

Peter

December 15, 1987

Mr. Tony Pederson  
Managing Editor  
HOUSTON CHRONICLE  
801 Texas Street  
Houston, Texas 77002

Dear Mr. Pederson:

I am writing in regard to the report "Attorney for nuke workers turns her files over to NRC" by James R. Pierobon which was printed in the December 4 edition of the Houston Chronicle (copy attached).

First, I told Mr. Pierobon that the files were being made available to the staff and were being reviewed--not that they had been turned over to the staff. The latter suggests that physical custody of the files had been transferred to the staff which is not the case.

Second, I told Mr. Pierobon that a decision on what follow up would be required would be made after the staff had completed its review of the files. I also told him that there had not been a decision made to create a special task force. I did not tell him there was no intention to do so.

My responses to Mr. Pierobon's questions on this matter were based on a November 24 letter from Mr. T. A. Rehm of the NRC staff to Ms. Billie Garde and I am attaching a copy for your information.

Sincerely,

Frank L. Ingram

Frank Ingram  
Assistant to the Director  
Public Affairs, GPA

**FOIA-88-107**

**G/15**

Attachments:  
As stated

bcc: [redacted] w/cpy letter and article

R. A. Rehm, " "  
Billie P. Garde, " "

J. R. Pierobon, " "

(Govt Accountability Project)  
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AME : FIngram:pmg					
DATE : 12/15/87					

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Ms. Billie Pinner Garde  
Government Accountability Project  
Midwest Office  
3424 Marcos Lane  
Appleton, Wisconsin 54911

1/16 AM

Dear Ms. Garde:

This will confirm the results of our meeting of Thursday, November 19, 1987, at which we discussed certain allegations GAP has developed concerning the South Texas nuclear power plant.

The meeting began by your tabling a series of talking points concerning your view of the objectives of the meeting, as well as a summary of how GAP handles allegations received. We found the discussion useful, but neither agreed nor disagreed to the points you raised. You retained all copies of the briefing notes. You then proceeded to table a tabulation of allegations in summary format (all copies of which you retained) which we reviewed on the spot.

Our conclusion was that insufficient data was available in the summaries to allow for a deliberate and reasoned evaluation of the allegations. In further discussion you agreed to make your files on these allegations available to us. Subsequent to the meeting staff has made a preliminary visit to GAP Headquarters and made arrangements to begin detailed review of the process on November 30, 1987. We will accord confidential treatment to the identity of any allegeders whose names may surface during this review. Following our review, we will advise you of the allegations which we feel are appropriate to review further. You agreed to provide us data on which such follow up can proceed, subject, in some cases, to your contacting allegeders to assure that they will agree to be contacted by the NRC.

You also indicated that one set of allegations was in process in Wisconsin. We assume that you will simply provide us that information during the time we are reviewing the other files at GAP Headquarters. Separately, I also understand you passed some allegations on wrongdoing directly to the Office of Investigations which is dealing directly with you on those matters.

The meeting was quite satisfactory from our point of view. We appreciate your confidence and cooperation and that of the allegeders you represent. With your continued cooperation we should be able to give a proper review of the allegations GAP has acquired. Needless to say, obtaining any information which you may have on alleged defects in the South Texas nuclear power plant will assist us in assuring that the public health and safety is protected at that facility.

Sincerely,

(Signed) T. A. Rehm

T. A. Rehm, Assistant for Operations  
Office of the Executive  
Director for Operations

*b.c.c. to  
Briss, OGC  
Calvo, MB  
Crutchfield, D. Park  
JFC  
Calvo & Crutchfield  
to file  
in dept. files  
TR*

JFC : AG/OEEO					
NAME : TRehm					
DATE : 11/23/87	11/22/87				

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# Attorney for nuke workers turns her files over to NRC

By JAMES R. PIEROBON  
Houston Chronicle Washington Bureau

WASHINGTON — The attorney for whistle blowers at the South Texas Nuclear Project has given the Nuclear Regulatory Commission her files on allegations of safety defects, and the agency will decide soon if an investigation is warranted, a commission spokesman said Thursday.

Frank Ingram, the commission spokesman, said Billie P. Garde, who represents about 10 employees and former employees at the plant near Bay City, turned her files over to two NRC engineers this week. He said the engineers may decide by next week whether to investigate.

Meanwhile Thursday, the commission postponed by five days, until Dec. 22, the scheduled vote on an operating license at South Texas for Houston Lighting & Power Co., the plant's operator and largest owner. Ingram said the delay was prompted by HL&P's decision not to gear up for certain so-called "critical" operations until Dec. 13 or 14.

Commission engineers traditionally need at least a week to review a plant's performance under these critical conditions before the staff director can recommend to the five-member commission whether an operating license should be granted.

Garde, who works for the Government Accountability Project, a public interest law firm based in Washington, could not be reached for comment. But

her assistant on the South Texas allegations, Richard Condit, said the commission and GAP agreed to exchange the information and discuss the allegations privately.

"We don't want a lot of fanfare and publicity. This way things will go a lot smoother," Condit said.

Some nuclear plant workers have either lost their jobs or found it virtually impossible to find work at other nuclear power plants for blowing the whistle on their employers on other companies involved in construction.

Protection of the whistle blowers had been a focal point in a heated dispute between Garde and Victor Stello, the commission's operations director, that a federal district judge in Washington D.C. refused to mediate. But neither GAO nor the NRC would say Thursday what, if any, compromise was reached to bring about the detailed review of Garde's files.

Ingram said the commission has not agreed, nor does it have any intention, of agreeing to create a special investigative task force at South Texas. Garde has long insisted on such a panel as a condition to opening her files; Garde contended that the southwest region staff was incapable of conducting an objective review.

"There has been a lot of give and take by both sides," Condit said.

Any thorough investigation of a key operating system at the first of two reactors at South Texas could delay the first generation of electricity on a full-power basis by months.

December 4, 1987 | Houston Chronicle

U. S. NUCLEAR REGULATORY COMMISSION  
OFFICE OF PUBLIC AFFAIRS  
PETER W. WASHINGTON, TEXAS

OFFICE OF PUBLIC AFFAIRS  
REGION IV - WASHINGTON, TEXAS