

CATEGORY 1

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 RECIP. NAME RECIPIENT AFFILIATION
 Document Control Branch (Document Control Desk)

SUBJECT: Responds to NRC 970415 ltr re violations noted in insp rept
 50-397/97-08. Corrective actions: modified policy that
 required employees to notify of deficiencies when found,
 ensuring that potential of chilling effect does not exist.

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WASHINGTON PUBLIC POWER SUPPLY SYSTEM

P.O. Box 968 • Richland, Washington 99352-0968

May 19, 1997

GO2-97-098

Docket No. 50-397

U. S. Nuclear Regulatory Commission

Attn: Document Control Desk

Washington, D.C. 20555

Gentlemen:

**Subject: NUCLEAR PLANT WNP-2, OPERATING LICENSE NPF-21
RESPONSE TO INSPECTION REPORT 50-397/97-08**

Reference: Letter dated April 15, 1997, TP Gwynn (NRC) to JV Parrish (SS), "NRC Inspection Report 50-397/97-08"

The Supply System agrees that there have been isolated instances where communication channels have not met management expectations for open dialogue. However, based on our surveys discussed below, the Supply System would not characterize the environment at WNP-2 as potentially chilled.

The Supply System recently completed its annual concerns program training cycle which included a survey of 971 Supply System and contractor employees. Every work group surveyed achieved greater than 90% when asked if they would raise issues through either their supervisor, manager, management chain, or the Nuclear Safety Issues Program.

The inspection report points out some areas for improvement and this is valuable information that will be acted upon, as appropriate. Further details regarding the specifics of the referenced inspection report are contained in the attached.

If you have any questions or desire additional information regarding this matter please contact me or Mr. J. A. Harmon at (509) 377-8377

Respectfully,

R. L. Webring (Mail Drop PE08)

Vice President, Operations Support/PIO

270085

IED1/1

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RESPONSE TO INSPECTION REPORT 97-08

The policy that required employees to notify the Supply System of deficiencies when found, has been in place since June, 1995. This policy, a statement indicating an option for taking disciplinary action against those that would not report a safety issue to us, was established as a result of the Saporito case and implemented after advice from counsel. Though the Supply System does not believe our policy represented establishment of a chilling effect, the policy has been modified to ensure this potential does not exist. The changes made to the policy were faxed to the inspector on April 15, 1997.

The referenced report indicates that employees must have an opportunity to raise issues solely to the NRC. The Supply System supports the position that as appropriate, (i.e., when the issue does not pertain to a specific equipment or program deficiency potentially affecting safety) employees may raise issues only to the NRC. This position has been clearly stated in our training. When employees find a plant hardware or program problem potentially affecting safety they are required to notify the Supply System so that plant safety can be assured. The Supply System has taken a vigorous position on this issue to ensure that as soon as possible we are made aware of issues potentially affecting public health and safety such that corrective action can be taken. The minimum level of notification the Supply System requires is an anonymous call to the Supply System's hot line, the Direct Line. Through this means of implementation our process provides the earliest possible notification of a problem to the Supply System as well as ensuring anonymity, thereby preventing a chilling effect.

Your letter indicated that recent transitions in some areas of WNP-2 have challenged the supervisory processes that are essential to ensure a healthy work environment. The Supply System is acutely aware of this issue. Senior management has been kept apprised of the issues raised to or by the Nuclear Safety Issues Program staff and through other means. The Supply System will continue to provide appropriate training to managers, supervisors, and staff that continues to emphasize the need to maintain a safety-conscious work environment.

SECTION I OPERATIONS

b. Observations and Findings

Supervisory Training

1. The report indicates that additional training is needed to emphasize the potential for chilling effects within the work organizations. This is valued information. The inspector attended a training session and interviewed some of the Supply System supervisors. The inspectors comments in the report do not address all of the verbal information provided to the Supply System, i.e., the Supply System supervisors seem to have a very mature understanding of the Nuclear Safety Issues Program and the types of difficulties that have been

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observed within the industry and at the Supply System. The Supply System will continue to reinforce to all employees that they are required to treat one another in a professional and responsible manner. Management and supervision will receive training specific to this subject.

2. Supply System supervisors attend two weeks of core courses that address many subjects dealing with how to interface with and assist employees in the performance of their duties. The courses include, but are not limited to, interpersonal skills, performance plans, situational leadership, etc. The need for timely and realistic performance evaluations is addressed periodically and discussed with supervisors and managers during their initial NSIP training.

NSIP Evaluation Thoroughness and Follow-Through

1. NSIP File 96-009 was not an issue raised by the staff, but one provided by the Plant General Manager (PGM). The PGM, as a result of hearing statements alleging pressure being inappropriately applied to an employee that could have been viewed as intimidation, relayed that information to the NSIP staff through a supervisor in Quality.

