

From: JShealA-Hearing Resource
Sent: Monday, February 15, 2021 7:48 PM
To: JShealA-HearingNPEM Resource
Subject: Emailing: Allegation Report RII 2017-A-0114 AckL, Closure Ltr 17-114
Attachments: ML21039A873_Redacted.pdf

From: JShealA-Hearing Resource
Sent: Sunday, February 14, 2021 4:38 PM
To: JShealA-HearingNPEM Resource <JShealA-HearingNPEM.Resource@nrc.gov>
Subject: <A E>

Hearing Identifier: JShea_IA_NonPublic
Email Number: 1265

Mail Envelope Properties (3ec57760b9434234a1bf296a8e248b95)

Subject: Emailing: Allegation Report RII 2017-A-0114 AckL, Closure Ltr 17-114
Sent Date: 2/15/2021 7:47:30 PM
Received Date: 2/15/2021 7:47:31 PM
From: JShealA-Hearing Resource

Created By: JShealA-Hearing.Resource@nrc.gov

Recipients:
"JShealA-HearingNPEm Resource" <JShealA-HearingNPEm.Resource@nrc.gov>
Tracking Status: None

Post Office: HQPWMSMRS02.nrc.gov

Files	Size	Date & Time
MESSAGE	183	2/15/2021 7:47:31 PM
ML21039A873_Redacted.pdf	590339	

Options
Priority: Normal
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:

From: Luina, Scott
Sent: Friday, October 16, 2020 12:07 PM
To: Kirkwood, Sara
Cc: Echavarria, Alex
Subject: Emailing: Allegation Report RII 2017-A-0114 AckL, Closure Ltr 17-114
Attachments: Allegation Report RII 2017-A-0114 AckL.pdf; Closure Ltr 17-114.pdf

Sara -

Think this is what you were referring to when WETZEL raised a previous CWE concern to the NRC in July 2017, which resulted in a NRC CWE Inspection in September 2017 (which was referenced in HENDERSON complaint).

Great job today!
Scott

Your message is ready to be sent with the following file or link attachments:

Allegation Report RII 2017-A-0114 AckL
Closure Ltr 17-114

Note: To protect against computer viruses, e-mail programs may prevent sending or receiving certain types of file attachments. Check your e-mail security settings to determine how attachments are handled.

Hearing Identifier: JShea_IA_NonPublic
Email Number: 477

Mail Envelope Properties (DM6PR09MB528848C58C75272B1E84C5F7FB030)

Subject: Emailing: Allegation Report RII 2017-A-0114 AckL, Closure Ltr 17-114
Sent Date: 10/16/2020 12:06:54 PM
Received Date: 10/16/2020 12:06:54 PM
From: Luina, Scott

Created By: Scott.Luina@nrc.gov

Recipients:

"Echavarria, Alex" <Alejandro.Echavarria@nrc.gov>

Tracking Status: None

"Kirkwood, Sara" <Sara.Kirkwood@nrc.gov>

Tracking Status: None

Post Office: DM6PR09MB5288.namprd09.prod.outlook.com

Files	Size	Date & Time
MESSAGE	612	10/16/2020 12:06:54 PM
Allegation Report RII 2017-A-0114 AckL.pdf		139068
Closure Ltr 17-114.pdf	117958	

Options

Priority: Normal

Return Notification: No

Reply Requested: No

Sensitivity: Normal

Expiration Date:



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

August 23, 2017

Electronic Mail To: Ms. Beth Wetzel
[REDACTED]

SUBJECT: Concerns You Raised to the NRC Regarding Tennessee Valley Authority's
Corporate Office - Allegation Report RII-2017-A-0114

Dear Ms. Wetzel:

This letter refers to your, telephone conversation with, Mr. Joel Munday on July 24, 2017, during which you expressed concerns related to a chilled work environment (CWE), violations of the Employee Concerns Program procedures, and procedure non-adherence to Confirmatory Order (EA-17-022) at the Tennessee Valley Authority's Corporate Office.

The enclosure to this letter documents your concerns as we understand them. We have initiated actions to evaluate Concern 1 and will inform you of our findings. The NRC normally conducts an evaluation of a technical concern within six months, although complex issues may take longer. If the description of any of your concerns as noted in the enclosure is not accurate, please contact me so that we can assure that your concerns are appropriately described and adequately addressed prior to the completion of our review.

