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To: JZ <JAZWOL@aol.com>
Date: 9/25/96 10:58am
Subject: WILL THEY EVER LEARN?

John:

Your agency gets more incredible with every move.

The issue is discussed in today's Hartford Courant (enclosed). In the middle of the Hannon investigation, your agency continued to secretly identify concerned employees to NU top management. We have a letter from Dick Cooper to Feigenbaum dated May of this year. Not only were these people not informed they were being targeted by both NU and the NRC but are not even able to obtain this documentation because your agency determined it to be secret under 10 CFR 2.790. In addition, we have other documentation that proves that these secret documents were made available to many people in the NU organization even down to the individual's immediate supervisor. If I were a supervisor and found that one of my employees went to the NRC to report my incompetence I certainly would not classify him as a "team player." Who is going to be held accountable for this one?

Over the past 10 years, how many people have been unknowingly targeted by your actions. Were any of the 104 terminated employees identified by your secret letters. We know this is now common practice but have been unable to locate the NRC procedure that covers these actions. Please identify where this practice is authorized by your procedures.

Can we obtain copies of these letters and attachments under FOIA?

Last night we had to listen to Jacque Durr giving a speech to the public about CU-29 and how he did nothing wrong. This made many of us sick. Why did we have to listen to this when the topic was MP-3's independent Assessment?

If you really want to convince the public that this team is independent then allow the State oversight committee appoint a few full time paid members to the team. Having some part time, non paid representatives from this committee gives us little comfort as they do not have the time to get involved in any details..

NRC may have jeopardized worker's confidentiality

By MICHAEL REMEZ

This story ran in the Courant September 25, 1996

WASHINGTON - Internal investigators at the Nuclear Regulatory Commission are looking into whether the agency compromised the confidentiality of a worker who filed complaints about problems at the Millstone plants in Waterford.

The latest allegations charge that the agency's regional staff

provided information to executives at Northeast Utilities that allowed them to figure out which engineer filed the complaints.

George Mulley, an investigator with the Inspector General's office, confirmed the investigation is under way, but said he could provide no details.

In a letter to Mulley sent Tuesday, Albert A. Cizek, a veteran engineer at Millstone, charges that NRC Region 1 staff provided his superiors with backup data and reports about his technical complaints that could only lead to one person - him.

"Clearly, superfluous information is included which ties me to the allegation," Cizek writes, charging that agency failed to follow its own rules for protecting people known officially as "allegers."

"NRC and NU remain too comfortable with each other," Cizek writes, adding that the possible loss of confidentiality contributes to an environment where Millstone workers are fearful of raising safety issues.

Tony Castagno, spokesman for NU's nuclear operation, said the events of this year - including harsh NRC scrutiny of Millstone operations and tough enforcement actions - demonstrate the agency and the utility are not too close. All three reactors at Millstone Point are on the NRC's watch list of troubled plants, and remain shut down until regulators determine they are safe to restart.

Still, the inspector general's office has released several stinging reports in recent months detailing how the NRC looked the other way as problems mounted at the Millstone plants and delayed taking tough action against the utility.

Cizek, a 14-year Millstone employee, at first worked through the internal NU system to raise his concerns about two safety systems at Millstone 1.

"This is not an instance where Mr. Cizek just goes to the NRC," said Ernest Hadley, Cizek's attorney. "This was pursued internally and blown off. The NRC response then is to take it right back to the people who blew it off. It doesn't take a nuclear scientist to figure out who went to the NRC."

Roger Hannah, a spokesman for the agency's regional office in King of Prussia, Pa., said he could not comment on an investigation in progress.

The case raises the question of how investigators can look into an

employee allegation - including asking the utility for its own view of the charges - while keeping the employee's identity secret. The agency did not directly give Cizek's name to the utility, but he and Hadley charge it did little to protect his identity.

Hadley said the agency's own rules call for a more secretive procedure when dealing with a utility that has a history of harassing whistleblowers. The agency cited NU's troubled track record with alleged in its decision to put the Millstone plants on the watch list in January.

Cizek said his frustration has been growing as both the agency and the utility publicly say they have taken steps to improve their credibility. He said he hasn't yet seen the progress.

"Your hands are tied behind your back as you are trying to enforce a regulation the NRC is not enforcing. And when you go to this utility, it's over before it starts," he said of investigations into safety concerns.

Hadley, a persistent NRC critic, said Cizek's 1996 allegations demonstrate that little has changed despite the glare of public attention focused on the agency and the utility.

"This is about more than just historical issues. It shows [NRC staff members] haven't learned a single thing. As soon as they think nobody is watching, they slip back to the same way of doing business," Hadley said. "The real fault here lies with the NRC. The NRC knows better than to do what they are doing."

Castagno said the new management at NU's nuclear plants is working to create an environment where employees will feel comfortable raising safety concerns.

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