



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 11, 1997

The Honorable Fred Thompson, Chairman
Committee on Governmental Affairs
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the statutory obligation to respond to recommendations by the General Accounting Office (GAO) within 60 days of receipt, we hereby submit our responses to the recommendations made by the GAO in its report entitled "NUCLEAR EMPLOYEE SAFETY CONCERNS - Allegation System Offers Better Protection, but Important Issues Remain." Specific responses to the GAO recommendations are presented in the enclosure.

Sincerely,

Shirley Ann Jackson

Enclosure:
GAO Recommendations and NRC Responses

cc: Senator John Glenn

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 11, 1997

The Honorable Dan Burton, Chairman
Committee on Government Reform and Oversight
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

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Sincerely,

Shirley Ann Jackson

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cc: Representative Henry Waxman



UNITED STATES
NUCLEAR REGULATORY COMMISSION
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June 11, 1997

The Honorable James M. Inhofe, Chairman
Subcommittee on Clean Air, Wetlands,
Private Property and Nuclear Safety
Committee on Environment and Public Works
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

In accordance with the statutory obligation to respond to recommendations by the General Accounting Office (GAO) within 60 days of receipt, we hereby submit our responses to the recommendations made by the GAO in its report entitled "NUCLEAR EMPLOYEE SAFETY CONCERNS - Allegation System Offers Better Protection, but Important Issues Remain." Specific responses to the GAO recommendations are presented in the enclosure.

Sincerely,

Shirley Ann Jackson

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cc: Senator Bob Graham



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 11, 1997

The Honorable Dan Schaefer, Chairman
Subcommittee on Energy and Power
Committee on Commerce
United States House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

In accordance with the statutory obligation to respond to recommendations by the General Accounting Office (GAO) within 60 days of receipt, we hereby submit our responses to the recommendations made by the GAO in its report entitled "NUCLEAR EMPLOYEE SAFETY CONCERNS - Allegation System Offers Better Protection, but Important Issues Remain." Specific responses to the GAO recommendations are presented in the enclosure.

Sincerely,

Shirley Ann Jackson

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cc: Representative Ralph Hall



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 11, 1997

The Honorable John Dingell
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Dingell:

In accordance with the statutory obligation to respond to recommendations by the General Accounting Office (GAO) within 60 days of receipt, we hereby submit our responses to the recommendations made by the GAO in its report entitled "NUCLEAR EMPLOYEE SAFETY CONCERNS -- Allegation System Offers Better Protection, but Important Issues Remain." Specific responses to the GAO recommendations are presented in the enclosure.

Sincerely,

Shirley Ann Jackson

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 11, 1997

The Honorable Joseph I. Lieberman
United States Senate
Washington, D.C. 20510

Dear Senator Lieberman:

In accordance with the statutory obligation to respond to recommendations by the General Accounting Office (GAO) within 60 days of receipt, we hereby submit our responses to the recommendations made by the GAO in its report entitled "NUCLEAR EMPLOYEE SAFETY CONCERNS - Allegation System Offers Better Protection, but Important Issues Remain." Specific responses to the GAO recommendations are presented in the enclosure.

Sincerely,

Shirley Ann Jackson

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 11, 1997

The Honorable Charles A. Bowsher
Comptroller General of the United States
General Accounting Office
Washington, D.C. 20548

Dear Mr. Bowsher:

In accordance with the statutory obligation to respond to recommendations by the General Accounting Office (GAO) within 60 days of receipt, we hereby submit our responses to the recommendations made by the GAO in its report entitled "NUCLEAR EMPLOYEE SAFETY CONCERNS - Allegation System Offers Better Protection, but Important Issues Remain." Specific responses to the GAO recommendations are presented in the enclosure.

Sincerely,

Shirley Ann Jackson

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GAO Recommendations and NRC Responses



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 11, 1997

The Honorable Franklin D. Raines
Director
Office of Management and Budget
Washington, D.C. 20503

Dear Mr. Raines:

In accordance with the statutory obligation to respond to recommendations by the General Accounting Office (GAO) within 60 days of receipt, we hereby submit our responses to the recommendations made by the GAO in its report entitled "NUCLEAR EMPLOYEE SAFETY CONCERNS - Allegation System Offers Better Protection, but Important Issues Remain." Specific responses to the GAO recommendations are presented in the enclosure.

Sincerely,

Shirley Ann Jackson

Enclosure:
GAO Recommendations and NRC Responses

GAO RECOMMENDATIONS AND NRC RESPONSES

The General Accounting Office (GAO), in its report "NUCLEAR EMPLOYEE SAFETY CONCERNS - Allegation System Offers Better Protection, but Important Issues Remain," made specific recommendations for improving the timeliness of the Department of Labor's allegations processing, the NRC's ability to monitor the allegation process, and the NRC's knowledge of the work environment at nuclear power plants. The recommendations and the NRC's responses are provided below.

