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NRC STAFF PROPOSES \$80,000 CIVIL PENALTY AGAINST TVA  
FOR ALLEGED DISCRIMINATION AT SEQUOYAH AND WATTS BAR

The Nuclear Regulatory Commission staff has proposed an \$80,000 civil penalty against the Tennessee Valley Authority for alleged discrimination against a former TVA nuclear inspector who was not hired for positions of machinist and steamfitter trainee at the Watts Bar and Sequoyah nuclear power plants in Tennessee.

NRC officials notified TVA on February 20, 1996, that the action was being proposed because of a decision from the office of the U.S. Secretary of Labor which concluded that the former employee was discriminated against when he was not hired because of a history of expressing nuclear safety concerns to both TVA and the NRC.

The NRC notified TVA on December 8, 1995 of receipt of the decision from the Secretary of Labor and offered the agency an opportunity to respond to the apparent violation in writing or to request a predecisional enforcement conference. In a letter to the NRC, TVA declined the conference, denied the violation, and outlined corrective actions to ensure that there is no chilling effect resulting from the matter which would discourage employees from raising safety issues.

NRC officials said the proposed violation is a Level II, the agency's second most serious.

The NRC acknowledged that TVA plans to appeal the Secretary of Labor's decision in this case to the United States Court of Appeals for the Sixth Circuit. The agency told TVA that, in the event the case is successfully appealed at a later date and the Secretary of Labor's decision is reversed, the NRC will reconsider the enforcement action.

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