

April 4, 1985

MEMORANDUM FOR: Sharon R. Connelly, Director, Office of Inspector and Auditor  
FROM: James G. Keppler, Regional Administrator, Region III  
SUBJECT: ALLEGER SUGGESTED THE NRC STAFF MAY HAVE ACTED IMPROPERLY  
DURING INSPECTIONS AT MIDLAND (50-329; 50-330)

Region III contracted with Brookhaven National Laboratory to conduct inspections into certain allegations made by a Government Accountability Project witness involving the Midland Nuclear Power Station. Brookhaven Laboratory categorized the allegations and identified four allegations "to be referred to the NRC Office of Investigations (or other appropriate agency) for resolution." My Enforcement and Investigation Coordination Staff has reviewed the Brookhaven recommendations (Enclosure 1) and determined that two allegations suggest improper conduct by unspecified members of the Region III staff. Since this conduct was not directed toward any specific members of the staff and appears generic in nature, we have directed each of our technical divisions to reemphasize regional policy on inspection practices and handling of allegations during divisional meetings (Enclosure 2). Accordingly, I am forwarding this to you for your information. Based on the actions we have taken we are not requesting or suggesting any action on your part; however, we will cooperate with you if you should determine that action on your part is appropriate. I am also forwarding a copy of the publicly available Brookhaven Inspection Report (Enclosure 3).

Mr. Charles H. Weil, Region III Investigation and Compliance Specialist, is the Region III point of contact in this matter. Should you or your staff have any questions, please feel free to contact Mr. Weil at FTS 388-5535.

Original signed by

James G. Keppler

James G. Keppler

Regional Administrator

Enclosures: As stated

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Mr J G Keppler, Regional Administrator  
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MIDLAND ENERGY CENTER GWO 7020  
BROOKHAVEN NATIONAL LABORATORY REPORT CONCERNING WELDING PROGRAM ALLEGATIONS  
FILE 0505.2/0.4.2/UFI SERIAL 32225

REFERENCE: (1) Charles Norelius letter to J W Cook, dated March 22, 1985  
transmitting BNL Report on Welding Allegations, dated  
January 1985

Thank you for the BNL report on welding allegations attached to the referenced letter.

We are pleased to get a portion of the issues identified in the report closed. We had been conducting detailed discussions prior to the project shutdown to support resolution of the issues. Technical resources are no longer available to further the investigation. For this reason we believe it impracticable to bring the remaining open issues to conclusion at this time. However, in the event of a Project restart we would pursue reinstituting a full technical investigation of all the issues still pending, as identified in your letter, and determine the most practical way to resolve them.

Therefore, we are taking no further action at this time on the open issues other than entering them into our commitment tracking system. At the time of Project restart we will bring specific suggestions to the NRC Staff for resolution of each item, such as utilizing the CCP or IDVP or other alternate solutions.

*James W. Cook*

JWC/WRB/lr

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