

APPENDIX N

**U.S. Nuclear Regulatory Commission, Office of The
Inspector General**

**“Allegations of Commission and NRC Staff Retaliation
Against INPO For Raising Concerns About NRC
Management Intrusiveness (95-21H)”**

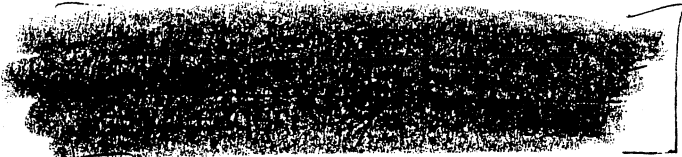
April 3, 1995

OFFICE OF THE INSPECTOR GENERAL
REPORT OF INVESTIGATION



ALLEGATION OF COMMISSION AND NRC STAFF
RETALIATION AGAINST INPO FOR RAISING CONCERNS
ABOUT NRC MANAGEMENT INTRUSIVENESS

CASE NO. 95-21H



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Assistant Inspector Date
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EXECUTIVE SUMMARY

This Office of the Inspector General (OIG) investigation was initiated on December 13, 1994 after the [REDACTED] Institute for Nuclear Power Operations (INPO) advised OIG of critical actions and comments by the U.S. Nuclear Regulatory Commission (NRC) which he viewed as being in retaliation for INPO previously raising concerns about NRC management intrusiveness into the utility decision making process. The critical comments about INPO were reportedly made primarily by NRC Chairman Ivan SELIN. The actions in question consisted of cancellation or indefinite postponement of NRC attendance or participation at various scheduled INPO events.

Interviews of several nuclear industry executives disclosed that during individual meetings the NRC Chairman voiced concern about INPO "lobbying" for the industry. Similar comments were made in a speech by SELIN at a meeting of the American Nuclear Society (ANS). During interview by OIG, SELIN said that he viewed INPO's actions as "lobbying" on behalf of the nuclear power industry rather than raising safety concerns. The INPO actions characterized by SELIN as "lobbying" included complaints on behalf of a particular utility against a specific NRC manager, as well as INPO involvement in an industry sponsored study which was critical of the NRC.

A review of written correspondence generated on this issue disclosed three separate communications (dated June 9, 1994; August 23, 1994 and September 26, 1994) with either the NRC or Congress in which INPO attached a safety element to their concerns about NRC management intrusiveness. The investigation also revealed that the Chairman and Executive Director for Operations failed to notify the OIG in a timely manner regarding serious NRC management misconduct allegations raised by INPO.

