

JUL 28 1988

Docket No. 50-336
File RI-88-A-005

[REDACTED]

Dear [REDACTED]

This letter acknowledges the matters identified in your July 13, 1988 telephone call to me and identifies the status of NRC follow-up on these items.

The first item you identified was that the fire watches you had previously identified as being unqualified were non-union fire watches. All the fire watches in your company [REDACTED] were appropriately qualified. The non-union fire watches who were unqualified were identified to you by an employee of the non-union company, NSS. You do not know the name of that individual or of the unqualified fire watches, but he told you that only he and two other NSS employees were qualified as fire watches. Our resident inspector checked the status of NSS fire watches, found that only five NSS individuals had been used as fire watches, and verified that all five of these individuals had been qualified as fire watches. The NSS contract at Millstone ended in December 1987 and there presently are no NSS fire watches at the site. We are closing this additional aspect of your allegation as being unsubstantiated.

You also stated that the NRC inspector you contacted did not get back to you as he stated he would. Both that individual and the resident inspectors reported to me that they had been unsuccessful in their attempts to contact you before I wrote the letter prompting your July 13, 1988 phone call. We regret that we were unable to reach you, but my previous letter to you was not written until after several attempts to contact you were unsuccessful.

You also expressed concern for the quality of work by contractors other than the Flagg company, with MYROC identified as an example. Specifics identified included how they put up staging, an individual who almost got his shoulder cut off by a fan, and individuals who did not wear safety glasses on night shifts. These concerns appear to relate to industrial safety. Should you provide specifics (such as names, dates, locations, specific unsafe practices), we will refer them to the appropriate agency or to the licensee. We have communicated to the licensee a separately developed concern about materials used for staging and their possible effect on nuclear safety equipment. So far, we have been satisfied that the licensee has taken appropriate action to prevent staging materials from affecting equipment needed to assure nuclear safety. We will continue to examine this concern during routine inspections. We will also continue to be alert, during day and backshift inspections, to practices such as individuals not wearing safety glasses as required. In addition, we will communicate your concern about safety glasses and industrial safety to licensee management for their review. Otherwise, unless we receive specific information that can be practicably followed-up, we plan no additional action on this concern.

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When I asked you if you wanted the phone number of the resident inspector, you stated that you did not because you heard from construction workers that he was on the take. You then stated that you had no personal knowledge of that, and that you did not pay attention to such hearsay when you did not hear or see anything yourself. In reply to my questions, you said you were unable to name anyone who had any knowledge of this matter, or identify the resident inspector(s) about whom the statement was made, or identify the time frame involved. You also stated that you did not think an NRC inspector was on the take at the site.

A further concern you expressed is for the possibility that you might be discriminated against in the future because you had provided information to the NRC. The U.S. Department of Labor (DOL) has jurisdiction over correcting such discrimination. You were recently mailed a copy of the DOL procedures for submitting a complaint to DOL if future discrimination occurs. Please note that DOL requires a complaint to be submitted within 30 days of the occurrence of the alleged discrimination.

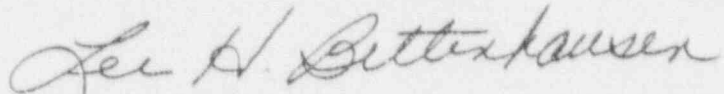
The NRC can grant confidentiality to allegers, by a specific written agreement, when it appears that it is appropriate to do so. Such confidentiality is limited: the courts or the congress or other government personnel with a valid need-to-know can obtain access to the identity of allegers. Also, the nature of an allegation can, of itself, lead to licensee identification of an allexer. Further, an individual's communication of his concerns to individuals outside the NRC can invalidate confidentiality.

As a matter of practice, we do not identify allegers' identities unless there is a specific need to do so. In your case, we have not provided, and have no present intention to provide, your identity to anyone outside the NRC.

Based on the above and the information you provided without confidentiality being an issue, it does not appear appropriate that the NRC enter into a confidentiality agreement with you at present. If you have additional information to provide and feel that confidentiality of your identity is necessary in regard to that information, I would be glad to discuss that with you further.

I hope the above information is responsive to your concerns. Should you have further questions or inputs, please contact me.

Sincerely, **Original Signed By:**



for
Ebe C. McCabe, Jr., Chief
Reactor Projects Section 1B
Division of Reactor Projects
(215) 337-5231

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JUL 28 1988

bcc:
A. Shropshire
W. Raymond

RI:DRP
Q
McCabe/meo
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RI:DRP
MB
Bettenhausen
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