

Arizona Public Service Company

P.O. BOX 53999 • PHOENIX, ARIZONA 85072-3999

WILLIAM F. CONWAY  
EXECUTIVE VICE PRESIDENT  
NUCLEAR

102-02943-WFC/ACR  
May 5, 1994

Mr. James Lieberman, Director,  
Office of Enforcement  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Reference: NRC Letter dated March 8, 1994 from J. Lieberman, NRC, to  
W. F. Conway, APS

Dear Mr. Lieberman:

**Subject: Palo Verde Nuclear Generating Station (PVNGS)**  
**Units 1, 2, and 3**  
**Docket Nos. STN 50-528/529/530**  
**File: 94-056-026; 94-003-350**

This letter responds to your request for information (Referenced letter) regarding statements made by a PVNGS spokesman, Mr. Mark Fallon, that were quoted in a West Valley View article dated January 26, 1994. This letter also responds to your request for information regarding an allegation that Mr. Fallon's comments might discourage PVNGS employees from raising concerns to the NRC.

As described more fully below, APS believes that the article accurately reflected the substance of Mr. Fallon's comments. APS further believes that, taken in context, Mr. Fallon's comments were appropriate and were neither intended to discourage employees from raising concerns to the NRC nor would they tend to have such an effect. APS notes that it encourages its employees to first raise their concerns with their line management or through other internal means because this is the most effective way for concerns to be promptly addressed and resolved. However, APS emphasizes to its employees that they should always feel free to raise their concerns with the NRC.

**Mr. Fallon's Statements**

The statements quoted in the January 26, 1994 West Valley View article resulted from a telephone conversation between Mr. Fallon and Mr. Dan Nowicki, a reporter. Mr. Fallon speaks with Mr. Nowicki periodically (typically three times per week), and on the occasion of this call, Mr. Nowicki inquired if Mr. Fallon had any comment regarding the National

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Whistleblower Center's announcement that it was opening a "regional office" in Buckeye, Arizona (near PVNGS). Mr. Fallon noted that APS was taking a number of steps to foster an atmosphere at PVNGS in which employees feel free to raise concerns. He further indicated that APS expected its efforts to be effective, and therefore, he hoped that employees would not feel the need to go to the Buckeye center.

Mr. Fallon's statements were not intended to discourage employees from communicating with the Buckeye center. As noted in the article, Mr. Fallon's message to the reporter was that he expected that APS' revised programs would be effective and "should leave the staff of the Buckeye center with little to do." Mr. Fallon merely indicated that APS' goal was that employees would be satisfied with the effectiveness of APS' internal mechanisms for resolving concerns, and therefore, they would not feel the need to go to an external organization such as the Buckeye center.

APS also recognizes that its employees should always feel free to raise concerns with the NRC. Mr. Fallon's comments did not make any reference to the NRC, and he did not make any statements intended to discourage employees from raising concerns to the NRC. Mr. Fallon's comments that the Buckeye Center will hopefully have little to do are simply irrelevant to APS' consistent message to its employees that they should feel free to raise concerns with the NRC without fear of retaliation.

**APS Actions To Make Clear to Employees That They Should Feel Free To Raise Concerns With the NRC Without Fear of Retaliation**

Consistent with the guidance of NRC Form 3, APS encourages all employees first to raise safety concerns with their supervision or management. APS believes that supervision and management personnel are in the best first line position to address and resolve concerns promptly and efficiently. Therefore, APS' goal is that all employees will feel free to raise concerns internally and that management will effectively resolve these concerns. However, APS has consistently emphasized to its employees that they should feel completely free to bring their concerns to the NRC.

APS management has communicated its expectations through a variety of means. For example, on August 10, 1993, APS' Chief Executive Officer, O. Mark DeMichele, issued an all hands memorandum, in which he emphasized his expectations that "employees should feel completely at ease to raise safety concerns" and "management has an

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absolute duty to listen attentively and respond appropriately." (See Enclosure 1). In doing so, Mr. DeMichele also noted that "any employee has an absolute right to raise a concern with the NRC without fear of retribution."

This message was also communicated in Safety Concerns All-Hands Meetings that were conducted by Mr. DeMichele, Corporate Counsel Nancy Loftin, and me on August 16 and 17, 1993. In addition, I provided a written summary of some key questions and answers from these meetings in an October 1993 special edition of PVNGS' New Era employee news bulletin. (See Enclosure 2). This summary included the following Q&A:

- Q: Can we change the tendency to go straight to the NRC with safety concerns?
- A: It's our desired state to have the company internally handle safety concerns so that people don't feel they need to go to the NRC with them. But, of course, an employee is always free to do so.

APS also has consistently reinforced the message that employees should feel free to go to the NRC in its employee training programs. In the quality assurance component of APS' site access training, employees are instructed that their suggested flow path for raising concerns is to first go to their supervisor, next APS' Employee Concerns Program, next APS management, and then the NRC. However, the lesson plan emphasizes: "**\*Important Note: THE EMPLOYEE CAN GO DIRECTLY TO THE NRC WITHOUT FOLLOWING THE SUGGESTED FLOW PATH.**" (See Enclosure 3). The radiation protection (RP) component of APS' site access training emphasizes that employees not only have a responsibility to report violations of RP requirements to their supervisor or the NRC, but also have a responsibility to go to the NRC if they believe that APS has not corrected a violation. (See Enclosure 4).

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APS has taken a number of aggressive actions over the last several months in order to assure that there is an atmosphere at PVNGS in which employees are encouraged to freely raise concerns. A more detailed summary of these actions was provided in Attachment 2 to Mr. DeMichele's April 21, 1994 letter to the NRC's Executive Director of Operations, Mr. James M. Taylor. You have been previously provided a copy of this letter and its attachment. If you have any further questions regarding this response, please contact Mr. A. Carter Rogers at (602) 340-4041.

Sincerely,



WFC/ACR/dld

Enclosures:

1. Mr. DeMichele's 8-10-93 memo
2. New Era article
3. Training Lesson Plan - SAT
4. Training Lesson Plan - Rad Protection

cc: K. E. Perkins  
T. J. Saporito  
NRC Document Control Desk



**ENCLOSURE 1**



Arizona Public Service Company

P.O. BOX 53999 • PHOENIX, ARIZONA 85072-3999

MARK De MICHELE  
PRESIDENT AND  
CHIEF EXECUTIVE OFFICER

August 10, 1993

TO: All Palo Verde Employees

FROM: Mark DeMichele

Recently, there have been several press accounts of alleged inappropriate management responses to employees who have raised safety concerns. The gist of these accounts is that APS management tolerates, if not encourages, heavy-handed treatment of persons who raise safety concerns. Just last week we learned that one of our supervisors, contrary to his earlier sworn statements, declined to hire a contractor employee because the candidate had previously raised safety concerns at Palo Verde and elsewhere. This behavior will not be tolerated.

In light of this event, I think it is timely and vital to restate my expectations for how everyone at Palo Verde should address safety concerns.

Employees at Palo Verde who identify and report safety concerns perform an invaluable service to the company and to the public. The watchful eye of every employee is at the heart of the elaborate measures which assure safety of operations at Palo Verde each day. APS counts on all employees to do more than merely their assigned jobs with complete dedication and discipline. We ask and expect that you all identify safety concerns to your supervisor; to alert us when tasks are not being performed in the manner required by the detailed procedures which govern almost every activity at Palo Verde; and to advise of any other problems which, because of your training and experience and your closeness to operations, you are uniquely positioned to recognize. Neither I nor anyone else on the APS management team look upon such activity negatively, rather it is viewed as a positive contribution. We have recently initiated the "Hero" system to reward those who raise concerns and enable the company to more safely conduct its business.

Each Palo Verde employee should feel completely free to raise safety concerns directly with his or her supervisor. It is the responsibility of every

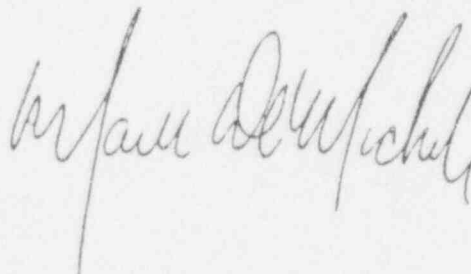
supervisor to listen carefully and then respond appropriately to the expressed concern; in fact, it is an essential element of each supervisor's job.

I would like to emphasize the special responsibility of the management chain of command--from first line supervision through senior management. This group has a special responsibility to foster an atmosphere in which conscientious employees know that their concerns will be treated seriously and that they may be expressed without fear of retribution or other adverse consequences. Of course, we also have a formal employee concerns program if, for whatever reason, employees do not choose to raise their concerns with management and would rather do so in confidence or even anonymously. In addition, any APS employee has an absolute right to raise a concern with the NRC without fear of retribution. Regardless of the means chosen, all of us at every level have an overwhelming stake in assuring the free flow of information that may affect safe and reliable plant operation. I personally welcome open communication, not only because it contributes to safe plant operation but also because it makes good business sense.

I am communicating with each of you personally and directly so that this message is unmistakable and to assure that you understand the company's expectations as you perform your daily activities.

In closing, I want to reemphasize that unprofessional conduct on matters affecting nuclear safety has not and will not be tolerated. For their part, employees should feel completely at ease to raise safety concerns. For its part, management has an absolute duty to listen attentively and respond appropriately. Should there be any doubt as to my expectations in this regard, I expect each of you to discuss this matter directly with your supervision.

OMD:cjs

A handwritten signature in dark ink, appearing to read "Brian Deuschel". The signature is written in a cursive, flowing style with some loops and flourishes.

**ENCLOSURE 2**

Special Edition

# NEW FTS

*A monthly magazine for employees of the Palo Verde Nuclear Generating Station*

## Nuclear, industrial & personal safety: Top priority at Palo Verde

*by Executive Vice President William F. Conway*

Safety is the number-one concern at Palo Verde. If you have a safety concern, step forward and bring it to your supervisor's attention or to Employee Concerns. Reporting safety concerns is the right thing to do. We depend on Palo Verde employees to maintain plant safety.

Although employees may always contact the NRC directly, the most positive approach to address a safety concern is to go

to your supervisor, manager or officer of the company.

As an organization, we must respond to safety concerns and we can only do so if we are made aware of them.

