of concerns at both facilities on a monthly basis and reported potentially significant concerns to the President. Additionally, the Nuclear Safety Supervisor generally implemented and maintained the Speakout program at both St. Lucie and Turkey Point, in addition to serving as Chairman of the SRC at each location. Two investigators were assigned to each site, with line organization Department Heads providing support on an as-needed basis.

On September 5, 1996, the President, Nuclear Division, issued a Statement of Policy to all nuclear personnel reiterating FP&L's continuing expectation of maintaining a safety conscious environment and providing encouragement to discuss safety concerns with their supervisor, management, Speakout, and the NRC.

Employee Concerns Files

The inspectors reviewed approximately 70 closed Speakout files dating from 1995 through 1997. The inspectors noted that approximately two thirds of the total number of concerns were associated with Personnel/Human Relations issues, as opposed to nuclear safety. Sixteen Class 1 safety related files were reviewed in detail. Generally, the inspectors noted that the investigations were good. Closeout timeliness has shown marked improvement in the last two years, although closeouts were occurring before corrective actions were complete.

The inspectors looked for various attributes to ensure that the Speakout program was effective. First, the inspectors checked to determine if the concerned individual's assertions had been thoroughly investigated; the findings documented, and if appropriate corrected, and the results reported to the individual. The inspectors observed that the investigation and the documentation were usually well done. However, the Speakout program had no formal method of instituting corrective actions

for substantiated concerns. The Speakout investigators would draft corrective action recommendations for the appropriate manager to accept, modify, or decline. Speakout remained actively involved in the recommendations until these were accepted by the appropriate management, but Speakout relinquished ownership for resolving the concern once the recommendations were accepted. Although Speakout maintained a tracking data base, the inspectors found that there was no verification function in the program to ensure that corrective actions were completed. This was considered a weakness of the program and as discussed below, has led to apparent employee dissatisfaction.

The inspectors observed that individual concern closure occurred early in the process. Speakout sent a closure letter shortly after the investigative process was completed. For substantiated concerns, the concerned individual was not informed of corrective action completion in the letter. Furthermore, the inspectors noted those letters for unsubstantiated concerns were still quite terse. The inspectors noted that many workers apparently believed that Speakout was ineffective. A large portion of this belief was attributable to the lack of information given to the concerned individuals about their concerns. Speakout stated they encouraged face-to-face exits with the concerned individual. Although face-to-face exits appeared to be effective, the inspectors did note that the vast majority of people did not return.

The inspectors reviewed the closeout letters to concerned individuals and found them lacking some information. The inspectors believed that closeout letters should give sufficient detail to the individual so there would be a clear understanding of how the concern was investigated and what the results were (substantiated or unsubstantiated). The inspectors observed that the description of the investigation had improved since the previous inspection. Additionally, corrective actions for substantiated concerns were identified in the letters as recommendations. This indicated to the inspectors that ownership to correct substantiated concerns had transferred from Speakout to the line organization. In addition, the inspectors did not find letters with a schedule for corrective action completion or followup letters to inform the concerned individual of the corrective action completion. Although the inspectors noted that the Speakout program's closure letters had improved in providing details of the investigation since the last Speakout inspection (Inspection Report 50-335/389-96-07), the letters appeared to need further improvement if Speakout was to improve employee confidence in the process.

Of the sixteen Class 1 concerns reviewed by the inspectors, the Table below summarizes ten Class 1 safety related concerns that were substantiated or that had associated corrective action recommendations provided by Speakout. Only one concern had all of the corrective actions completed before the closure letter was sent to the concerned individual. Additionally, the vehicle, if any, used to track the corrective actions was noted in the Table.

Closed Class 1 Non-HR Concerns (1995-1997)

Concern Number	Status*	Corrective Action (CA) Status	CA Complete
95-27	S	No corrective actions recommended.	Y
95-41	S	No corrective actions recommended.	Y
95-42	PS	No corrective actions recommended.	Y
96-15	S	Closed 10/16/96 with CAs in place.	Y
96-26	S	Closed 5/30/96. CR 96-1183 closed out with CA rolled to PMAI 96-07-112,113,114.	Y
96-37	PS	Closed 5/30/96. CA closed 7/19/96	Y
96-65	S	Closed 8/30/96. PMAI 96-08-211 closed 9/30/96.	Y
96-79	NS	Closed 1/30/97. Recommendations to HR still outstanding.	N
97-10	NS	Closed 5/2/97. QA closed CAs on 5/10/97.	Y
97-12	S	Closed 5/12/97 to CR 97-0769. CR closed on 5/10/97 with CA rolled to PMAI 97-05-082. Due date 8/31/97	N

* S-Substantiated, P-Partially Substantiated, NS- Not Substantiated

Generally, the Speakout program was effective in investigating individuals' concerns. The program was less effective in transmitting the results of the investigations to the concerned individuals and ensuring that the corrective actions resolved the concerns. The ownership for resolution of the employee concerns was left to line management. The inspectors found that for the eight concerns above with completed corrective actions, the concerns were adequately resolved.

