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November 1, 1983

The Honorable Nunzio Palladino
Chairman
United States Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

I am writing to express concern over the Commission's efforts to pursue allegations of safety-related deficiencies at nuclear construction sites. Events of recent weeks are evidence that the NRC has not yet learned to cope with the potential for actual existence of major flaws at nearly completed plants.

Recent allegations of a QA breakdown at the Catawba site have been one such instance. Testimony before the Atomic Safety and Licensing Board has revealed that safety problems were repeatedly brought to the attention of NRC staff who then proceeded to disclose the substance and the source of the information to the licensee.

I understand the board has now taken the unprecedented step of soliciting testimony from current employees under an express grant of confidentiality. Thus it appears that the licensing board, as well as the employees of the licensee, are unwilling to place confidence in the NRC staff.

This episode pinpoints the problem encountered by workers who report safety problems to the NRC and who, in doing so, may fear disclosure of their identities and subsequent retaliation. I am aware of the report issued in September by the "Advisory Committee for Review of Investigation Policy on Rights of Licensee Employees under Investigation." I understand this committee was formed, in part, to respond to the problems of "whistleblowers." The committee's report, however, fails to address the selective use of grants of confidentiality.

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PDR COMMS NRCC
CORRESPONDENCE PDR

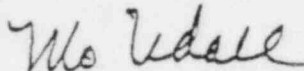
The Honorable Nunzio Palladino

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The use of confidentiality in selected instances is a powerful tool in investigations. It is used effectively by any number of federal agencies and now is apparently being used by the Catawba licensing board. The history of NRC investigations demonstrates the need for procedures to allow use of this important tool in a manner providing protection to licensee employees and the public.

Accordingly, I believe the NRC should adopt procedures which assure that employees will receive confidential status when the information provided by such employees will aid NRC investigations.

Sincerely,

A handwritten signature in dark ink, appearing to read "Morris K. Udall". The signature is fluid and cursive, with the first name "Morris" and last name "Udall" clearly distinguishable.

MORRIS K. UDALL
Chairman