

Nuclear Regulatory Commission

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NRC PROPOSES \$8,000 FINE AGAINST PENNSYLVANIA STEEL COMPANY FOR DISCRIMINATION AGAINST WORKER WHO GAVE AGENCY INFORMATION

The Nuclear Regulatory Commission has proposed an \$8,000 civil penalty against a Pennsylvania company for discriminating against an employee who provided information to the federal agency last year. The fine was based on the findings of an investigation conducted by the NRC's Office of Investigations.

Specifically, the NRC has determined that Koppel Steel Corporation, in Beaver Falls, Pa., fired its radiation safety officer after the worker gave an NRC official information during an inspection of the facility on April 23, 1996.

In part because of the information supplied, the NRC issued a Notice of Violation to Koppel Steel a month later, for five breaches of agency requirements identified during the inspection. The violations dealt with radiation safety program deficiencies.

Koppel Steel has maintained it dismissed the worker on June 14 because he misrepresented to the NRC during the inspection

that he was not the radiation safety officer. However, the NRC has concluded, based on its investigation, this did not take place and that this explanation was merely a pretext for the real reason behind the termination, namely the employee's communications with the agency.

"The NRC considers this violation very significant since all employees must feel free to raise safety concerns, either to the NRC, or to their management and supervision, without fear of retaliation," NRC Region I Administrator Hubert J. Miller wrote to the company. "At Koppel Steel, that did not occur, and this violation creates the potential for a chilling effect on other Koppel employees feeling free to raise safety concerns."

NRC regulations prohibit discrimination by an agency license-holder against an employee for engaging in certain "protected activities." These activities include providing the NRC with information pertaining to possible violations of agency requirements.

Koppel Steel is required to submit a written statement or explanation for the alleged violation to the NRC within 30 days. The response must include corrective steps that have and/or will be taken to avoid further violations and the date when full compliance will be achieved. Within the same time frame, the company must either pay the proposed fine or request in writing that all or part of it be withdrawn.

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