You may raise a nuclear safety concern without fear of discrimination or retribution. There is no reason for discrimination since safety has always been, and remains, the top priority at Palo Verde. ♣



**Employee Concerns:**  
**Dial 82-2702,**  
**944-5444,**  
**or toll-free**  
**1-800-248-0068.**  
**You may remain**  
**anonymous.**



# **Your role in address**

To reinforce management's expectations in identifying safety concerns, three Safety Concerns All-Hands meetings were held in August. Attendance was mandatory for all day-shift employees. Video tapes were made available for people unable to attend.

President and CEO Mark DeMichele, Executive Vice President Bill Conway and Corporate Counsel Nancy Loftin discussed the importance and necessity of identifying safety concerns and answered questions from co-workers. Here is a summary of questions and answers:

*Q: Why are whistleblowers labeled as protected employees and what are they protected from?*

A: Employees who raise safety concerns immediately have a protected status whether or not the concern is valid. They're protected from being treated differently by other employees and from being discriminated against. We need to assure that people who bring forward safety concerns get answers to their questions and aren't left dangling.

*Q: If I raise a safety concern, will I be labelled a valuable employee or a whistleblower?*

A: No one can label you a whistleblower unless you acknowledge yourself as one. If you bring a safety concern to management, you would be providing a valuable service to the company and the public.

*Q: What potential whistleblower penalties face APS at this time?*

A: There is a potential for NRC civil penalties. There is also a potential that individuals may be prosecuted for perjury or violation of the whistleblower law, and the company could be held criminally liable for activities on the part of certain individuals.

*Q: Of the 72 whistleblower complaints, are they all awaiting action by the company?*

A: We never knew how many allegations were raised until we read and heard the results of the Inspector General's report. So it is awfully difficult to define whether all 72 are written by 72 individual people, whether 36 people initiated two each, or whether all or any have been remedied.

*Q: You talked about discrimination in the workplace. Can someone file a discrimination complaint if the source of the discrimination is just ignoring someone?*

A: Yes, if the working environment is such that one person is being ignored or treated indifferently, this can be considered a hostile work environment and may be grounds for a discrimination claim.

*Q: Is protected status only granted once an individual makes an allegation or raises a concern outside of the organization?*

A: Protected status is granted whether the concern is raised internally or externally.

*Q: What's the best way to handle a situation where an allegation is raised, you answer it, and the employee disagrees with the answer?*

A: Get somebody to help you. While you are never going to satisfy 100 percent of the people, the person who raised the issue can never turn around and say, "They never paid attention to me."

*Q: What would you recommend as a course of action if I am aware of a supervisor outside of my organization ignoring or somehow slam dunking an individual who brought up a safety concern?*

A: It's your responsibility to make that known. My first impulse is that you should probably go to that individual and say, "You are not helping the organization. In fact, you are hurting us." If you don't get the right response, you should raise it up higher. My number (Bill Conway) is 81-3900.

*Q: A recent survey done for APS indicated five problem areas where people might not be comfortable raising safety concerns. Is that by levels of supervision or departments? What does that mean?*

A: It means that anywhere from three percent to 14 percent of the people in that part of the organization who responded to the survey have said they would not take safety concerns to their supervisors.

# ng safety concerns

*Q: Shouldn't the results of the NRC survey, which found that 92 percent of employees do not have a problem reporting safety concerns to their supervisors, scare us? This means that one in ten would still have a problem.*

A: In the survey conducted by the NRC last fall, it was found that 92 percent of employees didn't have a problem reporting a safety concern. About six percent said they would have a problem raising a safety concern and two percent said that under no conditions would they raise a safety concern.

In the more recent comprehensive survey, 90 percent said they would raise a safety concern 100 percent of the time. So the surveys are very close.

What about the one in ten? That's the problem. The data we have from the more recent APS survey lets us break it down so that I now know where the problems are. With this survey, we can get down to the bottom of the apple barrel to remove the bad apples.

*Q: Why is the NRC involved with the Saporito charges?*

A: The NRC monitors Section 211 charges filed with the Department of Labor. An investigation sometimes is conducted by the NRC concurrently with the investigation by the DOL. This is relatively new. Previously, the NRC let the DOL investigate and go through a hearing to determine what happened with a whistleblower charge.

*Q: Why does this 211 charge affect APS since Saporito was a contract employee?*

A: Section 211 protects all employees at Palo Verde, including contractors.

*Q: How legitimate was Saporito's concern?*

A: Saporito had more than one concern. He raised around 20. All of the concerns that were of a safety nature were thoroughly investigated. The others were either not safety issues or not an issue at all.

The administrative law judge ruled in his favor that he was discriminated against and recent events helped to reinforce that decision. In all, Saporito filed three charges against APS. In the first case, it was proved that the company had discriminated against him and there will be a hearing to determine damages from that case. The second and third cases pending will be heard at a later time by the DOL.

*Q: In the Saporito case, was the supervisor pressured to lie?*

A: No, he wasn't pressured. He said that it was his sole decision.

*Q: Why did the supervisor tell the truth after he perjured himself?*

A: After reviewing the testimony, our lawyers discovered inconsistencies with the supervisor's statement. When they presented these inconsistencies to him, he

admitted the truth because the issue weighed heavily on his mind and he wanted to clear the slate.

*Q: The law firm of Snell & Wilmer is deeply entrenched with APS and Pin West. How can we do anything to get out of this relationship?*

A: We're currently reviewing the total performance of the law firm. The board members have a very strong opinion of this situation.

*Q: What about the lawyers involved? What are the implications for APS?*

A: Both lawyers at Snell and Wilmer will no longer represent APS in any future matters. We can be and are held responsible for the conduct of anyone we hire to represent us.

*Q: With regards to the number of concerns brought to the NRC, how do we compare to other nuclear plants?*

A: The Inspector General's Office report identified the Tennessee Valley Authority as number one in allegations, with 150 concerns brought up in a four and one-half year period. We were number two, with 72 concerns over a four and one-half year period. Unfortunately, we can't define whether 72 individuals have raised allegations or 36 people have raised two allegations each — that information is not available to us.

## SAFETY CONCERNS

*Q: How legitimate are the concerns that have been filed?*

A: There have been some that are of a safety nature and those have been addressed. We need to prove that a safety concern will be addressed by the company. It may not be answered in the manner you want, but it will be addressed.

*Q: How long does it take to investigate a nuclear safety concern?*

A: Simple concerns may take only a few days to deal with, but more complex concerns may take a year or more. The average, over the past 12 months for potential nuclear safety concerns, has been approximately 85 days. Efforts have been underway to improve this response time. For example, the authorized number of Employee Concerns staff has tripled over the past year.

*Q: What's the number of concerns on our books, how many are nuclear safety concerns, and what are we doing to take care of them?*

A: At present, there are approximately 125 open concerns. Roughly, 45 of these are potential nuclear safety issues. Over the past year, less than 15 percent of the potential nuclear safety issues were substantiated.

*Q: How can employees get responses to safety concerns if we can't get responses to other concerns?*

A: Supervisors should work closely with the frontline employees when there is a concern. They need to deal with these problems on a timely basis and fully explore the issue. We need to do both these things better.

*Q: So, if we take a concern in house, address it effectively, and document whether this concern is or isn't valid and the individual is still not satisfied, should we go up to the next level of management?*

A: That is the proper thing to do.

*Q: What if a person has a nuclear safety issue and brings it up to management and it takes a week, month, or year for a response?*

A: Employees have a responsibility to *clearly communicate with their supervisors* that they have a potential nuclear safety concern. Supervisors have a responsibility to employees to follow up on potential nuclear safety concerns in a timely manner. As a general guide, if reasonable feedback has not occurred within a month, the employee and the supervisor should, together, escalate the issue to the next level of management.

*Q: Can we change the tendency to go straight to the NRC with safety concerns?*

A: It's our desired state to have the company internally handle safety concerns so that people don't feel they need to go to the NRC with them. But, of course, an employee always is free to do so.

*Q: If we get to the point that nobody can satisfy us and we just go to the NRC, have we still done our job?*

A: Yes. ♣

**ENCLOSURE 3**

# PALO VERDE NUCLEAR GENERATING STATION

## I. TITLE

Lesson Number: NGA01-05-RC-003-04  
Course Title: Site Access Training  
Lesson Title: Quality Assurance (QA)  
Duration: 30 minutes

LP Revision Date: 01/01/2005

Author: C.T. Seliga

Technical Review: J. F. Feltman 12/28/03

Teaching Approval: Ron Bering

## II. INITIATING DOCUMENT(S)

15AC-0TR09, Rev. 3, General Employee Training Program Description  
ANSI/ANS 3.1, 1978, Section 5.4, Selection and Training of Nuclear Power Plant Personnel

## III. TOPIC REQUIREMENTS

15AC-0TR09, Rev. 3, General Employee Training Program Description  
INPO ACAD 91-011 Guidelines for General Employee Training  
RCTS No. 038572, "Employee Communication with the NRC"  
Quality Assurance Plan, Rev. 1,  
TCS 92-0267 "Unit 2 Rx Trip due to Loss of CEDM MG Output"

## IV. CONTENT REFERENCES

10CFR50, Appendix B, Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants  
84DP-ORM27, Rev. 6, Receipt and Control of NATM Procedures  
83PR-OCC01, Rev. 0.04 Configuration Management Program  
90AC-OIP04, Rev. 1.00, Condition Reporting  
01PR-0QQ02, Rev. 0, Employee Concerns Program  
84AC-ORM01, Rev. 3, Nuclear Records Mgmt. Drawing, Document and Procedural Retrievals  
TCS 92-0843 "CRDR/ECP Processes"  
TCS 92-0267 "Unit 2 Rx Trip due to Loss of CEDM MG Output"

## V. MATERIALS REQUIRED

Whiteboard, Non-permanent markers, eraser  
Handout  
Overhead Projector with Transparencies



STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
<p>TCS 92-0267 "Unit 2 Rx Trip due to Loss of MG Output"</p>	<p>Responsibilities include:</p> <p>A. <b>Comply with requirements. Recent changes by the NRC in the Code of Federal Regulations allows for action to be taken against individual workers who willfully violate requirements.</b></p> <p>B. Pay attention to detail. DO IT RIGHT THE FIRST TIME.</p> <p>C. Be properly trained.</p> <p>D. Use Self Verification Techniques to ensure you do your task correctly. S-T-A-R</p> <ol style="list-style-type: none"> <li>1. <u>S</u>top - get organized and focused on the job at hand.</li> <li>2. <u>T</u>hink - have the proper procedure, tools and equipment.</li> <li>3. <u>A</u>ct - perform the job safely and properly.</li> <li>4. <u>R</u>eview - verify the job was performed properly. Did you get the desired results? What could have been done better?</li> <li>5. Use of these self verification techniques are for use by everyone. Anyone could make a mistake while performing their job which could have an effect on the plant.</li> </ol> <p>E. Participate in a team effort.</p>	<p>A. Show T004.</p> <p>D. Example: turning on a light.</p> <ol style="list-style-type: none"> <li>1. I have to turn on the light.</li> <li>2. Where is the light switch?</li> <li>3. Turn on the light safely, make sure it is not wet, etc.</li> <li>4. Did the light come on, stay on and provide adequate lighting?</li> </ol>
<p>EO3. List the steps and suggested path for reporting discrepancies or nonconformances affecting quality or safety.</p>	<p>F. <b>Inform management of discrepancies and/or nonconformances affecting quality or safety.</b></p>	<p>F. Show T005.</p>

STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
TCS 92-0843 *CRDR/ECP Processes*	<ol style="list-style-type: none"> <li>1. Start by reporting problem to your supervisor. You can do this verbally or using a CRDR (Condition Report/Disposition Request).</li> <li>2. Employee Concerns Program is next suggested step but is not required (944-5444 or ext. 2704).               <ol style="list-style-type: none"> <li>a. For QA/Safety concerns that have not been addressed to your satisfaction.</li> <li>b. Employee reporting concern may, if he chooses, request confidentiality when utilizing this method.</li> <li>c. Research of concern will be done by Employee Concerns group.</li> <li>d. If requested, the employee will be provided feedback as to problem resolution.</li> </ol> </li> <li>3. An officer of APS, a Vice-President or above.               <ol style="list-style-type: none"> <li>a. For concerns that have not addressed to your satisfaction.</li> <li>b. Employee reporting concern may request confidentiality.</li> </ol> </li> <li>4. Nuclear Regulatory Commission (NRC).               <ol style="list-style-type: none"> <li>a. If you believe adequate corrective action is not being taken, you may report this to an NRC inspector (x3737) or the nearest NRC Regional Office.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. CRDR's will be discussed later in the LP.</li> <li>2. Show T006.</li> </ol>

STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
<p>RCTS No. 038572 "Employee Communication with the NRC."</p> <p>EO4. State the document used to identify problems or potential problems.</p>	<p>b. Federal law prohibits an employer from firing or otherwise discriminating against a worker for bringing safety concerns to the attention of the NRC.</p> <p>c. NRC Resident Inspectors are located on the top floor of the original Admin Building, now called Bldg. D.</p> <p>d. Although this is the recommended order for reporting concerns relating to quality or safety, you have the <u>right</u> to go to the NRC first, if you so desire.</p> <p>*Important Note: THE EMPLOYEE CAN GO DIRECTLY TO THE NRC WITHOUT FOLLOWING THE SUGGESTED FLOW PATH.</p> <p>G. Use Condition Report/Disposition Request (CRDR).</p> <p>1. It is the <u>responsibility</u> of every individual to identify problems at PVNGS.</p> <p>2. CRDR's do not apply to normal equipment wear. A work request is the proper document for normal maintenance.</p> <p>3. Needs to be completed and turned in to your supervisor, the Shift Technical Advisor in the control room or the CRDR group in Bldg. B, 3rd floor as soon as possible (no later than the end of shift).</p> <p>4. Procedure 90AC-0IP04 "Condition Reporting."</p> <p>V. Procedures and Drawings</p>	<p>G. Show a CRDR. Show T007.</p> <p>3. If it is in regard to plant safety it should be turned in to the control room. Call the CRDR group x5674 or the unit control room for advice.</p> <p>A. Show T008.</p>

perform receipt inspections of material and documents upon arrival to the site.

Quality Systems. This group develops and maintains the QA Plan. They also ensure QA requirements are in procedures.

## **QUALITY IS YOUR RESPONSIBILITY**

Everyone at Palo Verde is responsible for performing the highest quality work that can be reasonably achieved. Providing proper documentation of this quality work is also required.

Individual responsibilities include:

- Comply with requirements.
- Never deviate from an approved procedure.
- Pay attention to detail.
- Be properly trained.
- Use "STAR" (Self Verification Techniques).
  1. Stop
  2. Think
  3. Act
  4. Review
- Participate in a team effort.
- Ensure you fully understand your task before you start.
- Inform management of discrepancies or nonconformances affecting quality or safety.

**If you identify a quality or safety related problem, REPORT IT!**

Suggested path for reporting quality or safety concerns:

- Your supervisor (verbally or in writing, use the CRDR)
- PVNGS Employee Concern Program, 944-5444 or 393-2704 (Ext. 2704) located in Building. D (the original Admin Bldg.), top floor
- An officer of APS
- Nuclear Regulatory Commission (NRC), Ext. 3737, located in Bldg. D, top floor

**Note:** Although the recommended order for reporting concerns are as stated above, ***YOU HAVE THE RIGHT*** to go directly to the NRC first, if you so desire.

## **CONDITION REPORT/DISPOSITION REQUEST (CRDR) THE "CRITTER"**

Policies, plans, programs and procedures are part of the administrative controls, but you are the one that makes the programs work. You are the one performing work activities.

PVNGS depends on you to identify problems when (or before) they occur. The CRDR is used to help you identify and report any conditions that may negatively impact the safe operation or Palo Verde.

CRDR forms are available in each unit Control Room and also from the STA group (Bldg. A, 2nd floor) and the CRDR group (Bldg B, 3rd floor). The CRDR needs to be completed and turned in to your supervisor, the CRDR group, or the Control Room as soon as possible (no later than the end of shift). See procedure 90AC-01P04 "Condition Reporting" for more information.

**ENCLOSURE 4**



# PALO VERDE NUCLEAR GENERATING STATION

## I. TITLE

Lesson Number: NGA01-05-RC-009-000  
Course Title: Site Access Training  
Lesson Title: Radiation Protection  
Duration: 1 Hour

LP Revision Date: 07/01/92

Author: C.T. Seliga

Technical Review: *Barbara Nelson*

Teaching Approval: *Bern Beninger*

## II. INITIATING DOCUMENT(S)

15AC-0TR09, General Employee Training Description Program, Rev. 2.01  
Updated Final Safety Analysis Report, Section 13.2.9

B 1/11/93

## III. TOPIC REQUIREMENTS

10CFR19, Notices, Instructions and Reports to Workers; Inspections  
USNRC Reg. Guide 8.13, Instructions Concerning Prenatal Radiation Exposure, Rev. 2, 12/87  
USNRC Reg. Guide 8.29, Instruction Concerning Risks from Occupational Exposure, Rev. 0, 7/81  
INPO ACAD 91-011, Guidelines for General Employee Training

## IV. CONTENT REFERENCES

NCRP 93, Ionizing Radiation Exposure of the Population of the United States  
USNRC Reg. Guide 8.13, Instructions Concerning Prenatal Radiation Exposure, Rev. 2, 12/87  
USNRC Reg. Guide 8.29, Instruction Concerning Risks from Occupational Exposure, Rev. 0, 7/81  
75AC-9RP01 "Radiation Exposure and Access Control", Rev. 1  
75AC-9RP02 "Radioactive Contamination Control", Rev. 1

## V. MATERIALS REQUIRED

Whiteboard, Non-permanent markers, eraser  
Attendance sheet(s)  
Exams  
Training aids

STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
EO4. Select the appropriate response for various abnormal radiological conditions.	<p>D. Radioactive Material - Is labeled with radioactive material stickers and is usually wrapped in yellow poly bags, yellow herculite or in clear bags with yellow and magenta markings. Radioactive material could be any material used in the RCA such as wrenches, valves, protective clothing or trash. These items belong in the RCA or at a radioactive material burial site. PVNGS does not want one single radioactive atom to accidentally find its way off site. Therefore, it is extremely important that you can recognize this material and take the appropriate actions if you were to come in contact with it.</p> <p>VI. Abnormal Situations</p> <p>A. In the course of your work at PVNGS if you:</p> <p>-see radioactive material unattended or radiological warning signs laying on the ground outside of the RCA, do not touch or move these materials. Call Radiation Protection and keep other personnel away.</p> <p>-find a radiological boundary or posting in your path, do <u>not</u> cross this boundary. Call RP for assistance if you need something in this bounded area.</p>	<p>A. Unit 1 - x1403 Unit 2 - x2403 Unit 3 - x3403</p> <p>1/1/93</p>
EO5. Recognize the purpose of the NRC.	<p>VII. NRC Form 3 "Notice to Employees"</p> <p>A. NRC Activities and Responsibilities</p> <ol style="list-style-type: none"> <li>1. Licensing and inspecting nuclear power plants.</li> <li>2. Ensuring nuclear power plants are constructed and operated safely.</li> </ol>	<p>VII. Posted on bulletin board around site (e.g., Bldgs A, B, site entrances).</p>

LESSON NUMBER: NGA01-05-RC-009-000

COURSE TITLE: Site Access Training

LESSON TITLE: Radiation Protection

STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
<p>EO6. Recognize the rights and responsibilities of nuclear plant workers as outlined in NRC Form 3.</p>	<ol style="list-style-type: none"> <li>3. Ensuring that workers and the public are protected from unnecessary or excessive radiation exposure from nuclear power plants.</li> </ol> <p>B. Employers Responsibilities</p> <ol style="list-style-type: none"> <li>1. Comply with NRC requirements.</li> <li>2. Post NRC Notices of Violations.</li> </ol> <p>C. Workers Rights and Responsibilities</p> <ol style="list-style-type: none"> <li>1. Workers have the right to:               <ol style="list-style-type: none"> <li>a. Receive Radiological Work Practices training prior to entry into the Radiological Controlled Area.</li> <li>b. Receive a report of the radiation exposure they received, annually and after termination.</li> <li>c. Talk to an NRC Inspector privately and confidentially.</li> <li>d. Request NRC Inspections.</li> <li>e. Protection from discrimination for filing a complaint.</li> </ol> </li> <li>2. Workers are responsible to:               <ol style="list-style-type: none"> <li>a. Know how the NRC requirements relate to their work.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>3. This is their primary responsibility.</li> <li>2. These are posted at plant entrances.</li> </ol>

STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
<p>***** SUMMARY *****</p>	<p>b. Report violations.</p> <ol style="list-style-type: none"> <li>1) To your supervisor.</li> <li>2) NRC Site Office: x3737 In the Annex Building Lobby.</li> <li>3) Region 5 Office: 1450 Marla Lane, #210, Walnut Creek, CA, 94596, (510) 975-0200.</li> </ol> <p>***** SUMMARY *****</p> <p>I. Summary of Main Principles.</p> <ol style="list-style-type: none"> <li>A. Objectives Review</li> <li>B. Topic Review               <ol style="list-style-type: none"> <li>1. Introduction</li> <li>2. Terms and Definitions</li> <li>3. Sources of Radiation Exposure</li> <li>4. Radiological Postings/Radioactive Material</li> <li>5. Responses to Abnormal Situations</li> <li>6. NRC Form 3</li> </ol> </li> </ol> <p>II. Questions and Answers</p>	<p>***** SUMMARY *****</p> <ol style="list-style-type: none"> <li>A. Review the lesson objectives. Refer students to their handouts.</li> </ol> <p>II. Ask questions which implement the objectives. Discuss students' answers as needed to ensure the</p>

## Yellow and Magenta Packages

All materials which are or may be radioactive will be wrapped in yellow or clear plastic bags with yellow and magenta labels which include the radiation symbol, the trifoil, and the words Caution Radioactive Material. If containers are used instead of bags, they will have similar markings. If you encounter material marked in such a way and they seem to be out of place:

1. Do Not touch the item.
2. Keep others away.
3. Contact Radiation Protection by phone or messenger.
4. Stay until R.P. says it is okay to leave.