NSIP File 96-013 was a case in which an allegation was made during the conduct of a separate investigation and was only provided when the NSIP staff inquired if the employee had any unanswered, or was aware of any unidentified, nuclear safety issues. The Supply System evaluated the incidents and found them not to be discriminatory and did not get back to the individual as this case was not brought to the NSIP staff but was one of those initiated by the NSIP staff. At that time, April, 1996, this was our policy. In June, 1996, the Supply System changed the policy to provide an option to employees to become the concernee. This employee was a member of the self assessment team and became aware of the results during the evaluation in June, 1996. However, the concernee did not come to the NSIP staff until February, 1997, indicating he still had a concern. The NSIP staff reviewed the initial findings with him and he disagreed with these findings. The concernee indicated he would provide the NSIP staff with additional information and was informed by the staff the issue would be reopened upon receipt of this information. The additional information was not supplied to the NSIP staff until April 24, 1997, after numerous attempts by the staff to obtain it. The issue is now under evaluation by a different investigator, with the concernee as the initiator.

This process of staff generated concerns was noted as needing change during a Supply System self assessment conducted in June, 1996. The recommendation was implemented immediately. The Supply System will strive to encourage an employee to be the concernee on issues initiated by the NSIP staff. However,

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there may be times, as there were in the past, in which employees leaving the Supply System raised issues on their way out and stated they didn't care what the Supply System did with the issue and did not care to be involved. The Supply System will continue to encourage employees to accept responsibility for issues raised. However, forcing employees to be the concerne, when they don't want the responsibility, would be a chilling event and therefore contrary to the Supply System's policy.

2. NSIP 96-009 was noted as not investigating imprudent work-arounds. The imprudent work-around issue was unrelated to the concern being worked and was provided as a comment in passing, with no specifics. The management of the employee, against whom the statement was made, was given the information to review. No further action will be taken as the individual is no longer employed by the Supply System and no additional information is available.
3. The lack of documentation referred to in the NSIP files were issues specifically dealing with management and personnel issues. The Supply System had made a decision to not involve the NSIP program in resolution of these types of issues to prevent employees from confusing the mission of the NSIP with management issues. However, the NSIP staff will ensure that pertinent information related to management issues are hereafter included in case files.

Under-Reaction to Potential Discrimination or Chilling Effect

1. The report references a survey of quality personnel that identified indications of a potential chilled environment at WNP-2. Another survey conducted by the NSIP staff in late September did not substantiate the first survey. One hundred percent of those surveyed indicated they did not have any problem in raising nuclear safety issues to any level of management or supervision and 96% expressed confidence in management's resolution of concerns.

The Supply System concurs that not all specific survey concerns were included in the follow-up interviews. The survey concerns were categorized into subjects and those subjects were then turned into the questions for the follow-up interviews. Issues associated with the PER process were addressed in two separate questions with final results being perceptively different from the initial. Ninety two percent of the employees surveyed were satisfied with the PER process.

2. NSIP 96-027. The report states that the NSIP staff's conclusion that the employee was not discriminated against was not valid because the employee reaffirmed his belief he was discriminated against to the NRC. This program, nor any we are aware of, cannot provide a guarantee that a concerned employee

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is going to be satisfied with the results of an investigation. What employees are promised is they will get a fair evaluation of the facts with a logical conclusion drawn from that information. Two separate investigations were conducted. One by the NSIP staff to deal with issues specifically related to Section 211 of the Energy Reorganization Act. The second investigation was focused at management and personnel issues outside of 211 activities. Both investigators obtained the same response from the concernee that no discrimination existed in the promotion issue, only management preference. The Supply System does not agree with the conclusions drawn by the inspector on this subject.

The report noted that during a recent performance evaluation of the employee, negative comments had been provided and that in review of the last evaluation performed, dated January 30, 1997, no negative comments were found within the evaluation. The Supply System's review of this issue noticed that there were comments included in his previous report that indicated a behavioral problem over an incident, noting no additional problems subsequent to the initial incident. A review of the employee's performance evaluations indicates a cyclical behavior pattern with the results being documented.

As to the failure of management to appropriately respond to the employee's promotion discrimination complaint, this was not the issue under investigation. However, the management involved had provided the NSIP staff with copies of communications indicating that the issue was identified when first raised, but due to poor communications between the manager and the supervisor, no action was taken. This communications failure was discussed with the Vice President of that organization and a recommended action was to address this issue with all parties involved. This action was followed up by the NSIP staff and closed upon receipt of appropriate documentation. Specific guidance for management and supervisory personnel discovering or identifying discrimination has been established and communicated to the staff and a copy provided to the inspector.

3. There have been eight cases in the past year raised by Health Physics personnel alleging discrimination/chilled environment, plus another four on various subjects. The report indicated that as a result of the interviews, the inspector concluded that concerns would be raised to supervision, but not to management, indicating a lack of trust. This lack of trust has not caused a decrease in the number of concerns raised by the staff. In fact, there has been a significant increase in the number of concerns raised by Health Physics personnel. Based on a broader survey such as those done by the NSIP staff it is evident that while a few of the Health Physics personnel do not trust management, the majority do trust and support the management team. We will continue to focus on proactive communication and consistent management practices to resolve the concerns of this minority.

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The Supply System agrees that there have been a number of changes to supervisory personnel in Health Physics. Some of these changes were at the request of the individuals, others pursued and obtained new positions/promotions within the company, and we have changed out some personnel when it was determined that to obtain improved performance new leadership was needed. These changes appear to have been effective based on the continued downward trend in our radiation doses.

The issues associated with the union are being dealt with by senior management. Senior management has been and will continually work to resolve these issues and fully appreciates the potential impact in maintaining the trust of the employees.