

Jane Lee
183 Valley Road
Ellens, Pennsylvania 17319

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Nuclear Regulatory Commissioners
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Washington, D.C. 20555



Commissioners:

The recent proposal presented to the Atomic Licensing Board by the NRC Staff, (6-07-83) Goldberg - Dircks); "The approach is to separate out corporate institution from corporate employees". (pg 3) is legally presumptuous and solidifies the contention that Staff is in collusion with utilities by reason of implied covert and unreasonable accommodation to the nuclear industry to the detriment of the health and safety of U.S. residents.

To suggest that TMI Unit 1's restart will be enhanced by separating employees from management ("Institution") reaches new heights of desperation and confirms my earlier suspicions that Staff is seeking to stampede the Commissioners toward erroneous "precedent-setting" decisions that will have an extended impact on eroding this Commission as well as future Commissions in rendering decisions based on precedent rather than on health and safety.

Although the fallacy of Staff's argument on "Separation of corporate "institution" from corporate employees" is obvious to everyone and has the familiar ring of arguments presented before the Licensing Board during hearings on Unit 11; (separation of Unit 1 from Unit 11 on pollution of environment), nevertheless I insist on presenting the following tactics perpetrated by the "Institution" (GPU) for the record:

1. Testimony taken in both licensing restart hearings and the GPU/B.W. court documents, revealed time and again that employees perjured themselves to protect the "institution" (GPU) in order to maintain their jobs.

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2. The coercive actions taken by the "institution" GPU in attempting to silence conscientious employees, who revealed violations in cleanup at Unit II, removes all doubt about the feasibility of separating "institution" management from employees and cannot and will not resolve old habits and problems of safety violations; unless, of course, Staff can develop a fool-proof method that would absolutely guarantee non-harrassment of all nuclear employees who seek to report NRC violations

3. The attempts of "institution" GPU management to force unwanted and unneeded psychiatric examinations upon their employees by corporate psychiatrists, who then violated patient/doctor confidentiality, smacks of totalitarianism and requires adjudication of the courts.

4. The arrival of "institution" GPU interrogators at the home of an employee at 2:00 a.m., requesting that the employee leave with them (which said employee did), and was interrogated for hours at a local eatery on the employee's own time, suggests Russian-type bullying and violates any citizen's right to privacy and legal counsel guaranteed under the U.S. Constitution.

5. The intimidation of employees with threats of dismissal because of safety violations submitted to the NRC Commission. Surely the Commission could have done more to protect the employee's right to confidentiality and sought to expose those within the NRC Staff responsible for this violation.

These are just a few of the known tactics used by "institution" GPU to silence employees but it reveals the nature of GPU and the unworkability of Staff's recent proposal.

GPU's recent "pledge" to assure all interested parties that, "any inappropriate attitudes or practices of the past (including the 1979 accident at Unit II), have not been carried forward and will not manifest themselves in GPU nuclear and its operations of Unit I", is enlightening. Candor, after four years of consistent lying, deviousness and safety violations, is no criteria for weighing a man's worth. In point of fact, GPU's word is not worth a shred of used toilet tissue and should be weighed accordingly.

GPU "institution" management, among a few others, has never taken the NRC's authority seriously and with good reason. The NRC Staff's *laissez faire* approach to regulating nuclear safety and misleading the Commission, time and time again on vital issues during briefing, is directly responsible for "institution" GPU's lackadaisical, anything goes attitude: , e.g. just give us the operating license...don't bother us with the details.

The NRC/^{Staff} has used every "precedent-setting" decision of the past to enhance their arguments of the present and which, no doubt, will be used in the future to favor nuclear utilities. The Commission then finds itself locked into an impossible situation with little or no room for maneuverability to reach a rational decision. Many of these "precedent-setting" decisions, which Congress abdicated to the NRC, are now in violation of the U.S. Constitution.

Less the Commission be overtly concerned about legal ramifications generating from GPU, need we remind the Commission that utilities are not the only sources that can engage in adjudicated redress. The Commission is treading in deep water, indeed, by permitting Staff excesses in creating atmospheres of desperation, thereby stampeding the decision-making process and attempting to set new precedents that can adversely affect present and future decisions.

NRC Staff exceeds its authority even in suggesting that the NRC has jurisdiction to separate any "institution" or management from its employees. Unless, of course, Staff is prepared to take over responsibility for the hiring, firing, discipline, time schedules, salaries and all other employee-related endeavors required in a private enterprise.

The ludicrousness of Staff's proposal (separation of management from employees for improved operations) fools no one, least of all the Commissioners. The argument, based on efficiency and safety is as strong as removing any business operation from its employees; one does not need to look into a crystal ball to know the chaotic effects. Of course, when we seek to accommodate, I suppose anything is acceptable.

Since the Commission is already aware of the Staff's shenanigans and mischief, there can be no other decision than a dismissal of this latest, is a series, of NRC Staff acrobatics.

Sincerely,

Jane Lee
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