

PUBLIC MEETING ON THE NRC PROCESS FOR HANDLING DISCRIMINATION MATTERS

- Bill Borchardt
- Director, Office of Enforcement
USNRC
Chicago Meeting
October 5, 2000



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WHAT ARE OUR GOALS TODAY?

- Provide an Overview of Current NRC Process
 - Listen to your Comments and Suggestions
 - Respond to your Questions
 - Engage in Dialogue
 - Obtain input to help in the identification of possible improvements
-

Group Composition:

- Bill Borchardt, Director, Office of Enforcement,
Group Leader
 - Barry Letts, Office of Investigations Field Office
Director, Region I
 - Dennis Dambly, Assistant General Counsel for
Materials Litigation and
Enforcement, Office of General
Counsel
 - Ed Baker, Agency Allegation Adviser
 - Cynthia D. Pederson, Director, Division of Nuclear
Materials Safety, Region III
 - Brad Fewell, Regional Counsel, Region I
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AGENDA

- Introduction and overview of Task Group Activities 7:00-7:30
 - Stakeholder Comments 7:30-8:30
 - Open Discussion of Issues 8:30-9:00
 - Wrap up / Closing Remarks 9:00-9:15
-

TASK GROUP PURPOSE

- Evaluate the NRC's current process,
 - Propose recommendations for improvements,
 - Ensure that the enforcement process supports an environment where workers are free to raise safety concerns,
 - Promote active and frequent involvement of internal and external stakeholders.
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Task Group Schedule

- Evaluate current NRC processes. July-Sept., 2000
 - Stakeholder meetings. Sept., 2000-April, 2001
 - Review other federal agency processes. Oct.-Dec., 2000
 - Develop recommendations Jan.-March, 2001
 - Recommendations for public comment. May-June, 2001
 - Issue Report with recommendations. June 30, 2001
-

PUBLIC MEETINGS

- Washington - Sept. 5, 2000
- Chattanooga - Sept. 7, 2000
- San Luis Obispo - Sept. 14, 2000
- Chicago - Oct. 5, 2000
- Paducah - Oct. 19, 2000
- Millstone - Nov. 2, 2000
- Possible Second Round of Meetings Following Development of Recommended Changes

WHO IS THE NUCLEAR REGULATORY COMMISSION?

- An Independent Federal Regulatory Agency
 - Created by the Atomic Energy Act and Energy Reorganization Act of 1974
 - Regulates the Commercial Use of Nuclear Material
 - Primary Responsibility is to Protect the Public Health and Safety
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Elements of Discrimination

- Did the employee engage in protected activity?
 - Was the employer knowledgeable of the protected activity?
 - Was there an adverse action?
 - Was the adverse action taken, at least in part, because of the protected activity?
-

Protected Activities include:

- Notifying an employer of an alleged violation of NRC requirements or safety concern.
 - Refusing to engage in unlawful acts, if the illegality has been identified to the employer.
 - Testifying before Congress or at ANY Federal or State proceeding related to the provision of the Atomic Energy Act or Energy Reorganization Act.
 - Assisting or about to assist in NRC activities .
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Adverse Action Includes:

- Discharge (i.e., firing, layoff), or
 - Causing an adverse change in the employee's compensation, terms, conditions or privileges of employment.
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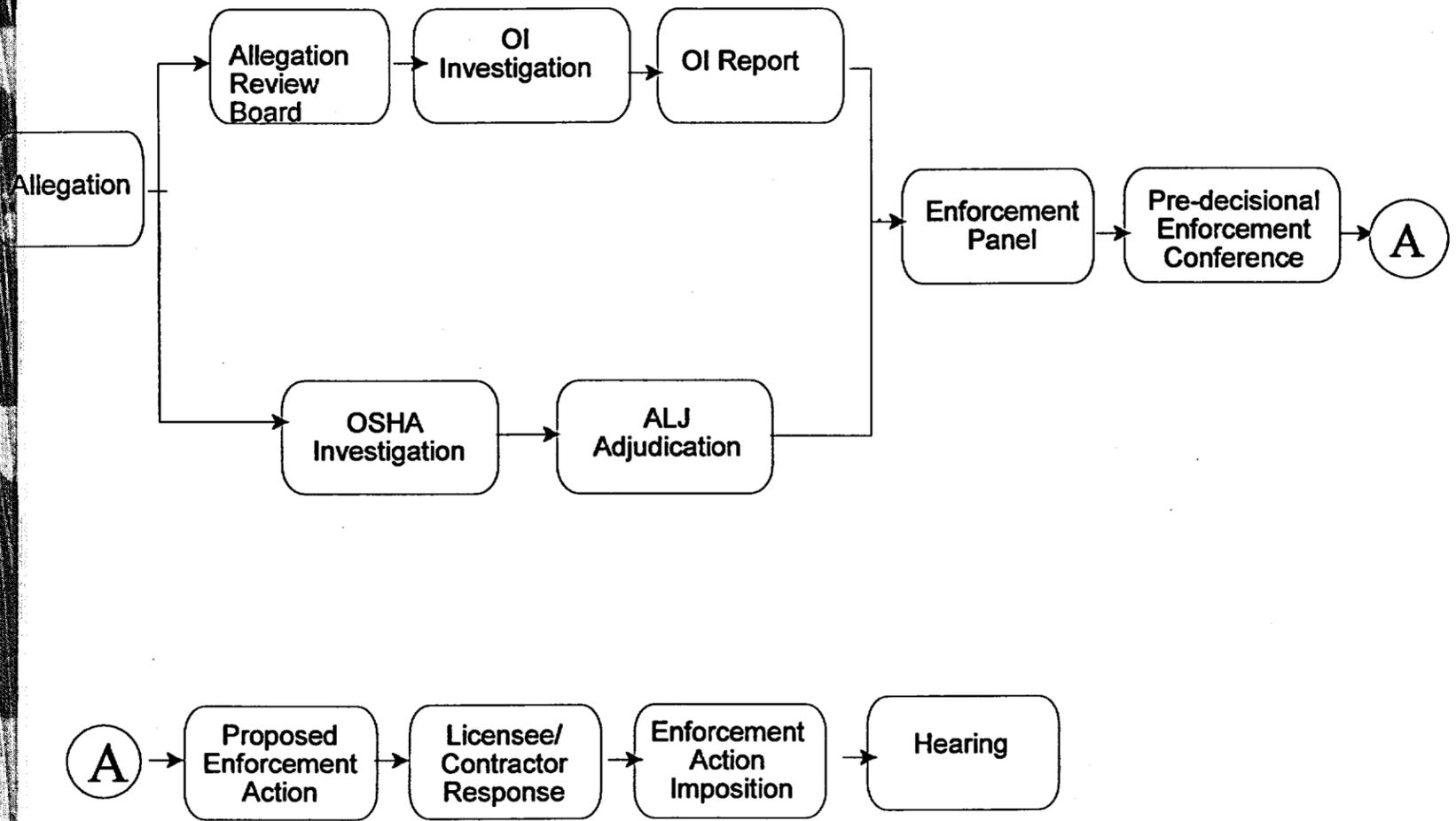
NRC Responsibilities regarding Discrimination

- To promote an environment where employees feel free to engage in protected activities.
 - NRC enforcement action is directed at the licensee, contractor and individuals.
 - Notice of Violation
 - Civil Penalty
 - Order
 - Ban from licensed activities
-

NRC's Role in the Processing of Discrimination Complaints

- The NRC does not have the authority to provide personnel remedies such as restoring a job or ordering back pay.
 - U.S. Department of Labor (DOL) has responsibility for providing personal remedies to discriminatory acts such as restoration of back pay, employment status and benefits and compensatory damages to the employee.
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Simplified Discrimination Case Complaint



ISSUES FOR CONSIDERATION

- Stakeholder Participation in Process
- Access to Information
- Appropriateness of Sanctions
- Adequacy of Regulations
- Issues raised in Petition for Rulemaking regarding training of supervisors implementing the employee protection regulations.
- Coordination with DOL
- Timeliness
- Process Issues (Hearings, Conferences)

**Presentation to NRC
Discrimination Task Group**

Raymond E. Landrum
Commonwealth Edison Company
October 5, 2000

Introduction

- NRC's Review of Section 50.7 Process is Timely and Positive
- Presentation Will Address Three Areas
 - Impact on Accused Manager
 - Process
 - Lessons Learned

Background

- Shift Operations Supervisor, Zion Station (1997)
- Subject of Individual Enforcement Action
 - OI Investigation (1998)
 - Predecisional Enforcement Conference (July 1999)
 - Notice of Violation (Nov. 1999)
 - Violation of 10 C.F.R. 50.5 (“Deliberate Misconduct”)
 - Following Response, Individual NOV Withdrawn (August 2000)

Impact

- Stigma of “Deliberate” Discrimination Can Be Career Ending
- Personal Impact
 - 27 Years of Service in Nuclear Industry
 - Record of Supporting Safety Culture
 - Livelihood Threatened Based on One Incident
- Impact on Ability to Manage Nuclear Workforce and Enhance Performance

