



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION I  
476 ALLENDALE ROAD  
KING OF PRUSSIA, PENNSYLVANIA 19406  
SEP 2 1990

Docket No. 50-336

[REDACTED]

Dear [REDACTED]:

The NRC Region I office has completed its followup in response to the concerns you brought to our attention on June 28, 1990, alleging harassment and intimidation in the ongoing Department of Labor case. Specifically, you provided Mr. Peter Habighorst the enclosed documentation in support of your concern.

The NRC has determined that the enclosed material does not constitute an allegation as defined by the NRC. The NRC defines an allegation as "(a) declaration, statement, or assertion of impropriety or inadequacy associated with NRC-regulated activities, the validity of which has not been established." NRC Manual 0517-043 (April 3, 1990)(Emphasis added). Because the attached material does not appear to concern NRC-regulated activities, but rather, Department of Labor activities, we are returning this material to you for whatever action you may deem appropriate.

If you have any questions, you may contact me at (215) 337-5225.

Sincerely,

*Edward C. Wenzinger*  
Edward C. Wenzinger, Chief  
Projects Branch 4  
Division of Reactor Projects

Enclosure: As Stated

bcc w/encl:  
D. Haverkamp  
W. Raymond  
K. Smith  
M. Perkins, DRMA

Information in this record was deleted  
in accordance with the Freedom of Information  
Act, exemptions b1, b7C  
FOIA- 91-162

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PDR FOIA  
GUILD91-162 PDR

W/601

# APPENDIX 4.0

## SAMPLE RECORD OF ALLEGATION PANEL DECISIONS

SITE: Millstone Unit 2 PANEL ATTENDEES:  
 ALLEGATION NO.: RZ-90-A-0108 Chairman - B. Hehl  
 DATE: 1 Aug 90 (Mtg. 1 2 3 4 5) Branch Chief - E. Wenzinger  
 PRIORITY: High Medium Low Section Chief (AOC) - D. Haverkamp  
 SAFETY SIGNIFICANCE: Yes No Unknown Others - B. Raymond  
 CONCURRENCE TO CLOSEOUT: DD BC SC S. Stewart  
 CONFIDENTIALITY GRANTED: Yes No P. Halbigorst  
 (See Allegation Receipt Report) K. Smith  
 IS THEIR A DOL FINDING: Yes No R. Matahna  
 IS CHILLING EFFECT LETTER WARRANTED: Yes No J. Durr  
 HAS CHILLING EFFECT LETTER BEEN SENT: Yes No  
 HAS LICENSEE RESPONDED TO CHILLING EFFECT LETTER: Yes No

### ACTION:

- 1) Regional Counsel (K. Smith) → refer this issue to General Counsel  
ECD 09/30/90
- 2) AOC → send ack ltr to allegor  
→ state in letter that case is being referred to G.C. and
- 3) ask allegor if we understand correctly that he  
did not address using the disposition communication
- 4) and/or contacts w/ the NRC. 09/15/90
- 5) \_\_\_\_\_

NOTES: File A.52.4

# ALLEGATION RECEIPT REPORT

RI-90-A-0108

Date/Time Received: JUNE 19/1:00pm  
1990

Allegation No. A-52.4  
 (leave blank)

Name: [REDACTED]

Address: [REDACTED]

Phone: [REDACTED]

City/State/Zip: [REDACTED]

## Confidentiality:

Was it requested?  
 Was it initially granted?  
 Was it finally granted by the allegation panel?  
 Does a confidentiality agreement need to be sent to allegor?  
 Has a confidentiality agreement been signed?  
 Memo documenting why it was granted is attached?

|     |     |    |          |
|-----|-----|----|----------|
| Yes | ___ | No | <u>✓</u> |
| Yes | ___ | No | <u>✓</u> |
| Yes | ___ | No | <u>✓</u> |
| Yes | ___ | No | <u>✓</u> |
| Yes | ___ | No | <u>✓</u> |
| Yes | ___ | No | <u>✓</u> |

Allegor's Employer: NORTHEAST UTILITIES (NU) Position/Title: [REDACTED]

Facility: MILLSTONE 2 Docket No.: 50-336

(Allegation Summary (brief description of concern(s): ① Allegor concerned on NU request in recent deposition

Number of Concerns: 1

Employee Receiving Allegation: P J Habighorst  
 (first two initials and last name)

Type of Regulated Activity (a) ✓ Reactor (d) \_\_\_ Safeguards  
 (b) \_\_\_ Vendor (e) \_\_\_ Other: \_\_\_  
 (c) \_\_\_ Materials (Specify)

Materials License No. (if applicable): \_\_\_

Functional Area(s): ✓(a) Operations (e) \_\_\_ Emergency Preparedness  
\_\_\_(b) Construction (f) \_\_\_ Onsite Health and Safety  
\_\_\_(c) Safeguards (g) \_\_\_ Offsite Health and Safety  
\_\_\_(d) Transportation (h) \_\_\_ Other: \_\_\_

(NRC Region I Form 207  
 Revised 10/89)

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 in accordance with the Freedom of Information  
 Act, exemptions b7C  
 FOIA 91-162

N/63

Detailed Description of Allegation: The allegor provided the inspector a copy of a recent notice of deposition from Northeast Utilities. The allegor questioned the legality to provide to NU communication and/or contacts with the NRC, DOL, or any other agency concerning or relating to his employment. The copy / concern was being sent by the allegor to NRC EG I office of investigations.