

U. S. NUCLEAR REGULATORY COMMISSIONHOUSTON LIGHTING & POWER COMPANYSOUTH TEXAS PROJECT, UNITS 1 AND 2DOCKET NOS. 50-498 AND 50-499RECEIPT OF PETITION FOR DIRECTOR'S DECISION UNDER 10 CFR § 2.206

Notice is hereby given that by Petition received on May 5, 1993, Mr. Thomas J. Saporito, Jr., requested that the Nuclear Regulatory Commission institute a proceeding pursuant to 10 CFR § 2.202 with regard to Houston Lighting & Power Company (licensee), operator of the South Texas Project Electric Generating Station (STP). The Petitioner requests that the NRC (1) institute a show cause proceeding to modify, suspend, or revoke the licensee's NRC licenses authorizing operation of STP; (2) immediately shut down the two reactor cores at STP; and (3) issue civil penalties against the licensee and/or licensee personnel at STP. The Petitioner asserts as bases for these requests that there is no "reasonable assurance" of safe operation of STP because the NRC has referred four cases of discrimination against whistleblowers to the U.S. Department of Justice and is seeking indictments against licensee officials for retaliation; the licensee's actions against workers have instilled a "chilling effect" at STP; the licensee's physical plant nuclear security program is of questionable effectiveness; the NRC Inspector General found that the process used to justify the terminations of three former STP employees was prejudicial to them, and NRC investigators found that management was aware that these workers had made allegations to "Speak Out" and/or NRC officials; licensee officials may be held liable for

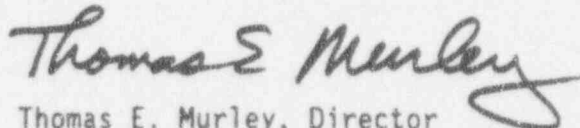
allegedly misleading the NRC about certain security-related matters; the licensee's failure to reduce a huge maintenance backlog has led to repeated human errors and equipment failures; the licensee maintains an autocratic, vindictive management team at STP, which has further instilled a chilling effect; the licensee has 12 Department of Labor discrimination cases pending regarding alleged retaliatory actions taken at STP; the NRC cannot rely on the licensee to be truthful or candid; a former security supervisor at STP has stated that "nobody wanted to hear that there were any problems"; the NRC Chairman has stated that the NRC has become much more aggressive in pursuit of utilities that retaliate against whistleblowers; the NRC Director of Investigations has said he has no qualms about referring a case of alleged utility wrongdoing to the Department of Justice; the NRC is currently investigating allegations that the licensee has used surveillance devices to spy on employees, and possibly NRC resident inspectors, at STP; and, on March 30, 1993, a licensee executive was involved in an incident that appears to be a form of intimidation.

The request is being treated pursuant to 10 CFR § 2.206 of the Commission's regulations. The request has been referred to the Director, Office of Nuclear Regulation. By letter dated July 8, 1993, the Petitioner's request that the Commission take immediate action has been denied. As provided by Section 2.206, appropriate action will be taken on this request within a reasonable time.

A copy of this Petition is available for inspection in the Commission's Public Document Room, the Gelman Building, 2120 L Street, N.W., Washington, D.C. 20555.

Dated at Rockville, Maryland, this 8th day of July 1993.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in dark ink, reading "Thomas E. Murley". The signature is written in a cursive style with a large, sweeping "M" and a long, horizontal tail stroke.

Thomas E. Murley, Director
Office of Nuclear Reactor Regulation