

NOTATION VOTE

RESPONSE SHEET

TO: John C. Hoyle, Secretary

FROM: CHAIRMAN JACKSON

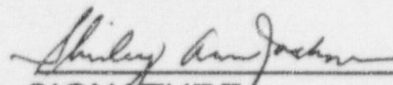
SUBJECT: **SECY-99-010 - CLOSURE OF ORDER REQUIRING  
INDEPENDENT, THIRD-PARTY OVERSIGHT OF  
NORTHEAST NUCLEAR ENERGY COMPANY'S  
IMPLEMENTATION OF RESOLUTION OF THE MILLSTONE  
STATION EMPLOYEES' SAFETY CONCERNS**

Approved <sup>(IN PART)</sup>   x   Disapproved <sup>(IN PART)</sup>   x   Abstain       

Not Participating       

COMMENTS:

SEE ATTACHED COMMENTS

  
SIGNATURE

January 27, 1999

DATE

9903110399 990309  
PDR COMMS NRCC  
CORRESPONDENCE PDR

Entered on "AS" Yes   x   No

Chairman Jackson's Comments on SECY-99-010

The staff has recommended lifting the existing Order associated with third-party oversight of NNECO's employee concerns program(ECP) (and the establishment of a safety conscious work environment (SCWE)).

The staff appears to be basing its recommendation on lifting the Order, at least in part, on the continuing oversight of both the third party audits and heightened NRC inspection resources. Consequently, I believe it is not appropriate to lift the Order without preserving, in some form, the established framework for third party audits.

I acknowledge improvement in both the safety conscious work environment, and the processes by which the licensee handles employee concerns. However, given that allegations continue to be a concern at this licensee, that there is an acknowledged "fragility" of the various programs that make up the SCWE, and that the licensee is undertaking a significant reorganization and restructuring, I believe that the appropriate regulatory response is either a modification of the Order or an amendment to NNECO's license (instead of simply a letter to the licensee or a Confirmatory Action Letter) to formalize the licensee-proposed third party audits of the ECP and SCWE. This action should remain in place until after both a decision is made on the potential restart of Unit 2, and the licensee's reorganization and its attendant effects are complete.

I also strongly believe that the staff must continue to be vigilant in its efforts to independently monitor the licensee's actions in this area; and, I believe that a modification of the Order or an amendment to NNECO's license is appropriate, especially in light of the Commission's desire for continued involvement.