

# The Light company

Houston Lighting & Power South Texas Project Electric Generating Station P. O. Box 289 Wadsworth, Texas 77483

August 21, 1992  
ST-HL-AE-4186  
File: G03.17  
10CFR2  
10CFR50.7

U.S. Nuclear Regulatory Commission  
Document Control Desk  
Washington, D.C. 20555

Attention: Mr. James L. Milhoan  
Regional Administrator, Region IV

South Texas Project  
Units 1 and 2  
Docket No. 50-498, 50-499  
Response to NRC Concerns Regarding Alleged  
Discrimination Against Former Contract Employee

Reference: Letter from James L. Milhoan to D. P. Hall dated  
August 4, 1992

Dear Mr. Milhoan:

In the referenced letter, the NRC requested HL&P to:

1. Provide the basis for the action regarding the former contract employee discussed in the Department of Labor (DOL) letter dated June 30, 1992, and
2. Describe any actions taken or planned to assure that the actions taken above do not have a chilling effect in discouraging other licensee or contractor employees from raising perceived safety concerns.

With regard to Item 1, HL&P disagrees with the DOL conclusion and has appealed the Area Director's decision. We believe the company's action was appropriate and in conformance with regulatory requirements. HL&P has provided a complete description of the circumstances surrounding the revocation of the employee's access in a letter dated August 14, 1992 (ST-HL-AE-4169).

With regard to Item 2, HL&P has consistently stressed the importance of identifying safety concerns. The existing STP programs and policies have been adequate and will continue to be adequate to assure that there is no chilling effect that would discourage licensee or contractor employees from raising safety concerns. These programs and policies will be improved, as necessary, to keep pace with industry practices and to assure their continued effectiveness.

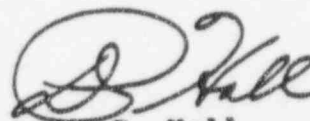
HL&P management regards the identification of safety concerns as an intrinsic aspect of employee and organization integrity. Management expectations regarding employee (including contractor) integrity are plainly described in Nuclear Group Policies and Station Work Standards. These expectations, which stress the obligation of employees to bring safety related concerns to the attention of responsible personnel, are emphasized in General Employee Training, were conveyed to all station personnel in special management meetings in 1991, and are emphasized in other meetings with station employees.

To reinforce this policy, HL&P management has expressly recognized the contribution of employees who have identified safety concerns. For example, the System Engineer who identified a concern regarding the reactor trip surveillance which resulted in both units entering Technical Specification 3.0.3 on May 19, 1992, was given an award for his action in the presence of the majority of the Station supervisory personnel. He is now participating in a team review of surveillances to determine if the problem found on the reactor trip surveillance extends to other surveillances. This award and the related follow-up evaluation of the employee's concern are demonstrable evidence to everyone at STP of management's total support of, and commitment to, proactive employee involvement in identifying safety concerns. In another similar case, a Shift Technical Advisor (STA) reviewing Unit 2 December 24, 1991 post-trip data in July 1992 found that the Reactor Coolant System (RCS) had depressurized below the Safety Injection (SI) setpoint during trip recovery and that SI did not actuate because of post-trip reactor trip breaker configuration. This was an astute observation by the STA which was unhesitatingly brought to management's attention; it is also the type of matter which might never have surfaced in an environment less oriented toward encouraging employees to identify safety issues. These recent illustrations of exemplary employee action would not occur on a site where there was a prevalent "chilling effect" on raising safety concerns.

Effective programs, such as SPEAKOUT (the STP employee concern identification program) and the Station Problem Report process, have existed to facilitate the identification and resolution of safety concerns. These programs are widely used by STP personnel and have been reviewed by the NRC. In the NRC Inspection report dated June 1, 1992 regarding the investigation of the concerns raised by the subject contract employee (NRC Nos. 50-498/92-07; 50-499/92-07), the NRC made the following observation regarding SPEAKOUT: "The licensee's Speakout program was found to be an effective factor in resolving employee concerns. Employees were well aware of the program, and several indicated that they had provided concerns to Speakout. Most of the licensee's staff and contractors stated that they were generally confident of their freedom from reprisal when taking concerns to Speakout". As the attached graph shows, the number of contacts made with SPEAKOUT has not decreased since the subject action was taken in February.

To provide further assurance that no chilling effect has occurred, HL&P contracted with an independent consultant for a review of employee attitudes. That review, completed last month noted that, "without exception, those interviewed clearly understood the process for raising safety related concerns, and indicated they would take such concerns to whatever level needed within the STPEGS management chain or if ever necessary outside (NRC) to receive a satisfactory resolution. There was no indication of a fear of retribution for raising safety concerns." HL&P has also reviewed the access authorization program and found no bias against individuals who have raised safety concerns.

In summary, HL&P believes the actions in this case were proper and will be found so on appeal. HL&P also believes that both management and staff at STP have demonstrated a continuing commitment to identifying and resolving safety concerns. If there are any questions regarding this response, please contact me or Mr. W. J. Jump.



D. P. Hall  
Group Vice President,  
Nuclear

AWH/nl

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ST-HL-AE- 4186  
File No.: G03.17  
Page 4

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