Recommendation 1:

To improve the timeliness of Labor's processing, we recommend that the Secretary of Labor establish and meet realistic timeliness standards for all three steps in its process for investigating discrimination complaints by employees in the nuclear power industry.

NRC Response:

The NRC agrees with this recommendation. As noted on page 16 of the report, the NRC has drafted legislation that would establish realistic timeliness standards. The draft was provided to DOL on November 11, 1996, for comment and a meeting was held with DOL on March 3, 1997, to discuss the draft. The NRC currently is waiting for comments from DOL. Upon receipt of the comments, NRC will prepare a final proposal for approval by both agencies and subsequently submit the legislation to Congress.

Recommendation 2:

To improve the NRC's ability to monitor the allegation process, we recommend that the Chairman, NRC, complete the implementation of the NRC review team's recommendation to establish and operate the revised Allegation Management System in all organizational components within the NRC. We also recommend that the Chairman, NRC, and the Secretary of Labor coordinate information on the status of cases at Labor.

NRC Response:

While the NRC agrees with the intent of this recommendation, we do not believe it was the review team's intent that the Allegation Management System (AMS) be established and operated in all organizational components within the NRC. The review team's recommendation concerning the AMS was that:

"The NRC should revise the Allegation Management System to be able to track and monitor an allegation from receipt to the completion of agency action."

The AMS currently has the capability to track and monitor allegations from receipt to completion of agency action, including allegations that involve complaints of discrimination filed with DOL. This tracking includes the NRC's investigative results and any subsequent enforcement action, as well as each stage of the DOL process.

With regard to who has access to the system, the primary users of the AMS are the four regions and the Offices of Nuclear Reactor Regulation, Nuclear Materials Safety and Safeguards, and State Programs. These organizations are responsible for receiving, resolving, and tracking allegations. Other offices that use data from the AMS are the Offices of Enforcement, Investigations, and Analysis and Evaluation of Operational Data (AEOD). The primary users currently have direct access to the AMS and the other offices have access to the data in AMS. Following completion of an upgrade to the software in June 1997, the Offices of Enforcement, Investigations, and AEOD will be provided direct access to the AMS.

In response to the recommendation that NRC and DOL coordinate information on the status of cases at DOL, NRC and DOL currently are reviewing a revision to the Memorandum of Understanding (MOU) between the two agencies. The revised MOU contains provisions for DOL to provide the NRC with a monthly list of the complaints filed under Section 211 of the Energy Reorganization Act of 1974, and to promptly provide to the NRC copies of all decisions issued by the Occupational Safety and Health Administration (OSHA) concerning these complaints and all settlement agreements. Since OSHA numbers their cases, the NRC will be able to track complaints filed with DOL as they progress through the DOL process.

Recommendation 3:

To improve NRC's knowledge of the work environment at nuclear power plants, we recommend that the Chairman, NRC, ensure the implementation of recommendations to provide information on the extent to which the environment in nuclear power plants is favorable for employees to report health or safety hazards without fear of discrimination. This would include recommendations on tracking and monitoring allegation cases and settlements, routinely providing feedback forms in allegation case close-out correspondence, systematically following up on chilling effect letters, and using a survey or other systematic method of obtaining information from employees.

NRC Response:

We agree that additional information would be useful in assessing whether the environment at nuclear power plants is conducive to employees raising health and safety concerns. The NRC currently is tracking, monitoring, and trending allegations for the purpose of providing insights into the environment at nuclear power plants. Additionally, within the last month, the AMS was modified to accommodate tracking, monitoring, and trending of settlements that occur during the DOL process and chilling effect letters issued by the NRC.

With respect to including feedback forms in closure correspondence, as noted on page 24 of the report, in December 1995 the NRC did send feedback forms to a randomly selected sample of 145 alleged and received 44 responses. The NRC will send feedback forms to another random sample of alleged in the third quarter of 1997. After analyzing the responses and evaluating the resource implications, the NRC will decide whether to include the form in all closure correspondence routinely.

On February 26, 1997, the NRC published in the *Federal Register* a request for public comment on several strategies for evaluating the environment at licensee facilities. The comment period closed on May 27, 1997. The NRC staff currently is evaluating the comments and will develop proposals for the Commission's consideration.

Separate from the request for public comment, the NRC's Office of Research currently is conducting a review of available methodologies for assessing work environments, including survey instruments. The results of this review will be considered in the staff's analysis of the public comments and any subsequent proposals to the Commission.

GAO RECOMMENDATIONS AND NRC RESPONSES

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