

July 26, 2006

Glenn Adler
Senior Research Analyst
Service Employees International Union CIO
1313 L Street, NW.
Washington, DC 20005

Dear Mr. Adler:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your petition dated May 16, 2006, and supplement dated June 26, 2006, addressed to Mr. Luis A. Reyes, Executive Director for Operations. Pursuant to Section 2.206 of Title 10 of the *Code of Federal Regulations* (10 CFR) of the Commission's regulations, your request was referred to me. I would like to express my appreciation for your effort in bringing these matters to the attention of the NRC.

You request that the NRC take enforcement action in the form of a Demand for Information that would require STP Nuclear Operating Company (STPNOC), the licensee for the South Texas Project Electric Generating Station (STP), to provide the NRC with docketed copies of the following:

- any assessments of the safety conscious work environment (SCWE) at STP conducted since January 1, 2004;
- summaries of any associated action plans and the results of any efforts to remedy problems revealed by these surveys, including the following documents mentioned at an August 2005 meeting, apparently convened to discuss the plant's SCWE,
 - a [strengths, weaknesses, opportunities, and threats] SWOT analysis to assess the issues and actions required and follow-up on these actions to improve station alignment,
 - an outsourcing lessons learned, and
 - an evaluation of information technology, supply chain, technical training, and Wackenhut; to assess the issues and recommended actions;
- summaries of any associated action plans and the results of efforts to remedy problems revealed by such surveys in 2001 and 2003; and
- all correspondence between the NRC, STPNOC, and Wackenhut Corporation concerning the 2001, 2003, and 2005 Comprehensive Cultural Assessments (CCAs).

In 1998, the NRC found that STP had violated Federal law by subjecting four employees to a "hostile work environment" after the employees raised safety concerns. As a basis for your request, you note that the NRC issued an order requiring STP to hire an independent survey to

conduct periodic CCAs. The licensee hired Synergy Consulting Services Corporation. The Wackenhut Corporation took over security at STP in July 2001, after winning a 3-year contract for security, with an option for 2 additional years. You further note that in the 2001 and 2003 CCAs, Wackenhut scored poorly on independent surveys assessing the STPNOC's nuclear safety culture, safety conscious work environment, general culture and work environment, leadership, management, and supervisory skills and practices. You state that the STPNOC's performance deteriorated below its baseline 2001 performance and that Wackenhut continued this poor performance as indicated in the 2005 CCA. You further state that STPNOC's action plans apparently were not successful with respect to Wackenhut and other entities and that the NRC must scrutinize the steps taken by STPNOC to rectify problems identified in the 2001, 2003, and 2005 CCAs. You hold that by obtaining the documents you identified the NRC will be better informed about improvement in the licensee's SCWE at STPNOC. In addition, you conclude that the NRC will be better able to assess the effectiveness of previous steps taken with Wackenhut and other entities for whom problems persisted, despite repeated efforts to remedy them.

You discussed your petition with the Office of Nuclear Reactor Regulation's (NRR's) petition review board (PRB) on June 27, 2006. At that meeting, you submitted your supplemental petition dated June 26, 2006. The PRB considered the results of that discussion and the supplemental petition. Based on those considerations, the PRB has granted your request for consideration of your petition pursuant to 10 CFR 2.206.

As provided by 10 CFR 2.206, we will take action on your request within a reasonable time. I have assigned Mohan Thadani to be your petition manager. Mr. Thadani can be reached at (301) 415-1476. NRR's Division of Operating Reactor Licensing is reviewing your petition. In addition, I have referred the allegation of the NRC wrongdoing implied in your petition to the NRC's Office of the Inspector General (OIG). I have enclosed a copy of the notice that the NRC is filing with the Office of the *Federal Register* for publication. As stated above, I have also enclosed a copy of MD 8.11, "Review Process for 10 CFR 2.206 Petitions," and the associated brochure NUREG/BR-0200, "Public Petition Process," prepared by the NRC's Office of Public Affairs.

Sincerely,

/RA/

J. E. Dyer, Director
Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

Enclosures: 1. *Federal Register* Notice
2. Management Directive 8.11
3. NUREG/BR-0200

cc w/encls: See next page.

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Sincerely,

/RA/

J. E. Dyer, Director

Office of Nuclear Reactor Regulation

Docket Nos. 50-498 and 50-499

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DATE	07/25/06	07/24/06	7/24/06	07/24/06	07/25/06

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