It is important that you understand that these incidents are more likely inside the RCA and that this course does not provide the necessary instruction to enter the RCA. Further, it is essential that until you complete the next course, RWP, you may not cross any radiological barriers. There may be disciplinary action taken against anyone violating Radiological Controlled Area boundaries.

## THE WORKERS RIGHTS AND RESPONSIBILITIES

The Nuclear Regulatory Commission has produced the "Notice To Employees". This document is commonly referred to as NRC Form 3. It addresses NRC, employer and worker rights and responsibilities. The NRC Form 3 will be conspicuously posted in many places on bulletin boards and at plant entrances. There is also a copy in this handout on the following page. Generally it refers to the following:

### The Nuclear Regulatory Commission

NRC responsibilities include:

- Licensing and inspecting of nuclear power plants.
- Assuring that workers and the public are protected.
- Assuring that the construction and operation of facilities is safe.
- Responding to any worker's request for an inspection and solving of worker identified problems.

The address and telephone number for the regional office are also conspicuously listed for employees.



### The Employer

Palo Verde's **responsibility** is:

- To **comply** with the NRC requirements.
- To **notify** workers of radiation protection requirements.
- To **post** NRC Notices of Violation involving radiological working conditions.
- To **record** as well as **report** to the worker his or her radiation exposure.

### The Workers Responsibilities

Your **responsibilities** are to:

- Know** and obey NRC work requirements.
- Report** observed violations of these requirements to plant management.
- Contact** the NRC if it is believed that the employer has not corrected such violations.

### The Workers Rights

You as workers have the right to:

- Receive** Radiological Work Practices (RWP) training prior to entry into the Radiological Controlled Area (RCA).
- Receive** a report of the radiation exposure you receive, annually and after termination.
- Talk** to an NRC inspector, **privately and confidentially**.
- Request** NRC inspections.
- To be **protected** from discrimination for filing a complaint.

Old 210

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(b)(b) by adding the last sentence  
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renamed as subsec (d) because this law

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Progress  
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42 USC 5851

42 USC 2011  
note.

Complaint,  
filing and  
notification.

Investigation  
and  
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Order.

Notice and  
hearing.  
Settlement.

Relief.

submitted to the Congress on or before January 1, 1978, and progress reports shall be included in the annual report of the Commission thereafter.<sup>12</sup>

#### "EMPLOYEE PROTECTION

"Sec. 210. (a) No employer, including a Commission licensee, an applicant for a Commission license, or a contractor, or a subcontractor of a Commission licensee or applicant, may discharge any employee or otherwise discriminate against any employee with respect to his compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee)—

"(1) commenced, caused to be commenced, or is about to commence or cause to be commenced a proceeding under this Act or the Atomic Energy Act of 1954, as amended, or a proceeding for the administration or enforcement of any requirement imposed under this Act or the Atomic Energy Act of 1954, as amended;

"(2) testified or is about to testify in any such proceeding or;

"(3) assisted or participated or is about to assist or participate in any manner in such a proceeding or in any other manner in such a proceeding or in any other action to carry out the purposes of this Act or the Atomic energy Act of 1954, as amended.

"(b)(1) Any employee who believes that he has been discharged or otherwise discriminated against by any person in violation of subsection (a) may, within thirty days after such violation occurs, file (or have any person file on his behalf) a complaint with the Secretary of Labor (hereinafter in this subsection referred to as the 'Secretary') alleging such discharge or discrimination. Upon receipt of such a complaint, the Secretary shall notify the person named in the complaint of the filing of the complaint and the Commission.

"(2)(A) Upon receipt of a complaint filed under paragraph (1), the Secretary shall conduct an investigation of the violation alleged in the complaint. Within thirty days of the receipt of such complaint, the Secretary shall complete such investigation and shall notify in writing the complainant (and any person acting in his behalf) and the person alleged to have committed such violation of the results of the investigation conducted pursuant to this subparagraph. Within ninety days of the receipt of such complaint the Secretary shall, unless the proceeding on the complaint is terminated by the Secretary on the basis of a settlement entered into by the Secretary and the person alleged to have committed such violation, issue an order either providing the relief prescribed by subparagraph (B) or denying the complaint. An order of the Secretary shall be made on the record after notice and opportunity for public hearing. The Secretary may not enter into a settlement terminating a proceeding on a complaint without the participation and consent of the complainant.

"(B) If, in response to a complaint filed under paragraph (1), the Secretary determines that a violation of subsection (a) has occurred, the Secretary shall order the person who committed

<sup>12</sup>Public Law 95-209 (91 Stat. 1481) (1977), sec. 3, added sec. 210.



New 211

## ENERGY REORGANIZATION SECTION 211. EMPLOYEES

- (a) (1) No employer may discharge any employee or otherwise discriminate against any employee with respect to his compensation, terms, conditions, or privileges of employment because the employee (or any person acting pursuant to a request of the employee) -
- (A) notified his employer of an alleged violation of this Act or the Atomic Energy Act of 1954 (42 U.S.C. 2011 et seq.);
  - (B) refused to engage in any practice made unlawful by this Act or the Atomic Energy Act of 1954, if the employee has identified the alleged illegality to the employer;
  - (C) testified before Congress or at any Federal or State proceeding regarding any provision (or proposed provision) of this Act or the Atomic Energy Act of 1954;
  - (D) commenced, caused to be commenced, or is about to commence or cause to be commenced a proceeding under this Act or the Atomic Energy Act of 1954, as amended, or a proceeding for the administration or enforcement of any requirement imposed under this Act or the Atomic Energy Act of 1954, as amended;
  - (E) testified or is about to testify in any such proceeding or;
  - (F) assisted or participated or is about to assist or participate in any manner in such a proceeding or in any other manner in such a proceeding or in any other action to carry out the purposes of this Act or the Atomic Energy Act of 1954, as amended.
- (2) For purposes of this section, the term 'employer' includes -
- (A) a licensee of the Commission or of an agreement State under section 274 of the Atomic Energy Act of 1954 (42 U.S.C. 2021);
  - (B) an applicant for a license from the Commission or such an agreement State;
  - (C) a contractor or subcontractor of such a licensee or applicant; and
  - (D) a contractor or subcontractor of the Department of Energy that is indemnified by the Department under section 170d of the Atomic Energy Act of 1954 (42 U.S.C. 2210(d)), but such term shall not include any contractor or subcontractor covered by Executive Order No. 12344.
- (b) (1) Any employee who believes that he has been discharged or otherwise discriminated against by any person in violation of subsection (a) may, within 180 days after such violation occurs, file (or have any person file on his behalf) a complaint with the Secretary of Labor (in this section referred to as the 'Secretary') alleging such discharge or discrimination. Upon receipt of such a complaint, the Secretary shall notify the person named in the complaint of the filing of the complaint, the Commission, and the Department of Energy.
- (2) (A) Upon receipt of a complaint filed under paragraph (1), the Secretary shall conduct an investigation of the violation alleged in the complaint. Within thirty days of the receipt of such complaint, the Secretary shall complete such investigation and shall notify in writing the complainant (and any person acting in his behalf) and the person alleged to have committed such violation of the results of the investigation conducted pursuant to this subparagraph. Within ninety days of the receipt of such complaint the Secretary shall, unless the proceeding on the complaint is terminated by the Secretary on the basis of a settlement entered into by the Secretary and the person alleged to have committed such violation, issue an order either providing the relief prescribed by subparagraph (B) or denying the complaint. An order of the Secretary shall be made on the record after notice and opportunity for public hearing. Upon the conclusion of such hearing and the issuance of a recommended decision that the complaint has merit, the Secretary shall issue a preliminary order providing the relief prescribed in subparagraph (B), but may not order compensatory damages pending the final order. The Secretary may not enter into a settlement terminating a proceeding on a complaint without the participation and consent of the complainant.
- (B) If, in response to a complaint filed under paragraph (1), the Secretary determines that a violation of subsection (a) has occurred, the Secretary shall order the person who committed such violation to (i) take affirmative action to abate the violation, and (ii) reinstate the complainant to his former position together with the compensation (including back pay), terms, conditions, and privileges of his employment, and the Secretary may order such person to provide compensatory damages to the complainant. If an order is issued under this paragraph, the Secretary, at the request of the complainant shall assess against the person against whom the order is issued a sum equal to the aggregate amount of all costs and expenses (including attorneys' fees) incurred by the complainant in connection with the proceeding.

101 Marietta St., N.W., Suite 2900  
Atlanta GA 30323-0199

(404) 331-4503

U.S. Nuclear Regulatory Commission, Region III  
799 Roosevelt Road  
Glen Ellyn, IL 60137-5927

(708) 790-5500

U.S. Nuclear Regulatory Commission, Region IV  
611 Ryan Plaza Drive, Suite 400  
Arlington, TX 76011-8064

(817) 860-8100

U.S. Nuclear Regulatory Commission, Region V  
1450 Maria Lane  
Walnut Creek, CA 94596-5368

(510) 975-0200

telephone:

## OFFICE OF THE INSPECTOR GENERAL

HOTLINE

1-800-233-3497

## TION ACT PROTECTION

and expert witness fees) reasonably incurred, as determined by the Secretary, by the complainant for, or in connection with, the bringing of the complaint upon which the order was issued.

was found to occur to enforce such order. In actions brought under this subsection, the district courts shall have jurisdiction to grant all appropriate relief including, but not limited to, injunctive relief, compensatory, and exemplary damages.

