

From: Michael Stein <michael.stein@ferc.fed.us>
To: <nrcprep@nrc.gov>, <bcw@nrc.gov>, <oeweb@nrc.gov>
Date: Thu, Aug 23, 2001 3:50 PM
Subject: Draft Discrimination Task Group Report

Below is the result of your feedback form. It was submitted by
Michael Stein (michael.stein@ferc.fed.us) on Thursday, August 23, 2001 at 15:49:10

Affiliation: Former Discrimination enforcement specialist

Comments: I read all the industry and law firm comments with great interest.

I am so happy that the industry and firms have finally weighed in that the NRC's standard of proof is in opposition to Section 211 of the ERA and that perhaps Due Process does require that the accused have a hearing to clear their name. These were arguments I made to Chairman Jackson right after the Millstone enforcement actions were issued in April of 1999. I knew from that point on that the MIRT report was being inappropriately used to cite discrimination where there was no evidence to support such claims. Raising these issues at the NRC led to retaliation against me and the loss of my career at the NRC. Those who supported these inappropriate enforcement activities, and who continue to support legally questionable positions, were rewarded.

Being an attorney with a keen sense of equity (I was also the Chief Steward of the NRC at the time), and knowing what I now know from hindsight, I would not change a thing today. The NRC was wrong in 1999 during Millstone, wrong in 2000 when I was discriminated against for raising these policy concerns, and the agency is even more wrong today in attempting to remove PECs from the process and make the process even more opaque. It is obvious that the agency is out of control on this issue.

To the Industry- better late than never. To those who have supported my positions over the years, thank you and I just have to say that the NRC's loss is FERC's gain. Best of luck on this issue because those who wrote the report and who are in control of the policy today are the same folks who caused the problems back in 1999, 2000, and 2001. I have no faith that your comments will be adequately reviewed and adopted by the NRC.

Cheers,

Mike Stein

Submit2: Submit comments