Process

- Improve Fairness and Balance of Process
 - Provide Fair Notice of Allegations
 - Release OI Report or More Detailed Summary
 - Require More Detailed Basis for Decisions
 - Recognize Valid Reasons for Management Actions, Consistent with 10 C.F.R. 50.7(d)
 - Unfair Burden on Manager to Prove Innocence
 - Inference of Discrimination Should Not Be Based on Temporal Proximity Alone

Lessons Learned

- Managers Must Be Careful in Communicating Basis for Personnel Decisions
- NRC Should Maintain Balance and Fairness for Managers
- Process Should Not Inhibit Managers' Ability to Communicate and Manage
- NRC Should Require Objective Evidence Before Finding "Deliberate Misconduct"

*Presentation to
NRC Discrimination Task Group*

**Implementation of
Employee Protection
Regulations**

*Ellen C. Ginsberg
Deputy General Counsel
Nuclear Energy Institute
October 5, 2000*



Background

- ▶ **Industry performance continues to improve, including focus on maintaining a safety-conscious work environment**
- ▶ **Current implementation of 50.7 has potential to adversely impact licensee's ability to ensure safe and efficient plant operation**
- ▶ **Task Group review of NRC implementation of 50.7 provides excellent opportunity for stakeholder input**

Industry Focus on Safety-Conscious Work Environment

- ▶ **Current industry practices include:**
 - ▶ **Prohibiting any action to discourage employees from identifying and communicating safety concerns**
 - ▶ **Training on the importance of**
 - ▶ **workers raising safety concerns**
 - ▶ **managers appropriately responding to concerns**
 - ▶ **Maintaining multiple avenues for workers to identify and communicate concerns**
 - ▶ **Addressing concerns in a timely and responsible manner in order to maintain employee confidence and trust**

Industry Reform Objectives

- ▶ **Improvements in NRC implementation of employee protection regulations should:**
 - ▶ **Ensure consistency with the Principles of Good Regulation**
 - ▶ **Ensure safety by recognizing the need for managers to take appropriate personnel action to maintain highly competent work force**
 - ▶ **Ensure procedural and substantive fairness for all participants**
 - ▶ **Promote appropriate allocation of NRC and licensee resources**

Implementation of Employee Protection Regulations Changes

- ▶ **Reorient NRC inquiry to focus on:**
 - ▶ **underlying safety issue**
 - ▶ **potential chilling effect**

- ▶ **Discontinue practice of automatically referring allegation to Office of Investigation**

- ▶ **Defer to Department of Labor on individual discrimination claim**

50.7 Enforcement Process

▶ **NRC enforcement process for alleged 50.7 violations should be:**

- ▶ **Open**
- ▶ **Transparent / Understandable**
- ▶ **Fair**
- ▶ **Timely**

50.7 Enforcement Process (cont'd)

- ▶ **In evaluating whether a deliberate violation occurred, NRC should adhere to regulatory requirements of 50.7**
 - ▶ **Staff should articulate more appropriate standard of causation**
 - ▶ **Evidentiary standard should be modified from “preponderance of evidence for a reasonable inference” to “preponderance of evidence” regarding retaliatory motive**

- ▶ **Enforcement Policy should be revised to allow consideration of additional factors in severity level determination**

Conclusions

- ▶ **NRC implementation of 50.7 should be realigned to focus on agency's safety mission**
 - ▶ **Focus on ensuring licensees take appropriate corrective action in response to any potential "chilling effect"**
- ▶ **DOL evaluation of discrimination claim provides opportunity for individual to obtain personal remedy, avoids duplicative regulatory proceedings and inconsistent decisions**
- ▶ **Realignment will avoid unintended adverse consequences**

Good evening, first of all I would like to thank the Nuclear Regulatory Commission for this opportunity to express my views on this very important issue.

With the de-regulation of electricity in America, to remain competitive, Nuclear Plants will have to assume more regulatory risk. With increased regulatory risk being assumed by nuclear plants, regulatory oversight should increase not decrease.

In this competitive arena, NEI and the Nuclear industry would like the Nuclear Regulatory Commission, as they term it, make it easier for the companies to do business, don't tie our hands. If the NRC gives in to this political pressure they are not doing their job and they will be turning their backs on the American public who they are chartered to protect.

The Nuclear Regulatory Commission is presently ineffective in the way they deal with the Nuclear Industry. For the NRC to fine a Nuclear Utility, fifty or one hundred thousand dollars, for an act of wrongdoing is laughable. For a multi-million dollar entity to engage in wrongdoing, knowing that the fine will be miniscule, becomes strictly a business decision.

Presently if a Manager at a Nuclear Utility is found to have violated the Code of Federal Regulations. The utility pleads that the individual was acting in the best interest of the company. I wonder if they would feel the same about that Manager if the fine for the violation was one, two or five million dollars?