- (3) (A) The Secretary shall dismiss a complaint filed under paragraph (1), and shall not conduct the investigation required under paragraph (2), unless the complainant has made a prima facie showing that any behavior described in subparagraphs (A) through (F) of subsection (a)(1) was a contributing factor in the unfavorable personnel action alleged in the complaint.
- (B) Notwithstanding a finding by the Secretary that the complainant has made the showing required by subparagraph (A), no investigation required under paragraph (2) shall be conducted if the employer demonstrates, by clear and convincing evidence, that it would have taken the same unfavorable personnel action in the absence of such behavior.
- (C) The Secretary may determine that a violation of subsection (a) has occurred only if the complainant has demonstrated that any behavior described in subparagraphs (A) through (F) of subsection (a)(1) was a contributing factor in the unfavorable personnel action alleged in the complaint.
- (D) Relief may not be ordered under paragraph (2) if the employer demonstrates by clear and convincing evidence that it would have taken the same unfavorable such behavior.
- (c) (1) Any person adversely affected or aggrieved by an order issued under subsection (b) may obtain review of the order in the United States court of appeals for the circuit in which the violation, with respect to which the order was issued, allegedly occurred. The petition for review must be filed within sixty days from the issuance of the Secretary's order. Review shall conform to chapter 7 of title 5 of the United States Code. The commencement of proceedings under this subparagraph shall not, unless ordered by the court, operate as a stay of the Secretary's order.
- (2) An order of the Secretary with respect to which review could have been obtained under paragraph (1) shall not be subject to judicial review in any criminal or other civil proceeding.
- (d) Whenever a person has failed to comply with an order issued under subsection (b)(2), the Secretary may file a civil action in the United States district court for the district in which the violation

- (e) (1) Any person on whose behalf an order was issued under paragraph (2) of subsection (b) may commence a civil action against the person to whom such order was issued to require compliance with such order. The appropriate United States district court shall have jurisdiction, without regard to the amount in controversy or the citizenship of the parties, to enforce such order.
- (2) The court, in issuing any final order under this subsection, may award costs of litigation (including reasonable attorney and expert witness fees) to any party award as appropriate.
- (f) Any nondiscretionary duty imposed by this section shall be enforceable in a mandamus proceeding brought under section 1361 of title 28 of the United States Code.
- (g) Subsection (a) shall not apply with respect to any employee who, acting without direction from his or her employer (or the employer's agent), deliberately causes a violation of any requirement of this Act or of the Atomic Energy Act of 1954, as amended.
- (h) This section may not be construed to expand, diminish, or otherwise affect any right otherwise available to an employee under Federal or State law to redress the employee's discharge or other discriminatory action taken by the employer against the employee.
- (i) The provisions of this section shall be prominently posted in any place of employment to which this section applies.
- (j) (1) The Commission or the Department of Energy shall not delay taking appropriate action with respect to an allegation of a substantial safety hazard on the basis of -
- (A) the filing of a complaint under subsection (b)(1) arising from such allegation; or
- (B) any investigation by the Secretary, or other action, under this section in response to such complaint.
- (2) A determination by the Secretary under this section that a violation of subsection (a) has not occurred shall not be considered by the Commission or the Department of Energy in its determination of whether a substantial safety hazard exists.



ductory text or under these requirements if the employee has identified the alleged illegality to the employer;

(iii) Requesting the Commission to institute action against his or her employer for the administration or enforcement of these requirements;

(iv) Testifying in any Commission proceeding, or before Congress, or at any Federal or State proceeding regarding any provision (or proposed provision) of either of the statutes named in paragraph (a) introductory text.

(v) Assisting or participating in, or is about to assist or participate in, these activities.

(2) These activities are protected even if no formal proceeding is actually initiated as a result of the employee assistance or participation.

(3) This section has no application to any employee alleging discrimination prohibited by this section who, acting without direction from his or her employer (or the employer's agent), deliberately causes a violation of any requirement of the Energy Reorganization Act of 1974, as amended, or the Atomic Energy Act of 1954, as amended.

(b) Any employee who believes that he or she has been discharged or otherwise discriminated against by any person for engaging in protected activities specified in paragraph (a)(1) of this section may seek a remedy for the discharge or discrimination through an administrative proceeding in the Department of Labor. The administrative proceeding must be initiated within 180 days after an alleged violation occurs. The employee may do this by filing a complaint alleging the violation with the Department of Labor, Employment Standards Administration, Wage and Hour Division. The Department of Labor may order reinstatement, back pay, and compensatory damages.

(c) A violation of paragraph (a), (e), or (f) of this section by a Commission licensee, an applicant for a Commission license, or a contractor or subcontractor of a Commission licensee or applicant may be grounds for—

(1) Denial, revocation, or suspension of the license.

(2) Imposition of a civil penalty on the licensee or applicant.

(3) Other enforcement action.

(d) Actions taken by an employer, or others, which adversely affect an employee may be predicated upon non-discriminatory grounds. The prohibition applies when the adverse action occurs because the employee has engaged in protected activities. An employee's engagement in protected activities does not automatically render him or her immune from discharge or discipline for legitimate reasons or from adverse action dictated by nonprohibited considerations.

(e) Each licensee and each applicant for a license shall prominently post the revision of NRC Form 3, "Notice to Employees," referenced in 10 CFR 19.11(c). This form must be posted at locations sufficient to permit employees protected by this section to observe a copy on the way to or from their place of work. Premises must be posted not later than 30 days after an application is docketed and remain posted while the application is pending before the Commission, during the term of the license, and for 30 days following license termination.

NOTE: Copies of NRC Form 3 may be obtained by writing to the Regional Administrator of the appropriate U.S. Nuclear Regulatory Commission Regional Office listed in appendix D to part 20 of this chapter or by contacting the NRC Information and Records Management Branch (telephone no. 301-492-8138).

(f) No agreement affecting the compensation, terms, conditions, or privileges of employment, including an agreement to settle a complaint filed by an employee with the Department of Labor pursuant to section 211 of the Energy Reorganization Act of 1974, as amended, may contain any provision which would prohibit, restrict, or otherwise discourage an employee from participating in protected activity as defined in paragraph (a)(1) of this section including, but not limited to, providing information to the NRC or to his or her employer on potential violations or other matters within NRC's regulatory responsibilities.

[58 FR 52410, Oct. 8, 1993]

#### § 50.8 Information collection requirements: OMB approval.

(a) The Nuclear Regulatory Commission has submitted the information

Arizona Public Service Company

P.O. BOX 53999 • PHOENIX, ARIZONA 85072-3999

WILLIAM F. CONWAY  
EXECUTIVE VICE PRESIDENT  
NUCLEAR

102-02943-WFC/ACR

May 5, 1994

Mr. James Lieberman, Director,  
Office of Enforcement  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555-0001

Reference: NRC Letter dated March 8, 1994 from J. Lieberman, NRC, to  
W. F. Conway, APS

Dear Mr. Lieberman:

**Subject: Palo Verde Nuclear Generating Station (PVNGS)**  
**Units 1, 2, and 3**  
**Docket Nos. STN 50-528/529/530**  
**File: 94-056-026; 94-003-350**

This letter responds to your request for information (Referenced letter) regarding statements made by a PVNGS spokesman, Mr. Mark Fallon, that were quoted in a West Valley View article dated January 26, 1994. This letter also responds to your request for information regarding an allegation that Mr. Fallon's comments might discourage PVNGS employees from raising concerns to the NRC.

As described more fully below, APS believes that the article accurately reflected the substance of Mr. Fallon's comments. APS further believes that, taken in context, Mr. Fallon's comments were appropriate and were neither intended to discourage employees from raising concerns to the NRC nor would they tend to have such an effect. APS notes that it encourages its employees to first raise their concerns with their line management or through other internal means because this is the most effective way for concerns to be promptly addressed and resolved. However, APS emphasizes to its employees that they should always feel free to raise their concerns with the NRC.

**Mr. Fallon's Statements**

The statements quoted in the January 26, 1994 West Valley View article resulted from a telephone conversation between Mr. Fallon and Mr. Dan Nowicki, a reporter. Mr. Fallon speaks with Mr. Nowicki periodically (typically three times per week), and on the occasion of this call, Mr. Nowicki inquired if Mr. Fallon had any comment regarding the National



Mr. James Lieberman, Director  
Office of Investigations  
U.S. Nuclear Regulatory Commission  
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Whistleblower Center's announcement that it was opening a "regional office" in Buckeye, Arizona (near PVNGS). Mr. Fallon noted that APS was taking a number of steps to foster an atmosphere at PVNGS in which employees feel free to raise concerns. He further indicated that APS expected its efforts to be effective, and therefore, he hoped that employees would not feel the need to go to the Buckeye center.

Mr. Fallon's statements were not intended to discourage employees from communicating with the Buckeye center. As noted in the article, Mr. Fallon's message to the reporter was that he expected that APS' revised programs would be effective and "should leave the staff of the Buckeye center with little to do." Mr. Fallon merely indicated that APS' goal was that employees would be satisfied with the effectiveness of APS' internal mechanisms for resolving concerns, and therefore, they would not feel the need to go to an external organization such as the Buckeye center.

APS also recognizes that its employees should always feel free to raise concerns with the NRC. Mr. Fallon's comments did not make any reference to the NRC, and he did not make any statements intended to discourage employees from raising concerns to the NRC. Mr. Fallon's comments that the Buckeye Center will hopefully have little to do are simply irrelevant to APS' consistent message to its employees that they should feel free to raise concerns with the NRC without fear of retaliation.

#### **APS Actions To Make Clear to Employees That They Should Feel Free To Raise Concerns With the NRC Without Fear of Retaliation**

Consistent with the guidance of NRC Form 3, APS encourages all employees first to raise safety concerns with their supervision or management. APS believes that supervision and management personnel are in the best first line position to address and resolve concerns promptly and efficiently. Therefore, APS' goal is that all employees will feel free to raise concerns internally and that management will effectively resolve these concerns. However, APS has consistently emphasized to its employees that they should feel completely free to bring their concerns to the NRC.