The enclosure to this letter also describes how we addressed your concerns related to the violations of the Employee Concerns Program procedures (Concern 2), and procedure non-adherence to Confirmatory Order (EA-17-022) at the Tennessee Valley Authority's Corporate Office (Concern 3). Based on our review, further intervention on these issues is not warranted at this time. Please refer to the enclosure for additional information.

In evaluating your concerns, the NRC intends to take all reasonable efforts not to disclose your identity to any organization, individuals outside the NRC, or the public. It is important to note, particularly if you have raised this issue internally, that individuals can and sometimes do surmise the identity of a person who provides information to the NRC because of the nature of the information or other factors beyond our control. In such cases, our policy is to neither confirm nor deny the individual's assumption.

The NRC brochure "Reporting Safety Concerns to the NRC" contains information that you may find helpful in understanding our process for review of safety concerns. It includes an important discussion of our identity protection procedures and limitations. The brochure can be found on the NRC public web site at the following link:

<http://www.nrc.gov/reading-rm/doc-collections/nuregs/brochures/br0240/>.

However, you should be aware that your identity could be disclosed regarding this matter if the NRC determines that disclosure is necessary to ensure public health and safety, to respond to an order of a court or NRC adjudicatory authority or to inform Congress or State or Federal agencies in furtherance of NRC responsibilities under law or public trust, to support a hearing on an NRC enforcement matter, per requirements of the Freedom of Information Act (FOIA), or if you have taken actions that are inconsistent with and override the purpose of protecting an allegor's identity.

TENNESSEE VALLEY AUTHORITY (TVA)**CORPORATE OFFICE****STATEMENT OF CONCERNS****Concern 1:**

The Licensing Manager has created a chilled work environment in the Corporate Licensing Department.

Concern 2:

The Licensing Manager violated TVA procedures by divulging confidential information associated with an Employee Concerns Program (ECP) complaint.

Response to Concern 2:

With respect to your Concern 2, related to violations of Employee Concerns Program (ECP) procedures, there are no regulatory requirements related to the ECP or implementation of associated ECP procedures. On the basis of the foregoing, NRC intervention on this issue is not warranted at this time. The NRC will, however, consider the alleged procedural violations to the extent that they could have contributed to your concern of a chilled work environment in Corporate Licensing (Concern 1).

Concern 3:

The TVA revised procedures are not in compliance with the new Adverse Employee Action Confirmatory Order (EA-17-022).

Response to Concern 3:

In regards to your Concern 3, related to procedure non-adherence to Confirmatory Order (EA-17-022), issued July 27, 2017; the Confirmatory Order (CO) requires TVA nuclear safety culture and safety conscious work environment policies and guidance (e.g., procedures) to be in place and updated no later than four months after the issuance of the CO. Therefore, NRC intervention on this issue is not warranted at this time. The NRC will review the aforementioned procedures as part of its follow-up on the Confirmatory Order under inspection procedure (IP) 92702.

If a request is filed under the Freedom of Information Act (FOIA) related to your area(s) of concern, the information provided will, to the extent consistent with that act, be purged of names and other potential identifiers. Further, you should be aware you are not considered a confidential source unless confidentiality has been formally granted in writing.

Thank you for notifying us of your concerns. We will advise you when we have completed our review of Concern 1 and we believe that our actions have been responsive to Concerns 2 and 3. If, however, new information is provided that suggests that our conclusions regarding Concerns 2 and 3 should be altered, we will reevaluate that information to determine if additional evaluation is indicated. Should you have any additional questions, or if the NRC can be of further assistance, please call me at the regional office toll-free number 1-800-577-8510 extension 4426 or you may provide information to me in writing at P. O. Box 56274, Atlanta, GA 30343. You may also communicate with me by electronic mail, if you so choose. However, when doing so, please call me in advance or provide your phone number in your e-mail message so that I can confirm that you are the source of the information. Also, please be advised that the NRC cannot protect the information during transmission on the Internet and there is a possibility that someone could read your response while it is in transit. My e-mail address is Melanie.Checkle@nrc.gov. Should you prefer to communicate by email, please also respond to the following email addresses: R2Allegations@nrc.gov.

Sincerely,



Melanie Checkle
Senior Allegation Coordinator
Enforcement and Investigation Coordination Staff

Enclosure: As stated



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

November 1, 2017

Electronic Mail To: [REDACTED]

SUBJECT: CONCERN YOU RAISED TO THE NRC REGARDING TENNESSEE VALLEY
AUTHORITY NUCLEAR LICENSING - ALLEGATION REPORT RII-2017-A-0114

Dear Ms. Wetzel:

The NRC has completed its followup in response to the concerns you brought to our attention on July 24, 2017, regarding Tennessee Valley Authority (TVA) Nuclear Licensing. Your Concern 1 was related to a chilled work environment (CWE) at the TVA corporate nuclear licensing office. The Enclosure to this letter restates your Concern 1 and describes the NRC's review and conclusions with regard to that concern. Concerns 2 and 3 were addressed in a previous letter to you dated August 23, 2017.