Interview of Employees

The inspectors interviewed 28 bargaining unit employees who directly conducted safety related work. Several common themes were noted by the inspectors. All had received training on the Speakout program. All individuals interviewed exhibited a positive attitude toward nuclear safety. The workers and management have the same goals: to return St. Lucie to the top rated plant it used to be.

The following Table depicts the questions asked of the employees and their responses with respect to Speakout:

<u>QUESTION</u>	<u>YES</u>	<u>NO</u>	<u>UNSURE</u>	<u>TOTAL</u>
Are you encouraged to identify and report safety related concerns?	27	1		28
If you had a safety concern, who would you report it to?	28	mgt.	first	
Are you familiar with the Speakout Program and how to submit a concern?	28	0		28
Are you satisfied with the Program's process?	28	0		28
Are you satisfied with the Program's accessibility?	28	0		28
Are you satisfied with the Program's independence?	6	19	3	28
Have you or anyone you know, voiced a concern through the Speakout Program?	15	13		28
Was the concern resolved adequately?	3	8	4	15
Was the concern resolved timely?	6	6	3	15
Was the completion notification in a timely fashion?	9	3	3	15
Would you use the Speakout Program again?	10	3	2	15
In the course of your everyday work, have you been intimidated, harassed (given a hard time) for raising a safety concern?	7	21		28
Would it make you reluctant to report safety concerns to management or Speakout in the future?	8	20		28

Generally, employees believed that Speakout was a part of management. The inspectors' discussions with Speakout revealed that FP&L communication fliers (FYI) presented the program in this light. The inspectors noted that of the 28 employees interviewed, all 28 would go to their management first with a perceived safety concern. Since management already knew their concern, identity protection was not a significant factor in determining whether to use Speakout. However, since Speakout reports directly to upper management, employees questioned the independence of the program and whether Speakout could resolve their concern, since management already had not. The inspectors noted that all employees interviewed agreed that Speakout was readily accessible and were familiar with the various avenues available to express their concerns.

Another common theme among employees interviewed was that Speakout was ineffective in resolving concerns. As discussed previously, the inspectors determined that although Speakout did provide employees with a closure letter and a recommended corrective action for substantiated concerns, the Speakout file was then normally closed. The concerned individual was not provided any further communication on whether his or her concern was corrected, which was why he or she had gone to Speakout originally. Therefore, employees were no better off after closure of the concern than before they went to Speakout, which would explain why they had the perception that Speakout was ineffective.

A majority of the employees interviewed stated that plant procedures continued to be an ongoing problem. Some employees stated that they were put in the position of either stopping work to correct the procedure, which would delay the schedule, or continuing the job without adequate procedural guidance, relying solely on skill of the craft. Employees stressed that this dilemma places them in a "no-win" situation.

A common theme from employees was that management, through communications and actions, was providing a message that safety was number one but that the schedule should not be allowed to slip.

In addition, 13 middle level managers were interviewed about their perceptions of Speakout and practices related to Speakout. Their answers were consistent with the information provided by employees. However, management personnel expressed the belief that Speakout was effective and were unaware that employees felt the opposite.

c. Conclusions

In general, the FP&L Speakout program has clear implementing procedures. Concerns were appropriately investigated and documented. Safety-related employee concerns were being adequately resolved. Concern resolution had not been included as a key element of the Speakout program and resided with line management. As such, concern resolution was not documented in a closure letter to the employee. The lack of this element had led employees to the perception that Speakout was ineffective. Management was unaware of the reason for this perception.

Management Meetings

X1 Exit Meeting Summary

The inspectors presented the inspection results to licensee management at the conclusion of the inspection on June 26, 1997. The licensee acknowledged the finding presented. Although reviewed during this inspection, proprietary information is not contained in this report. Dissenting comments were not received from the licensee.

PARTIAL LIST OF PERSONS CONTACTED

Licensee

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D. Fadden, Services Manager, Plant St. Lucie (PSL)
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NRC

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INSPECTION PROCEDURES USED

IP 40001: Resolution of Employee Concerns