



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406

06 JUN 1988

MEMORANDUM FOR: Sharon R. Connelly, Director, Office of Inspector and Auditor
FROM: William R. Russell, Regional Administrator, Region I
SUBJECT: UNSPECIFIED ALLEGER CONCERN

On May 17, 1988, J. Gutierrez received a telephone call from Gary Wilson, Niagara Mohawk in-house counsel, to advise him that Niagara Mohawk has been contacted by [redacted] who alleged that: (1) he had tape recordings of conversations of Nine Mile Point employees concerning off-site drug use by employees at Nine Mile Point; and

As to the first concern, Niagara Mohawk will be asked to provide the findings of their investigation to Region I. This approach has been coordinated with the Office of Investigations, Philadelphia Field Office.

William T. Russell
Regional Administrator

cc: J. Taylor
A. Stropshire (R1-88-A-0062)

8909180349

CONVERSATION RECORD

TIME 1:00 PM DATE 6/1/88

TYPE VISIT CONFERENCE TELEPHONE INCOMING OUTGOING

Location of Visit/Conference: P: 192

NAME OF PERSON(S) CONTACTED OR IN CONTACT WITH YOU: JOE BERRATHA

ORGANIZATION (Offic. Dept., Bureau, etc.): NMPC TELEPHONE NO.: (315) 349-2864

Security MANAGER

ROUTING	
NAME/SYMBOL	IN
<u>Allegation</u>	
<u>File #</u>	
<u>R1-88-A-006</u>	

SUBJECT: ACTIONS TAKEN BY NIAGARA MOHAWK UPON RECEIPT OF ALLEGATIONS OF OFFSITE DRUG USE

SUMMARY: Mr. Berratha summarized details of phone conversation with [on May 11-13, 1988 regarding alleged use of drugs during a party at a NMPC ITC technicians home (apparently several years ago). Four persons were named as being implicated. [wanted payment for tape recordings.

NMPC has taken actions which they believe are sufficient to resolve this matter as far as any impact on plant activities. NMPC had received an internal anonymous allegation in April, 1988 that five (5) ITC technicians (4 @ UMC, 1 @ UMI) had used cocaine at lunch and that possibly these used drug on site. NMPC put these personnel under surveillance (even off site) and observed their actions. All five were finally confronted and requested to take a drug test. Two were ^{tested} negative and were allowed to go back to work immediately. One was fined after he was arrested for having a small amount of marijuana in the trunk of his car. The other two were suspended for testing positive with a referral to the employee assistance program for counseling and rehab. Following a negative test 14 days later and

ACTION REQUIRED: cont.

N/A.

NAME OF PERSON DOCUMENTING CONVERSATION: JON R. JOHNSON SIGNATURE: Jon R Johnson DATE: 6/9/88

ACTION TAKEN: I informed Mr. Berratha that I was satisfied w/ their action to date and did not need any add'l info. at this time Forwarded to Allegation File R1-88-A-0062

SIGNATURE: Jon R Johnson TITLE: Section Chief RPS2C DATE: 6/9/88

Upon recommendation of a physician, these two were returned to work. They are subject to random testing for 2 years.

In addition, NMPC performed a search of the site work areas (lockers, instrument labs etc) where these individuals worked - with "drug dogs" - canines and did not find any drugs on site.

Of the four personnel mentioned by the alleged three were investigated as part of this other review in April 88. The fourth individual is still working at the site but after a security evaluation is not suspected and has not been confronted or required to be tested. He has been under observation and is not suspected and therefore in accordance with the fitness for duty program there is no reason to request a drug test.

(Other information discussed regarding extrajudicial affairs, approaching the TV show 60 minutes, discussions with the NYC US Attorney, and NRC's Office of Investigation handling of previous matters is considered to be not germane to the safety concern of alleged drug use and is not described here in any detail).

Jon K. Johnson
6/9/88

ALLEGATION RECEIPT REPORT

ALLEGOR INFORMATION -

Name: G. Wilson

Address: c/o NMPC

Phone: _____

City/State/Zip: _____

Allegor's Employer: NMPC.

Position/ Title: NMPC - counsel.

Materials License No. MA

1. If applicable, was the DO policy explained to the allegor? YES ___ NO ___ N/A ___

2. Has a Confidentiality Agreement been signed or should one be sent to confirm the oral granting of Confidentiality? YES ___ NO ___

SITE: Nine Mile Point

DOE ID: 50-410

Number of Concerns: 2

Brief Description of Each Allegation Concern -

Advised NRC that NMPC had been contacted by [redacted] who indicated (1) he had tape recordings of conversation of 9 mile employees concern off-site drug use by [redacted] employees at [redacted] and (2) that NRC [redacted] has not [redacted] properly. [redacted] wants \$5,000 from NRC for the info (NMPC security has separately reported this same info to R. Matukas RI OI).

Type of Regulated Activity: (a) Reactor (c) Safeguards
 (b) Vendor (e) Other: _____
 (c) Materials (Specify)

Functional Area(s): (a) Operations (e) Emergency Preparedness
 (b) Construction (f) Onsite Health & Safety
 (c) Safeguards (g) Offsite Health & Safety
 (d) Transportation (h) Other: Fitness For Duty

Date/Time Received: 5/17/88

Employee Receiving Allegation: J. Gutierrez

5/19

Bill Kane -

Since we didn't get to talk on either 5/18 + 19, and I will not be back in the office until 5/26, let me give you the substance of what I needed to talk to you about:

ON 5/17 I got a call from Gary Wilson, Niagara Mohawk in-house counsel advising me that Niagara Mohawk had been contacted by [] who indicated:

① He has tape recordings of conversations among 9-Mile employees concerning off-site drug use ~~by~~ by employees at 9-Mile, and

② that NRC has not treated [] appropriately.

Ex. 3

Not for release

SAFEGUARDS INFORMATION

SAFEGUARDS EVENT REPORT LOG

1989

2nd Qtr

Exhibit 9.2

EVENT NO.	LOG ENTRY DATE/TIME	EVENT DATE/TIME	DESCRIPTION OF EVENT	COMPENSATORY MEASURES CORRECTIVE ACTIONS TAKEN
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89

6-12/0915

6-12/0912

Positive drug screen.

Voided badge as a result of positive drug screen annual physical, access denied to site. Event closed at 0900 hours on 6/13/89.