

Title: MILLSTONE, UNIT 1:

ALLEGED EMPLOYEE DISCRIMINATION

Licensed:

Northeast Nuclear Energy Company  
P.O. Box 270  
Hartford, Connecticut 06101

Docket No.: 50-245

Case Number: Q1-86-016

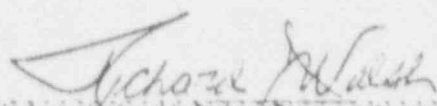
Report Date: April 2, 1987

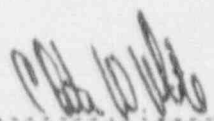
Control Office: OI:RI

Status: Closed Inquiry

Reported By:

Approved By:

  
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## DETAILS OF INQUIRY

### Purpose of Inquiry

This Inquiry was initiated on December 9, 1986, upon receipt of a written request, Exhibit 1, from the Regional Administrator (RA), Region I (includes copy of RA's request to the Investigation Referral Board). The Office of Investigations (OI) was asked to interview [ ]

[ ] and ascertain the circumstances surrounding [ ] denial of employment in June 1986 by Nuclear Energy Consultants (NEC), a contractor to Northeast Nuclear Energy Company (NNECO), an NRC licensee. The interview of [ ] would "...aid the Allegation Panel in deciding how best to address the charges that this termination violated 10 CFR 50." (NOTE: This request for OI investigative assistance was first discussed with the Director of OI. It was then decided that OI:RI would comply with the request.)

### Background

NNECO is a subsidiary of Northeast Utilities which operates Millstone Nuclear Power Station/Units 1, 2, and 3. [ ] has claimed [ ] was discriminated against by NEC and NNECO because [ ] had reported safety concerns to the NRC when working at Millstone III in 1985 for Butler Services Group under the tutelage of a Stone & Webster Engineering Corporation (SWEC) supervisor.

Files maintained by Alan SHROPSHIRE, Allegation Coordinator, Region I, were examined on December 12, 1986, and indicate that [ ] telephonically contacted T. A. REBELOWSKI, NRC Resident Inspector, Millstone III, at 3:15 p.m. on Tuesday, March 19, 1985. [ ] disclosed to REBELOWSKI approximately eight technical concerns pertaining to Millstone III. Between March 1985 and March 1986, Region I staff personnel sought answers from Northeast Utilities' officials and personally conducted inspections of the various items reported by [ ] and [ ] co-worker (the latter requested confidentiality). [ ] aforementioned technical concerns were dispositioned acceptably and no safety significances were noted by either NRC or Northeast Utilities.

On Monday, July 7, 1986, [ ] telephonically contacted Ebe MCCABE, Chief, Reactor Projects, Section 3B, to state [ ] was fired from a position with NEC in June 1986 because of [ ] 1985 disclosures to the NRC. MCCABE's Allegation Receipt Report, dated July 7, 1986, is Exhibit 2, and the follow-up letter to [ ] from MCCABE, dated July 17, 1986, telling [ ] to contact the U.S. Department of Labor (DOL) to obtain redress of any discrimination against him is Exhibit 3. Because NRC received no response, a second letter from MCCABE, Exhibit 4, was forwarded to [ ] on October 22, 1986. On November 4, 1986, [ ] called MCCABE in response to the October 22 letter and reiterated that [ ] was fired in June 1986 by NEC because [ ] had made disclosures to the NRC in 1985. MCCABE's Allegation Receipt Report dated November 4, 1986, Exhibit 5, reports a claim by [ ] that [ ] contacted DOL on three occasions but DOL refused to hear [ ] case calling it a "whistleblower issue." Subsequently, OI's assistance was sought (see Exhibit 1).

Interview of [redacted]

[redacted] was interviewed [redacted]

[redacted] advised that [redacted] began work at Millstone III in February 1984 and worked there for 13 months, until March 1985. Initially, [redacted] was a Level II Inspector of electrical equipment. While at Millstone, [redacted] actually worked for Butler Services Group of Greentree, Massachusetts but was supervised by Gerald TURNER of SWEC. [redacted] claimed that TURNER had invalidated several Nonconformance & Deviation Reports (NCDRs) that [redacted] had initiated. [redacted] refused to accept TURNER's explanation for the invalidations. [redacted] was subsequently told by TURNER that it was permissible to contact the NRC if [redacted] so desired. To the best of [redacted] recollection, [redacted] first contacted the NRC in February 1985. [redacted] advised that on March 17, 1985, [redacted] was laid off from Millstone III by the Butler Services Group because of "lack of work." [redacted] said [redacted] received no severance pay but believes that the lay off was "justified." [redacted] said [redacted] worked at three other jobs around the country between March 1985 and June 1986, at which time [redacted] was laid off from a job at the Seabrook Nuclear Power Station.

[redacted] went on to say that the NRC provided [redacted] with copies of the inspection reports which were prepared as a result of [redacted] allegations. [redacted] said the NRC reports were furnished to [redacted] by letters on April 15, 1985, and March 13, 1986. [redacted] stated that [redacted] still disagrees with the NRC inspection reports and cited specific reasons.