APS management has communicated its expectations through a variety of means. For example, on August 10, 1993, APS' Chief Executive Officer, O. Mark DeMichele, issued an all hands memorandum, in which he emphasized his expectations that "employees should feel completely at ease to raise safety concerns" and "management has an

Mr. James Lieberman, Director  
Office of Investigations  
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Page 3

absolute duty to listen attentively and respond appropriately." (See Enclosure 1). In doing so, Mr. DeMichele also noted that "any employee has an absolute right to raise a concern with the NRC without fear of retribution."

This message was also communicated in Safety Concerns All-Hands Meetings that were conducted by Mr. DeMichele, Corporate Counsel Nancy Loftin, and me on August 16 and 17, 1993. In addition, I provided a written summary of some key questions and answers from these meetings in an October 1993 special edition of PVNGS' New Era employee news bulletin. (See Enclosure 2). This summary included the following Q&A:

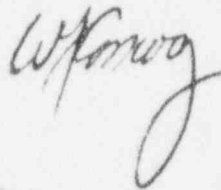
- Q: Can we change the tendency to go straight to the NRC with safety concerns?
- A: It's our desired state to have the company internally handle safety concerns so that people don't feel they need to go to the NRC with them. But, of course, an employee is always free to do so.

APS also has consistently reinforced the message that employees should feel free to go to the NRC in its employee training programs. In the quality assurance component of APS' site access training, employees are instructed that their suggested flow path for raising concerns is to first go to their supervisor, next APS' Employee Concerns Program, next APS management, and then the NRC. However, the lesson plan emphasizes: **"\*Important Note: THE EMPLOYEE CAN GO DIRECTLY TO THE NRC WITHOUT FOLLOWING THE SUGGESTED FLOW PATH."** (See Enclosure 3). The radiation protection (RP) component of APS' site access training emphasizes that employees not only have a responsibility to report violations of RP requirements to their supervisor or the NRC, but also have a responsibility to go to the NRC if they believe that APS has not corrected a violation. (See Enclosure 4).

Mr. James Lieberman, Director  
Office of Investigations  
U.S. Nuclear Regulatory Commission  
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APS has taken a number of aggressive actions over the last several months in order to assure that there is an atmosphere at PVNGS in which employees are encouraged to freely raise concerns. A more detailed summary of these actions was provided in Attachment 2 to Mr. DeMichele's April 21, 1994 letter to the NRC's Executive Director of Operations, Mr. James M. Taylor. You have been previously provided a copy of this letter and its attachment. If you have any further questions regarding this response, please contact Mr. A. Carter Rogers at (602) 340-4041.

Sincerely,



WFC/ACR/dld

Enclosures:

1. Mr. DeMichele's 8-10-93 memo
2. New Era article
3. Training Lesson Plan - SAT
4. Training Lesson Plan - Rad Protection

cc: K. E. Perkins  
T. J. Saporito  
NRC Document Control Desk

**ENCLOSURE 1**



Arizona Public Service Company

P.O. BOX 53999 • PHOENIX, ARIZONA 85072-3999

MARK De MICHELE  
PRESIDENT AND  
CHIEF EXECUTIVE OFFICER

August 10, 1993

TO: All Palo Verde Employees

FROM: Mark DeMichele

Recently, there have been several press accounts of alleged inappropriate management responses to employees who have raised safety concerns. The gist of these accounts is that APS management tolerates, if not encourages, heavy-handed treatment of persons who raise safety concerns. Just last week we learned that one of our supervisors, contrary to his earlier sworn statements, declined to hire a contractor employee because the candidate had previously raised safety concerns at Palo Verde and elsewhere. This behavior will not be tolerated.

In light of this event, I think it is timely and vital to restate my expectations for how everyone at Palo Verde should address safety concerns.

Employees at Palo Verde who identify and report safety concerns perform an invaluable service to the company and to the public. The watchful eye of every employee is at the heart of the elaborate measures which assure safety of operations at Palo Verde each day. APS counts on all employees to do more than merely their assigned jobs with complete dedication and discipline. We ask and expect that you all identify safety concerns to your supervisor; to alert us when tasks are not being performed in the manner required by the detailed procedures which govern almost every activity at Palo Verde; and to advise of any other problems which, because of your training and experience and your closeness to operations, you are uniquely positioned to recognize. Neither I nor anyone else on the APS management team look upon such activity negatively, rather it is viewed as a positive contribution. We have recently initiated the "Hero" system to reward those who raise concerns and enable the company to more safely conduct its business.

Each Palo Verde employee should feel completely free to raise safety concerns directly with his or her supervisor. It is the responsibility of every

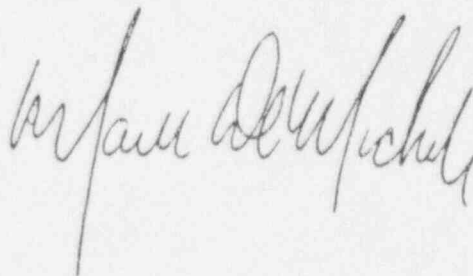
supervisor to listen carefully and then respond appropriately to the expressed concern; in fact, it is an essential element of each supervisor's job.

I would like to emphasize the special responsibility of the management chain of command--from first line supervision through senior management. This group has a special responsibility to foster an atmosphere in which conscientious employees know that their concerns will be treated seriously and that they may be expressed without fear of retribution or other adverse consequences. Of course, we also have a formal employee concerns program if, for whatever reason, employees do not choose to raise their concerns with management and would rather do so in confidence or even anonymously. In addition, any APS employee has an absolute right to raise a concern with the NRC without fear of retribution. Regardless of the means chosen, all of us at every level have an overwhelming stake in assuring the free flow of information that may affect safe and reliable plant operation. I personally welcome open communication, not only because it contributes to safe plant operation but also because it makes good business sense.

I am communicating with each of you personally and directly so that this message is unmistakable and to assure that you understand the company's expectations as you perform your daily activities.

In closing, I want to reemphasize that unprofessional conduct on matters affecting nuclear safety has not and will not be tolerated. For their part, employees should feel completely at ease to raise safety concerns. For its part, management has an absolute duty to listen attentively and respond appropriately. Should there be any doubt as to my expectations in this regard, I expect each of you to discuss this matter directly with your supervision.

OMD:cjs

A handwritten signature in dark ink, appearing to read "Brian DeWich", is written in a cursive style.



**ENCLOSURE 2**

Special Edition

# New Era

*A monthly magazine for employees of the Palo Verde Nuclear Generating Station*

## Nuclear, industrial & personal safety: Top priority at Palo Verde

*by Executive Vice President William F. Conway*

Safety is the number-one concern at Palo Verde. If you have a safety concern, step forward and bring it to your supervisor's attention or to Employee Concerns. Reporting safety concerns is the right thing to do. We depend on Palo Verde employees to maintain plant safety.

Although employees may always contact the NRC directly, the most positive approach to address a safety concern is to go

to your supervisor, manager or officer of the company.

As an organization, we must respond to safety concerns and we can only do so if we are made aware of them.

You may raise a nuclear safety concern without fear of discrimination or retribution. There is no reason for discrimination since safety has always been, and remains, the top priority at Palo Verde. ♣



# Your role in address

To reinforce management's expectations in identifying safety concerns, three Safety Concerns All-Hands meetings were held in August. Attendance was mandatory for all day-shift employees. Video tapes were made available for people unable to attend.

President and CEO Mark DeMichele, Executive Vice President Bill Conway and Corporate Counsel Nancy Loftin discussed the importance and necessity of identifying safety concerns and answered questions from co-workers. Here is a summary of questions and answers:

*Q: Why are whistleblowers labeled as protected employees and what are they protected from?*

A: Employees who raise safety concerns immediately have a protected status whether or not the concern is valid. They're protected from being treated differently by other employees and from being discriminated against. We need to assure that people who bring forward safety concerns get answers to their questions and aren't left dangling.

*Q: If I raise a safety concern, will I be labelled a valuable employee or a whistleblower?*

A: No one can label you a whistleblower unless you acknowledge yourself as one. If you bring a safety concern to management, you would be providing a valuable service to the company and the public.

*Q: What potential whistleblower penalties face APS at this time?*

A: There is a potential for NRC civil penalties. There is also a potential that individuals may be prosecuted for perjury or violation of the whistleblower law, and the company could be held criminally liable for activities on the part of certain individuals.

*Q: Of the 72 whistleblower complaints, are they all awaiting action by the company?*

A: We never knew how many allegations were raised until we read and heard the results of the Inspector General's report. So it is awfully difficult to define whether all 72 are written by 72 individual people, whether 36 people initiated two each, or whether all or any have been remedied.

*Q: You talked about discrimination in the workplace. Can someone file a discrimination complaint if the source of the discrimination is just ignoring someone?*

A: Yes, if the working environment is such that one person is being ignored or treated indifferently, this can be considered a hostile work environment and may be grounds for a discrimination claim.

*Q: Is protected status only granted once an individual makes an allegation or raises a concern outside of the organization?*

A: Protected status is granted whether the concern is raised internally or externally.

*Q: What's the best way to handle a situation where an allegation is raised, you answer it, and the employee disagrees with the answer?*

A: Get somebody to help you. While you are never going to satisfy 100 percent of the people, the person who raised the issue can never turn around and say, "They never paid attention to me."

*Q: What would you recommend as a course of action if I am aware of a supervisor outside of my organization ignoring or somehow slam dunking an individual who brought up a safety concern?*

A: It's your responsibility is to make that known. My first impulse is that you should probably go to that individual and say, "You are not helping the organization. In fact, you are hurting us." If you don't get the right response, you should raise it up higher. My number (Bill Conway) is 81-3900.

*Q: A recent survey done for APS indicated five problem areas where people might not be comfortable raising safety concerns. Is that by levels of supervision or departments? What does that mean?*

A: It means that anywhere from three percent to 14 percent of the people in that part of the organization who responded to the survey have said they would not take safety concerns to their supervisors.

# ng safety concerns

*Q: Shouldn't the results of the NRC survey, which found that 92 percent of employees do not have a problem reporting safety concerns to their supervisors, scare us? This means that one in ten would still have a problem.*

A: In the survey conducted by the NRC last fall, it was found that 92 percent of employees didn't have a problem reporting a safety concern. About six percent said they would have a problem raising a safety concern and two percent said that under no conditions would they raise a safety concern.

In the more recent comprehensive survey, 90 percent said they would raise a safety concern 100 percent of the time. So the surveys are very close.

What about the one in ten? That's the problem. The data we have from the more recent APS survey lets us break it down so that I now know where the problems are. With this survey, we can get down to the bottom of the apple barrel to remove the bad apples.

