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August 6, 1993

MEMORANDUM FOR: Ben B. Hayes, Director
Office of Investigations

FROM: Eugene T. Pawlik, Director
Office of Investigations Field Office
Region III

SUBJECT: NOTIFICATION OF INVESTIGATION
(OI CASE NO. 3-93-013R)

FERMI POWER PLANT
Licensee/Vendor/Applicant

50-341
Docket No(s)/License No.

Newport, Michigan
Facility or Site Location

RIII-93-A-0065
Allegation No.

A. Title of Investigation

What is the matter being investigated?

Detroit Edison Company (DECo), through the Director of Quality Assurance at Fermi Nuclear Power Plant (Fermi), allegedly had the terms and conditions of employment changed of a Quality Assurance Specialist (QAS) after that specialist allegedly had continuous contact with the NRC regarding his quality assurance reviews that were critical of various Fermi programs.

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?

The QAS was de-selected from his position as a result of an economic downsizing re-organization at Fermi. He alleged that he was the oldest and most experienced

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EXHIBIT 1

QA person in his group; yet, he was the only one de-selected. The QAS alleged that he conducted a number of audits and reviews that were critical of various Fermi programs and investigations. Because of his (QAS) reports, the Director of QA allegedly told the QAS in 1991 that he would never be promoted. In 1992, the QAS was critical of quality control and, in turn, was allegedly criticized and assaulted (a paper clip was thrown at his head by an audit manager). In 1993, the QAS was allegedly criticized by a Quality Engineering Supervisor for going too far during a review of an internal investigation.

2. What are the potential regulatory requirements that may have been violated? If no violation, what is the specific regulatory concern?

10 CFR 50.7 Employee Protection (1993 Edition)

Section 211 Energy Reorganization Act of 1974

3. What staff members were coordinated with to determine these requirements or concerns?

Bruce A. Berson, Regional Counsel, RIII
Bruce Burgess, Section Chief, DRS, RIII
Robert W. DeFayette, Enforcement Coordinator, RIII
Donald E. Funk, Allegation Coordinator, RIII

C. Technical Staff Priority

1. What is the priority of this investigation?

High

2. What is the initial estimated date of completion of this investigation based upon facts and circumstances known today?

February 1994

3. What staff members were coordinated with to determine priority?

Bruce A. Berson, Regional Counsel, RIII
Robert W. DeFayette, Enforcement Coordinator, RIII
Donald E. Funk, Allegation Coordinator, RIII

Ben B. Hayes

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August 6, 1993

D. OI Case Investigator/Telephone Number

Richard T. Anderson, Investigator
Telephone number (708) 790-5686

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s/f 3-93-013R

OI *vw*
PAnderson:jh
08/06/93

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EPawlik
08/06/93