After [redacted] layoff from Seabrook in June 1986, [redacted] mailed a resume to NEC of Riverside, New Jersey and later talked via telephone with an NEC employee identified as Paul FAROM. FAROM later informed [redacted] that [redacted] had a job for [redacted] with NNECO in Berlin, Connecticut. However, the position depended upon the approval of the client (NNECO) and a satisfactory interview. [redacted] said [redacted] was to be hired to respond to NRC findings and to establish a program on environmental qualifications for NNECO. [redacted] indicated that NNECO was seeking a person with a college degree. However, since [redacted] did not have a degree, [redacted] told NEC [redacted] would work for \$50,000 per year instead of the \$100,000 per year NNECO was willing to pay.

[redacted] said [redacted] went to Berlin, Connecticut on Monday, June 30, 1986, and had an interview with a NNECO manager identified as John NECOSI. [redacted] said that NNECO knew [redacted] did not have a college degree before the interview was arranged. [redacted] believed that NECOSI was impressed with [redacted] credentials even without the college degree. [redacted] said that if [redacted] had been hired, [redacted] would have worked with the NEC Site Lead at NNECO identified as Charlie ALLEN.

That night, ALLEN telephonically contacted [redacted] and said that NNECO was going to hire [redacted] and that an employment contract between himself and NNECO would be signed as early as the following Monday, July 7, 1986. However, ALLEN indicated that NNECO wanted [redacted] to attend an impromptu meeting at Millstone III the next day, Tuesday, July 1, 1986. [redacted] said [redacted] subsequently met ALLEN, NECOSI, and a third NNECO employee (nfi) at the main gate at Millstone III at 8:00 a.m. on July 1.

went on to say that while waiting in the Security Building for clearance to enter Millstone III at approximately 8:30 a.m., a SWEC employee identified as Paul RAMONDI walked by the group. [redacted] said no words were exchanged between [redacted] and RAMONDI. [redacted] indicated that [redacted] subsequently entered Millstone III and attended a meeting until 2:00 p.m. [redacted] said that after RAMONDI passed, [redacted] remembered that RAMONDI was the Lead Electrical Engineer for SWEC at Unit III in 1985. [redacted] said that RAMONDI, who was TURNER's boss, had supported TURNER's invalidations of the NCDRs which [redacted] had prepared when working at Millstone III in 1985.

At approximately 7:00 p.m. that night, Tuesday, July 1, [redacted] got a call at home from ALLEN. He thinks ALLEN was calling from the NNECO office in Berlin. ALLEN said something to the effect "What the hell did you [redacted] do to aggravate Northeast Utilities? Fifteen lawyers and the head of the corporation were waiting for me when I returned to Berlin. They're scared you are going to sue them. What did you do?" [redacted] said [redacted] can only assume that RAMONDI, the SWEC Lead Electrical Engineer, said something to NNECO personnel about [redacted] past contacts with the NRC.

[redacted] acknowledged that [redacted] never signed a written contract with NNECO or NEC to work for NNECO. The contract was to be signed the following Monday, July 1, 1986. [redacted] said that ALLEN told [redacted] that someone from Millstone III (nfi) had called NNECO Headquarters and told ALLEN and the NNECO people (nfi) not to permit [redacted] back onsite. [redacted] advised that ALLEN would not provide the name of the person who demanded that [redacted] be refused future access to Millstone III. [redacted] stated that during the next couple of days, [redacted] was unsuccessful in [redacted] attempts to gather more information about "the obvious discrimination against me."

[redacted] professed that before [redacted] was laid off from Millstone III in March 1985, [redacted] called the DOL "in Massachusetts" to indicate that [redacted] may be laid off for contacting the NRC. [redacted] did not know the identity of the DOL representative with whom [redacted] spoke and was not positive of the location of the DOL office. [redacted] indicated that [redacted] contacted "DOL in Massachusetts" a second time but could not provide proof of this contact unless [redacted] released telephone bills. [redacted] indicated that [redacted] subsequently received a letter from NEC indicating that [redacted] was not qualified for the job at NNECO. [redacted] definitely believes [redacted] was discriminated against when trying to obtain employment with NNECO through NEC. [redacted] reiterated that [redacted] was never officially employed by NEC and that no written contract had been signed. However, [redacted] insisted [redacted] was qualified for the job and identified two persons who could vouch for [redacted] credentials in the environmental quality field.

Referring to this proposed investigation of [redacted] discrimination complaint, [redacted] stated "I'd rather see the NRC pursue the concerns and disagreements I have with their inspection reports rather than pursue any discrimination complaint I may have. What's done is done. I still believe there are concerns at Millstone III."

### Closure Information

A copy of the Report of Interview with [redacted] was subsequently provided to William KANE, Director, Division of Reactor Projects, Region I. On February 17, 1987, an Allegation Panel Meeting was held whereat it was decided that MCCABE would contact [redacted] to nail down the specifics of technical concerns regarding Millstone III. During MCCABE's telephone conversation with [redacted] on February 17, 1987, [redacted] told MCCABE that [redacted] had not pursued [redacted] employment discrimination claim with the DOL and did not wish the NRC to investigate it. [redacted] remaining technical concerns will be addressed by the Region I staff. MCCABE subsequently sent another letter to [redacted] wherein [redacted] stated the following: "Based on our discussion, I understand that you [redacted] have not pursued your employment discrimination concern with the Department of Labor and do not wish this aspect to be pursued any further. Therefore, this matter is being closed." Considering the aforementioned information, it was agreed there is no need for further investigative effort by OI:RI. If new information is ever received by OI or the Region I staff regarding this matter, this Inquiry can be reopened.