*Q: Why is the NRC involved with the Saporito charges?*

A: The NRC monitors Section 211 charges filed with the Department of Labor. An investigation sometimes is conducted by the NRC concurrently with the investigation by the DOL. This is relatively new. Previously, the NRC let the DOL investigate and go through a hearing to determine what happened with a whistleblower charge.

*Q: Why does this 211 charge affect APS since Saporito was a contract employee?*

A: Section 211 protects all employees at Palo Verde, including contractors.

*Q: How legitimate was Saporito's concern?*

A: Saporito had more than one concern. He raised around 20. All of the concerns that were of a safety nature were thoroughly investigated. The others were either not safety issues or not an issue at all.

The administrative law judge ruled in his favor that he was discriminated against and recent events helped to reinforce that decision. In all, Saporito filed three charges against APS. In the first case, it was proved that the company had discriminated against him and there will be a hearing to determine damages from that case. The second and third cases pending will be heard at a later time by the DOL.

*Q: In the Saporito case, was the supervisor pressured to lie?*

A: No, he wasn't pressured. He said that it was his sole decision.

*Q: Why did the supervisor tell the truth after he perjured himself?*

A: After reviewing the testimony, our lawyers discovered inconsistencies with the supervisor's statement. When they presented these inconsistencies to him, he

admitted the truth because the issue weighed heavily on his mind and he wanted to clear the slate.

*Q: The law firm of Snell & Wilmer is deeply entrenched with APS and PinWest. How can we do anything to get out of this relationship?*

A: We're currently reviewing the total performance of the law firm. The board members have a very strong opinion of this situation.

*Q: What about the lawyers involved? What are the implications for APS?*

A: Both lawyers at Snell and Wilmer will no longer represent APS in any future matters. We can be and are held responsible for the conduct of anyone we hire to represent us.

*Q: With regards to the number of concerns brought to the NRC, how do we compare to other nuclear plants?*

A: The Inspector General's Office report identified the Tennessee Valley Authority as number one in allegations, with 150 concerns brought up in a four and one-half year period. We were number two, with 72 concerns over a four and one-half year period. Unfortunately, we can't define whether 72 individuals have raised allegations or 36 people have raised two allegations each — that information is not available to us.



## SAFETY CONCERNS

*Q: How legitimate are the concerns that have been filed?*

A: There have been some that are of a safety nature and those have been addressed. We need to prove that a safety concern will be addressed by the company. It may not be answered in the manner you want, but it will be addressed.

*Q: How long does it take to investigate a nuclear safety concern?*

A: Simple concerns may take only a few days to deal with, but more complex concerns may take a year or more. The average, over the past 12 months for potential nuclear safety concerns, has been approximately 85 days. Efforts have been underway to improve this response time. For example, the authorized number of Employee Concerns staff has tripled over the past year.

*Q: What's the number of concerns on our books, how many are nuclear safety concerns, and what are we doing to take care of them?*

A: At present, there are approximately 125 open concerns. Roughly, 45 of these are potential nuclear safety issues. Over the past year, less than 15 percent of the potential nuclear safety issues were substantiated.

*Q: How can employees get responses to safety concerns if we can't get responses to other concerns?*

A: Supervisors should work closely with the frontline employees when there is a concern. They need to deal with these problems on a timely basis and fully explore the issue. We need to do both these things better.

*Q: So, if we take a concern in house, address it effectively, and document whether this concern is or isn't valid and the individual is still not satisfied, should we go up to the next level of management?*

A: That is the proper thing to do.

*Q: What if a person has a nuclear safety issue and brings it up to management and it takes a week, month, or year for a response?*

A: Employees have a responsibility to *clearly communicate with their supervisors* that they have a potential nuclear safety concern. Supervisors have a responsibility to employees to follow up on potential nuclear safety concerns in a timely manner. As a general guide, if reasonable feedback has not occurred within a month, the employee and the supervisor should, together, escalate the issue to the next level of management.

*Q: Can we change the tendency to go straight to the NRC with safety concerns?*

A: It's our desired state to have the company internally handle safety concerns so that people don't feel they need to go to the NRC with them. But, of course, an employee always is free to do so.

*Q: If we get to the point that nobody can satisfy us and we just go to the NRC, have we still done our job?*

A: Yes. ♣

**ENCLOSURE 3**



# PALO VERDE NUCLEAR GENERATING STATION

## I. TITLE

Lesson Number: NGA01-05-RC-003-04  
Course Title: Site Access Training  
Lesson Title: Quality Assurance (QA)  
Duration: 30 minutes

94  
LP Revision Date: 01/01/98  
Author: C.T. Seliga  
Technical Review: *C. Seliga 12/08/93*  
Teaching Approval: *Barney*

## II. INITIATING DOCUMENT(S)

15AC-0TR09, Rev. 3, General Employee Training Program Description  
ANSI/ANS 3.1, 1978, Section 5.4, Selection and Training of Nuclear Power Plant Personnel

## III. TOPIC REQUIREMENTS

15AC-0TR09, Rev. 3, General Employee Training Program Description  
INPO ACAD 91-011 Guidelines for General Employee Training  
RCTS No. 038572, "Employee Communication with the NRC"  
Quality Assurance Plan, Rev. 1,  
TCS 92-0267 "Unit 2 Rx Trip due to Loss of CEDM MG Output"

## IV. CONTENT REFERENCES

10CFR50, Appendix B, Quality Assurance Criteria for Nuclear Power Plants and Fuel Reprocessing Plants  
84DP-0RM27, Rev. 6, Receipt and Control of NATM Procedures  
83PR-0CC01, Rev. 0.04 Configuration Management Program  
90AC-0IP04, Rev. 1.00, Condition Reporting  
01PR-0QQ02, Rev. 0, Employee Concerns Program  
84AC-0RM01, Rev. 3, Nuclear Records Mgmt. Drawing, Document and Procedural Retrievals  
TCS 92-0843 "CRDR/ECP Processes"  
TCS 92-0267 "Unit 2 Rx Trip due to Loss of CEDM MG Output"

## V. MATERIALS REQUIRED

Whiteboard, Non-permanent markers, eraser  
Handout  
Overhead Projector with Transparencies

STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
<p>TCS 92-0267 "Unit 2 Rx Trip due to Loss of MG Output"</p> <p>EO3. List the steps and suggested path for reporting discrepancies or nonconformances affecting quality or safety.</p>	<p>Responsibilities include:</p> <p>A. <b>Comply with requirements. Recent changes by the NRC in the Code of Federal Regulations allows for action to be taken against individual workers who willfully violate requirements.</b></p> <p>B. Pay attention to detail. DO IT RIGHT THE FIRST TIME.</p> <p>C. Be properly trained.</p> <p>D. Use Self Verification Techniques to ensure you do your task correctly. S-T-A-R</p> <ol style="list-style-type: none"> <li>1. <u>S</u>top - get organized and focused on the job at hand.</li> <li>2. <u>T</u>hink - have the proper procedure, tools and equipment.</li> <li>3. <u>A</u>ct - perform the job safely and properly.</li> <li>4. <u>R</u>eview - verify the job was performed properly. Did you get the desired results? What could have been done better?</li> <li>5. Use of these self verification techniques are for use by everyone. Anyone could make a mistake while performing their job which could have an effect on the plant.</li> </ol> <p>E. Participate in a team effort.</p> <p>F. <b>Inform management of discrepancies and/or nonconformances affecting quality or safety.</b></p>	<p>A. Show T004.</p> <p>D. Example: turning on a light.</p> <ol style="list-style-type: none"> <li>1. I have to turn on the light.</li> <li>2. Where is the light switch?</li> <li>3. Turn on the light safely, make sure it is not wet, etc.</li> <li>4. Did the light come on, stay on and provide adequate lighting?</li> </ol> <p>F. Show T005.</p>

STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
TCS 92-0843 *CRDR/ECP Processes*	<ol style="list-style-type: none"> <li>1. Start by reporting problem to your supervisor. You can do this verbally or using a CRDR (Condition Report/Disposition Request).</li> <li>2. Employee Concerns Program is next suggested step but is not required (944-5444 or ext. 2704).               <ol style="list-style-type: none"> <li>a. For QA/Safety concerns that have not been addressed to your satisfaction.</li> <li>b. Employee reporting concern may, if he chooses, request confidentiality when utilizing this method.</li> <li>c. Research of concern will be done by Employee Concerns group.</li> <li>d. If requested, the employee will be provided feedback as to problem resolution.</li> </ol> </li> <li>3. An officer of APS, a Vice-President or above.               <ol style="list-style-type: none"> <li>a. For concerns that have not addressed to your satisfaction.</li> <li>b. Employee reporting concern may request confidentiality.</li> </ol> </li> <li>4. Nuclear Regulatory Commission (NRC).               <ol style="list-style-type: none"> <li>a. If you believe adequate corrective action is not being taken, you may report this to an NRC inspector (x3737) or the nearest NRC Regional Office.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>1. CRDR's will be discussed later in the LP.</li> <li>2. Show T006.</li> </ol>



perform receipt inspections of material and documents upon arrival to the site.

Quality Systems. This group develops and maintains the QA Plan. They also ensure QA requirements are in procedures.

## **QUALITY IS YOUR RESPONSIBILITY**

Everyone at Palo Verde is responsible for performing the highest quality work that can be reasonably achieved. Providing proper documentation of this quality work is also required.

Individual responsibilities include:

- Comply with requirements.
- Never deviate from an approved procedure.
- Pay attention to detail.
- Be properly trained.
- Use "STAR" (Self Verification Techniques).
  1. Stop
  2. Think
  3. Act
  4. Review
- Participate in a team effort.
- Ensure you fully understand your task before you start.
- Inform management of discrepancies or nonconformances affecting quality or safety.

**If you identify a quality or safety related problem, REPORT IT!**

Suggested path for reporting quality or safety concerns:

- Your supervisor (verbally or in writing, use the CRDR)
- PVNGS Employee Concern Program, 944-5444 or 393-2704 (Ext. 2704) located in Building. D (the original Admin Bldg.), top floor
- An officer of APS
- Nuclear Regulatory Commission (NRC), Ext. 3737, located in Bldg. D, top floor

**Note:** Although the recommended order for reporting concerns are as stated above, ***YOU HAVE THE RIGHT*** to go directly to the NRC first, if you so desire.

## **CONDITION REPORT/DISPOSITION REQUEST (CRDR) THE "CRITTER"**

Policies, plans, programs and procedures are part of the administrative controls, but you are the one that makes the programs work. You are the one performing work activities.

