



**RIC 2012  
Allegation Statistics and NRC  
Chilling Effect Letter Guidance**

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**Overview**

- Allegation Statistics
- Chilling Effect Letter (CEL) Guidance
  - Background
  - Factors Considered
  - CEL Contents
  - CEL Closure

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**Allegation Definition**

- Declaration, statement, or assertion of impropriety or inadequacy associated with NRC-regulated activities, the validity of which has not been established
  - Does not need to involve a violation

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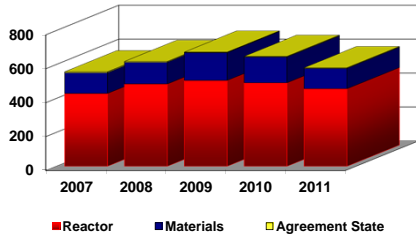
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### Allegation Statistics – Total Received



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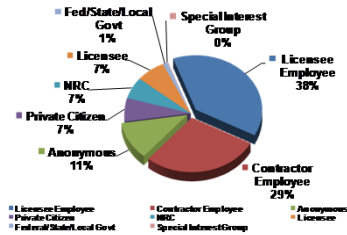
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### Allegation Statistics – 2011 Sources



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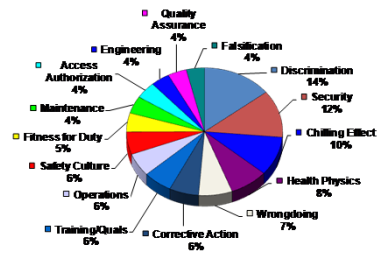
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### Allegation Statistics – 2011 Reactor Concerns



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### Chilling Effect Letter (CEL) Guidance – Background

- What is a CEL?
  - A regulatory tool to ensure that licensees are fostering a workplace environment that encourages employees to raise safety concerns without fear of retaliation i.e., Safety Conscious Work Environment (SCWE)
  - A public letter

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### CEL Guidance – Background

- What is its purpose?
  - Notifies licensee of NRC concern
  - Requests information on licensee assessment of SCWE

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### CEL Guidance – Background

- NRC Enforcement Manual describes CELs related to:
  - Discrimination Findings
  - “Special Cases” involving other allegations
- Allegation program guidance identifies factors to consider when determining if a CEL should be issued

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### CEL Guidance – Factors Considered

- Note: The guidance advises that the staff should counterbalance the perceived need for the issuance of a CEL with a determination as to whether the licensee is taking timely and effective remedial actions to enhance the SCWE

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### CEL Guidance – Factors Considered

- Allegations
  - Number
  - Receipt rate
  - Nature of concerns
  - Source of allegations

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### CEL Guidance – Factors Considered

- SCWE NRC inspection observations
  - Problem Identification & Resolution inspection
  - Supplemental inspections
- Specific chilling effect events
- Reporting avenues impacted

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### CEL Guidance – Factors Considered

- Licensee programs
  - Assessments
  - Policies
  - Communications
  - Training
  - Employee Concerns Program statistics
  - Corrective Action Program

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### CEL Guidance – CEL Contents

- Basis for NRC SCWE concern
- Request licensee response include:
  - SCWE assessment
  - Basis for determining number and cross-section of individuals interviewed/surveyed is adequate
  - Scope of interviews/surveys.
  - Corrective Actions
- Request licensee notify workforce of CEL

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### CEL Guidance – CEL Closure

- Closure contingent upon an NRC determination that licensee has made reasonable progress toward addressing the underlying issues that led to the issuance of the CEL
  - Evaluate assessment tools
  - Evaluate corrective actions

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