

UNITED STATES NUCLEAR REGULATORY COMMISSION WASHINGTON, D. C. 20555

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January 14, 1987

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Herbert Grossman, Esq., Chairman Administrative Judge Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, DC 20555

Dr. Richard F. Cole Administrative Judge Atomic Safety and Licensing Board U.S. Nuclear Regulatory Commission Washington, DC 20555

Dr. A. Dixon Callihan Administrative Judge 102 Oak Lane Oak Ridge, TN 37830

> In the Matter of Commonwealth Edison Company (Braidwood Station, Units 1 and 2) Docket Nos. 50-456 and 50-459-04 456 457

Dear Administrative Judges:

This is to inform you that on Monday, December 22, 1986, Region III received an allegation (Allegation No. RIII-86-A-0199) from two individuals employed at the Braidwood facility by Applicant's electrical contractor. These allegations are related to the matters which are documented in Applicant's January 9, 1987 board notification.

The individuals alleged that a colleague of theirs had been discharged the previous Friday for leaving an hour early due to illness. In addition, the allegers informed the NRC that Anthony Similie and GE-MCIS Manager Thomas Cartelli had informed them and their colleagues at a meeting recently that violation of GE-MCIS's policies relating to overtime and "absences" might result in termination. The allegers informed the NRC that they felt "threatened" by these occurrences. One of the allegers stated that he had "torn up ICRs" and the other stated that he "had not properly carried out rejection forms for motor operated valves (MOVs)" because of "frustration" and "being too upset to work properly." On January 6, 1987, however, the allegers informed the NRC that their safety concerns had been corrected and their labor-management concerns were being addressed. The foregoing matters are documented in the memoranda attached to this letter.

As stated earlier, the NRC was contacted by the allegers on Monday. December 22, 1986, shortly before the onset of the Christmas holidays. Consequently, the NRC Staff has not yet had an opportunity to make "an initial screening of the allegations" to determine that they are not frivolous" but "are relevant and material to the decisionmaking process," thus requiring the submittal of a board notification. See Statement of Policy: Handling of Late Allegations, 50 Fed. Reg. 11,030 (March 19, 1986). Because the Commission's Statement of Policy makes clear that allegations which have not undergone the required review should not be submitted to the presiding tribunal, the Staff is not obligated to submit a formal board notification at this time. Nevertheless, in view of the Board's standing instructions to Staff counsel to inform it of matters that may relate to Intervenors' inspector harassment contention, the undersigned is bringing this matter to the Board's attention at this time.

The name of the allegers and other identifying information have been deleted from the attached memoranda to protect the allegers' anonymity. Please note that because premature disclosure could compromise an impending Staff investigation, the subject memoranda are being submitted subject to the conditions previously approved by the Board. In other words, copies of the memoranda in question are being made available only to the Board and counsel for Applicant and Intervenor with the understanding that they not be disclosed further.

Singgrely

Gregory Alan Berry

Enclosure:

As stated

cc w/encl:

Michael Miller, Esq. Robert Guild, Esq.

cc w/o encl:

Service List