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Request No. RIR-89-015

Allegation No. RI-89-A-0133

TO: Chester W. White, Director
Office of Investigations Field Office, Region I

FROM: William T. Russell, Regional Administrator, Region I

REQUEST FOR INVESTIGATION

Northeast Nuclear Energy Company
Licensee/Vendor/Applicant

50-423
Docket No.

Millstone, Unit 3
Facility or Site Location

William T. Russell/Region I
Regional Administrator/Office

December 18, 1989
Date

A. Request

What is the matter that is being requested for investigation (be as specific as possible regarding the underlying incident).

1. Alleged harassment and intimidation (H&I) of Paul Blanch, a corporate (Northeast Utilities Service Company, NUSCO) first level supervisor (Engineering Supervisor, I&C Special Programs and Studies) with the knowledge of senior line management, in order to restrict the free flow of information relating to the technical resolution of a significant safety issue, namely, undetected failures of Rosemount transmitters.
2. Alleged failure to address legitimate safety concerns by modifying documents and/or destroying original evaluations/reviews to conceal those concerns.

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EXHIBIT 1
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The enclosed Report of Interview with Paul Martin Blanch, conducted on October 26, 1989, describes various occasions of alleged H&I of Paul Blanch as a result of his involvement in identifying Rosemount transmitter operability concerns, plus other examples of NUSCO's failure to address legitimate safety concerns by modifying documents and/or destroying original evaluations/reviews. As a result of that interview and other discussions with Paul Blanch, on November 14, 1989 Edward Wenzinger, Chief, Project Branch No. 4, met with Edward Mroczka, Senior Vice President, NUSCO, at the Northeast Utilities (NU) corporate office in Berlin, Connecticut. There, he reviewed an original "Confidential" report to NU, "LRS Incorporated Visit #1-89: June 8, 1989, Visit #2-89: July 31 - August 4, 1989," prepared by C. M. Rice, R. G. Staker and R. C. DeYoung. Certain of the alleged H&I of Paul Blanch and the failure to address legitimate safety concerns were substantiated in the LRS report. It is essential that you obtain a copy of this LRS report and include a review of its contents in your investigation.

In the enclosed notes from Paul Blanch to Bill Raymond, Millstone Station Senior Resident Inspector, dated November 18 and 22, 1989 Blanch alleges that he was informed recently of a hand written memo from G. L. Johnson, Director, Generation Engineering and Design, NUSCO, to E. J. Mroczka in late spring 1989. That memo, according to Blanch's source, "discussed Rosemount's efforts to resolve the problem and if Blanch were not removed from the 'committee' it could destroy Rosemount and their effort to resolve the issue." Blanch asserts that this memo would indicate that all actions taken against him to keep him quiet were with the full knowledge and consent of E. J. Mroczka.

This investigation is requested to determine:

1. Whether Blanch was harassed and intimidated by management for raising safety concerns; if so, what managers were responsible for this action; and,
2. Whether the licensee attempted to conceal legitimate safety concerns by destroying records; if so, who was responsible.

B. Purpose of Investigation

1. What is the basis for the belief that the violation of a regulatory requirement is more likely to have been intentional or to have resulted from careless disregard or reckless indifference than from error or oversight? (be as specific as possible).

As described above and in the enclosures, the apparently substantiated H&I of Blanch has occurred by various line and corporate managers over a period of several months with the possible knowledge and implied consent of senior management.

2. What are the potential regulatory requirements that may have been violated?

10 CFR 50.7(a) - Employee Protection

Various requirements regarding record/document retention

3. If no violation is suspected, what is the specific regulatory concern?

N/A

4. Why is an investigation needed for regulatory action and what is the regulatory impact of this matter, if true?

The H&I of Blanch has not been completely determined by OI and resident interviews and initial review of the LRS report. The total corporate management involvement must be ascertained to assess further the potential regulatory impact. This is also needed regarding the alleged attempts to conceal legitimate safety concerns.

C. Requester's Priority

1. Is the priority of the investigation high, normal, or low? High
2. What is the estimated date when the results of the investigation are needed? 3/30/90
3. What is the basis for the date and the impact of not meeting this date? (For example, is there an immediate safety issue that must be addressed or are the results necessary to resolve any ongoing regulatory issue and if so, what actions are dependent on the outcome of the investigation?)

Timely determination of scope and involvement of NU/NUSCO management in the apparent H&I of Paul Blanch is needed to determine necessary enforcement actions in view of other, continuing H&I allegations by NUSCO/NNECO employees. Similarly, such determination is needed regarding the concealment of safety concerns.

D. Contact

1. Staff members:

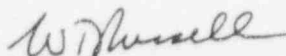
E. Wenzinger, Ext. 5225
D. Haverkamp, Ext. 5120

2. Allegers identification with address and telephone number if not confidential. (Indicate if any confidential sources are involved and who may be contacted for identifying details.)

Paul M. Blanch
135 Hyde Road
West Hartford, Connecticut 06117
(203) 665-3404

E. Other Relevant Information

The DOL Area Director (AD) finding in the Blanch vs. Northeast DOL complaint is enclosed. The AD found that, based on their investigation, discrimination was a factor in the actions that comprise Blanch's complaint. A "chilling effect" letter is being prepared regarding this matter.



William T. Russell
Regional Administrator

Enclosures:

1. Report of Interview with Paul Martin Blanch conducted on October 26, 1989
2. Notes from Paul Blanch to Bill Raymond dated November 18 and 22, 1989.
3. DOL letter to Northeast Utilities dated December 8, 1989

cc (w/o enclosures):

B. Hayes, OI
J. Taylor, EDO
B. Boger, NRR
J. Stolz, NRR
L. Chandler, OGC
J. Lieberman, OE
T. Martin, DRA
K. Smith, RC
D. Holody, EO
W. Kane, DRP
E. Wenzinger, DRP
D. Haverkamp, DRP
W. Raymond, DRP
M. Perkins, DRMA