Allegations are an important source of information in support of the NRC's safety mission. We take our safety responsibility to the public seriously and will continue to do so within the bounds of our lawful authority. We believe that our actions have been responsive to your concerns. If, however, new information is provided that suggests that our conclusions should be altered, we will reevaluate that information to determine if additional evaluation is needed. Should you have any additional questions, or if the NRC can be of further assistance, please call me at the regional office toll-free number 1-800-577-8510, extension 4465, or you may provide information to me in writing at P. O. Box 56274, Atlanta, GA 30343. You may also communicate with me by electronic mail, if you so choose. Please be advised that the NRC cannot protect the information during transmission on the Internet and there is a possibility that someone could read your response while it is in transit. My e-mail address is Anthony.Masters@nrc.gov. When sending an email to NRC, please also include the following email address: R2Allegations@nrc.gov.

Sincerely,

/RA/

Anthony D. Masters, Chief
Reactor Projects Branch 5
Division of Reactor Projects

Enclosure: As stated

TENNESSEE VALLEY AUTHORITY

RESPONSE TO CONCERN

ALLEGATION REPORT RII-2017-A-0114

Concern 1:

The Licensing Manager has created a chilled work environment in the Corporate Licensing Department.

Response to Concern 1:

During the week of September 18, 2017, the NRC conducted safety culture interviews of individuals from corporate TVA Nuclear groups. Inspectors interviewed a total of 22 individuals from the engineering, licensing, and operations groups. Specifically, the inspectors interviewed personnel to determine their willingness to raise nuclear safety concerns. Interviewees were asked a series of questions as follows:

1. In your opinion, what level of emphasis does your management team seem to put on safety (nuclear, radiological, and industrial) / regulatory compliance? Examples?
2. Do you believe that decisions made at TVA prioritize nuclear safety / regulatory compliance? Why or why not? Examples?
3. Are you able to challenge a decision if you disagree with it? What if it's a management decision? Please give examples.
4. How would the individual raise a safety or regulatory issue (e.g., inform supervisor, corrective action program, employee concern program (ECP), NRC)?
5. Do you feel free to approach your supervisor regarding a nuclear safety/regulatory concern? What about your department manager or senior management?
6. Have there been any issues recently that might affect your/coworkers willingness to raise safety/regulatory issues?
7. How do you feel about using the Employee Concerns Program? Is it effective?
8. Is the individual aware of any specific instances in which another employee submitted an issue to the corrective action program or ECP and considered the licensee's response incomplete or unacceptable or was retaliated against for pursuing the issue?
9. Is the individual aware of any events that would discourage employees from raising concerns (e.g., chastisement for submitting issues to corrective action program, ECP, or NRC; supervisors holding up submittal of concerns).
10. Do you believe that if you bring a concern to the ECP it will be kept confidential?
11. Do you think people are treated fairly and with respect by management? Why or why not?
12. Do you believe that your supervisors and managers have trust and confidence in the staff?
13. Do you have trust and confidence in your supervisors and managers?

The majority of interviewees responded positively to all questions; no one indicated they were hesitant to raise concerns. Based on the interview responses, the inspectors determined that licensee management emphasized the need for all employees to identify and report problems.

Enclosure

Additionally, based on discussions conducted with a sample of TVA corporate employees from various departments, the inspectors determined that TVA corporate employees felt free to raise safety and regulatory issues without fear of retaliation.

Conclusion:

Based upon the review described above, the allegation that the Licensing Manager has created a chilled work environment in the Corporate Licensing Department was not substantiated. On the basis of the foregoing, the NRC plans no further action regarding this concern at this time. Please note that the NRC reviews the area of Safety Conscious Work Environment (SCWE) routinely during our baseline inspection program using inspection procedure (IP) 71152. The IP can be located at <http://www.nrc.gov/reading-rm/doc-collections/insp-manual/inspection-procedure>. The latest inspection on this area and the results of the inspection are documented in NRC Inspection Report 05000327/2017009 and 05000328/2017009, located at <https://www.nrc.gov/reactors/operating/oversight/listofrpts-body.html#seq>.