PVNGS depends on you to identify problems when (or before) they occur. The CRDR is used to help you identify and report any conditions that may negatively impact the safe operation or Palo Verde.

CRDR forms are available in each unit Control Room and also from the STA group (Bldg. A, 2nd floor) and the CRDR group (Bldg B, 3rd floor). The CRDR needs to be completed and turned in to your supervisor, the CRDR group, or the Control Room as soon as possible (no later than the end of shift). See procedure 90AC-0IP04 "Condition Reporting" for more information.

**ENCLOSURE 4**



# PALO VERDE NUCLEAR GENERATING STATION

## I. TITLE

Lesson Number: NGA01-05-RC-009-000  
Course Title: Site Access Training  
Lesson Title: Radiation Protection  
Duration: 1 Hour

LP Revision Date: 07/01/92

Author: C.T. Sellga

Technical Review: *Barla Nelson*

Teaching Approval: *Bern Beninger*

## II. INITIATING DOCUMENT(S)

15AC-0TR09, General Employee Training Description Program, Rev. 2.01  
Updated Final Safety Analysis Report, Section 13.2.9

1/11/93

## III. TOPIC REQUIREMENTS

10CFR19, Notices, Instructions and Reports to Workers; Inspections  
USNRC Reg. Guide 8.13, Instructions Concerning Prenatal Radiation Exposure, Rev. 2, 12/87  
USNRC Reg. Guide 8.29, Instruction Concerning Risks from Occupational Exposure, Rev. 0, 7/81  
INPO ACAD 91-011, Guidelines for General Employee Training

## IV. CONTENT REFERENCES

NCRP 93, Ionizing Radiation Exposure of the Population of the United States  
USNRC Reg. Guide 8.13, Instructions Concerning Prenatal Radiation Exposure, Rev. 2, 12/87  
USNRC Reg. Guide 8.29, Instruction Concerning Risks from Occupational Exposure, Rev. 0, 7/81  
75AC-9RP01 "Radiation Exposure and Access Control", Rev. 1  
75AC-9RP02 "Radioactive Contamination Control", Rev. 1

## V. MATERIALS REQUIRED

Whiteboard, Non-permanent markers, eraser  
Attendance sheet(s)  
Exams  
Training aids

STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
<p>EO4. Select the appropriate response for various abnormal radiological conditions.</p> <p>EO5. Recognize the purpose of the NRC.</p>	<p>D. Radioactive Material - Is labeled with radioactive material stickers and is usually wrapped in yellow poly bags, yellow herculite or in clear bags with yellow and magenta markings. Radioactive material could be any material used in the RCA such as wrenches, valves, protective clothing or trash. These items belong in the RCA or at a radioactive material burial site. PVNGS does not want one single radioactive atom to accidentally find its way off site. Therefore, it is extremely important that you can recognize this material and take the appropriate actions if you were to come in contact with it.</p> <p>VI. Abnormal Situations</p> <p>A. In the course of your work at PVNGS if you:</p> <ul style="list-style-type: none"> <li>-see radioactive material unattended or radiological warning signs laying on the ground outside of the RCA, do not touch or move these materials. Call Radiation Protection and keep other personnel away.</li> <li>-find a radiological boundary or posting in your path, do <u>not</u> cross this boundary. Call RP for assistance if you need something in this bounded area.</li> </ul> <p>VII. NRC Form 3 "Notice to Employees"</p> <p>A. NRC Activities and Responsibilities</p> <ol style="list-style-type: none"> <li>1. Licensing and inspecting nuclear power plants.</li> <li>2. Ensuring nuclear power plants are constructed and operated safely.</li> </ol>	<p>A. Unit 1 - x1403 Unit 2 - x2403 Unit 3 - x3403</p> <p>B 1/11/93</p> <p>VII. Posted on bulletin boards around site (e.g., Bldgs A, B, site entrances).</p>

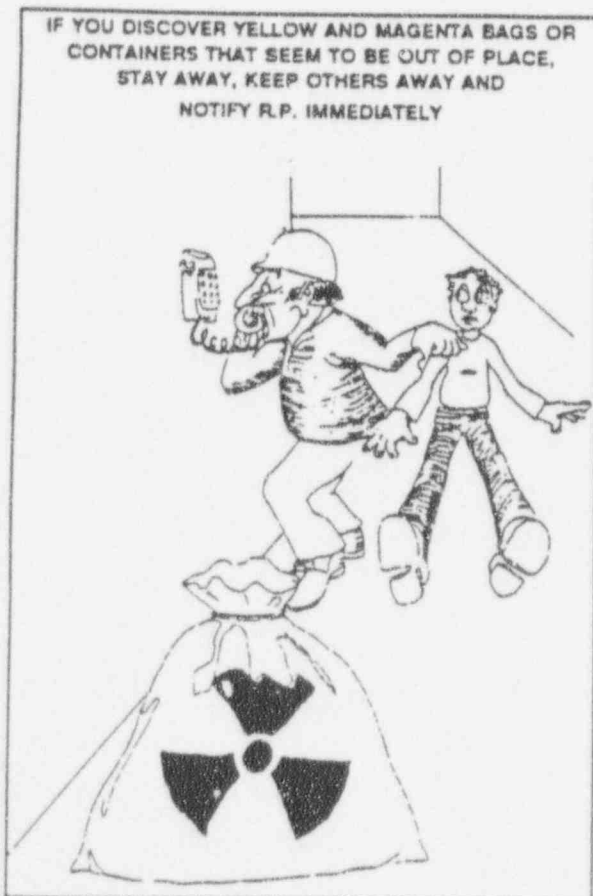
STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
EO6. Recognize the rights and responsibilities of nuclear plant workers as outlined in NRC Form 3.	<ol style="list-style-type: none"> <li>3. Ensuring that workers and the public are protected from unnecessary or excessive radiation exposure from nuclear power plants.</li> </ol> <p>B. Employers Responsibilities</p> <ol style="list-style-type: none"> <li>1. Comply with NRC requirements.</li> <li>2. Post NRC Notices of Violations.</li> </ol> <p>C. Workers Rights and Responsibilities</p> <ol style="list-style-type: none"> <li>1. Workers have the right to:               <ol style="list-style-type: none"> <li>a. Receive Radiological Work Practices training prior to entry into the Radiological Controlled Area.</li> <li>b. Receive a report of the radiation exposure they received, annually and after termination.</li> <li>c. Talk to an NRC Inspector privately and confidentially.</li> <li>d. Request NRC Inspections.</li> <li>e. Protection from discrimination for filing a complaint.</li> </ol> </li> <li>2. Workers are responsible to:               <ol style="list-style-type: none"> <li>a. Know how the NRC requirements relate to their work.</li> </ol> </li> </ol>	<ol style="list-style-type: none"> <li>3. This is their primary responsibility.</li> <li>2. These are posted at plant entrances.</li> </ol>

STUDENT OBJECTIVES	SEQUENCE	METHODS AND ACTIVITIES
<p>***** SUMMARY *****</p>	<p>b. Report violations.</p> <ol style="list-style-type: none"> <li>1) To your supervisor.</li> <li>2) NRC Site Office: x3737 In the Annex Building Lobby.</li> <li>3) Region 5 Office: 1450 Marla Lane, #210, Walnut Creek, CA, 94596, (510) 975-0200.</li> </ol> <p>***** SUMMARY *****</p> <p>I. Summary of Main Principles.</p> <ol style="list-style-type: none"> <li>A. Objectives Review</li> <li>B. Topic Review <ol style="list-style-type: none"> <li>1. Introduction</li> <li>2. Terms and Definitions</li> <li>3. Sources of Radiation Exposure</li> <li>4. Radiological Postings/Radioactive Material</li> <li>5. Responses to Abnormal Situations</li> <li>6. NRC Form 3</li> </ol> </li> </ol> <p>II. Questions and Answers</p>	<p>***** SUMMARY *****</p> <ol style="list-style-type: none"> <li>A. Review the lesson objectives. Refer students to their handouts.</li> </ol> <p>II. Ask questions which implement the objectives. Discuss students' answers as needed to ensure the</p>

## Yellow and Magenta Packages

All materials which are or may be radioactive will be wrapped in yellow or clear plastic bags with yellow and magenta labels which include the radiation symbol, the trifoil, and the words Caution Radioactive Material. If containers are used instead of bags, they will have similar markings. If you encounter material marked in such a way and they seem to be out of place:

1. Do Not touch the item.
2. Keep others away.
3. Contact Radiation Protection by phone or messenger.
4. Stay until R.P. says it is okay to leave.



It is important that you understand that these incidents are more likely inside the RCA and that this course does not provide the necessary instruction to enter the RCA. Further, it is essential that until you complete the next course, RWP, you may not cross any radiological barriers. There may be disciplinary action taken against anyone violating Radiological Controlled Area boundaries.

## THE WORKERS RIGHTS AND RESPONSIBILITIES

The Nuclear Regulatory Commission has produced the "Notice To Employees". This document is commonly referred to as NRC Form 3. It addresses NRC, employer and worker rights and responsibilities. The NRC Form 3 will be conspicuously posted in many places on bulletin boards and at plant entrances. There is also a copy in this handout on the following page. Generally it refers to the following:

### The Nuclear Regulatory Commission

NRC responsibilities include:

- Licensing and inspecting of nuclear power plants.
- Assuring that workers and the public are protected.
- Assuring that the construction and operation of facilities is safe.
- Responding to any worker's request for an inspection and solving of worker identified problems.

The address and telephone number for the regional office are also conspicuously listed for employees.



### The Employer

Palo Verde's **responsibility** is:

- To **comply** with the NRC requirements.
- To **notify** workers of radiation protection requirements.
- To **post** NRC Notices of Violation involving radiological working conditions.
- To **record** as well as **report** to the worker his or her radiation exposure.

### The Workers Rights

You as workers have the right to:

- Receive** Radiological Work Practices (RWP) **training** prior to entry into the Radiological Controlled Area (RCA).
- Receive** a report of the radiation exposure you receive, annually and after termination.
- Talk** to an NRC inspector, **privately and confidentially**.
- Request** NRC inspections.
- To be **protected** from discrimination for filing a complaint.

### The Workers Responsibilities

Your **responsibilities** are to:

- Know and obey** NRC work requirements.
- Report** observed violations of these requirements to plant management.
- Contact** the NRC if it is believed that the employer has not corrected such violations.