People who manage Nuclear Power Plants have to know and understand all kinds of rules and laws, laws of physics, laws dealing with Nuclear re-activity, Ohm's law for the generation and distribution of electricity. The only law they don't have to know is the Federal Law. In the eyes of the NRC ignorance of the law is an excuse. All the utilities have to say to the NRC is that they didn't know or understand the law. The next time your stopped for a traffic violation tell the police officer you didn't know you had to stop at stop signs.

That brings us to whistleblowers, the pariahs of the Nuclear Industry. They are considered to be malcontents, snitches, they're certainly not considered team players. Their co-workers hesitate to associate with them for fear management will view them in the same light as the whistleblower or worse think they might be conspiring with the whistleblower. The Nuclear Regulatory Commission should not lose sight of the fact that these workers who blow the whistle on nuclear power plants are part of the public and need to be protected accordingly.

I doubt that there are many whistleblowers out there that didn't try to resolve their issue with the organization that they worked for. That they went to an outside agency only after their own organization failed them.

The NRC claims they have to rely on the management and the workers in nuclear plants to make them aware of problems. The bottom line is that if a worker at a nuclear plant makes an allegation to the NRC or the DOL in most cases that person just wrote himself or herself a ticket out of the nuclear industry, because there is no one there to protect them.

It would be an interesting statistic to see how many people who 'blew the whistle' still work in the nuclear industry. My guess is that the number is pretty low, and why is that? It's because of the lack of protection. As for the people who remain in the industry? Well they're either given better jobs so that the utility looks like they did the right thing or they are still in the workplace and their life is being made miserable.

Another interesting statistic to look at would be how many managers who engaged in wrongdoing for which the utility was cited and maybe fined are still employees of the company. I think you'll find that the industry protects individuals who engage in wrongdoing on the part of the company and the NRC sanctions this protection by not taking the proper action against the company or these individuals.

Plant workers see this type of action taken by the company and the NRC and develop the 'I aint rockin the boat' attitude. For the most part worker's at nuclear plants don't trust their management and in fact don't trust the NRC.

Typically when an allegation is made to the NRC the first thing that gets investigated is the allegor. If the determination is made that the whistleblower's allegation may be substantiated then and only then will the commission do an investigation. The attitude of the commission is that the allegor is guilty until proven innocent and the utility is innocent until proven guilty

Presently, If a whistleblower goes to the Dept. of Labor during the months that it takes for the NRC to make up their mind as to whether they're going to do an investigation, or if the NRC has started an investigation. The NRC will stop and let the DOL do their investigation. This leaves the whistleblower out in the cold.

The NRC and the DOL have differing responsibilities and should conduct parallel investigations. The investigations need to be performed in a timely manner, and come to a timely resolution this should be done in weeks or months not years.

The DOL investigation should look at what needs to be done to make the person whole again. And the NRC investigation should try to determine if there was wrongdoing on the part of the licensee. The present system does not serve the Public Interest. It should not take years to bring issues to closure. The only entity this helps is the licensee.

All Nuclear Plants profess to wanting an open and honest environment for workers to bring up problems. The reality is that it's a 'shoot the messenger environment'. The workers know this and are reluctant to bring forth problems. Look what happened to Joe when he brought up problems. Where is he now?

Most, or all Nuclear Power Plants in this country have Ombudsman programs. The Ombudsman is the person who's job it is to help the worker resolve problems internally. Unfortunately that person, the Ombudsman is appointed by the Plant or Corporate Management and he reports his findings to that same Management. If plants truly want these programs to be effective they should let the workers choose the Ombudsman and then train that individual to do the job. My belief is that workers at Nuclear Plants have no faith in the Ombudsman programs. If the Ombudsman programs were effective and the workers trusted the program, there would be fewer allegations to outside agencies.

When a nuclear plant goes through a re-activity excursion or violates a technical specification. The NRC is quick to investigate and quick to rule on a violation. Whether or not it is a cited or non-cited violation. But when it comes to whistleblower issues. The NRC takes months to react and years to rule on a violation. And interestingly enough there is no consistency amongst the different NRC regions. This is mind boggling considering that all Nuclear plants operate under similar license agreements with the NRC.

I'll use this analogy; probably everyone in this room is licensed to drive a car. You have a licensing agreement with the State where you obtained your driver's license. You have to know the rules before you get your license. Now what happens when you break the rules and get caught? Does it take years to resolve?

I guess I don't understand that if an organization is operating under a license agreement why it is so difficult for the NRC to say "You did wrong"? Levy a substantial fine and move on.

The NRC needs to make the playing field even for everyone. Presently if a Nuclear Plant is invited in for a conference or hearing they are allowed to bring an entourage of people. The whistleblower or allegor is allowed to bring one person and the NRC has a concern about whom that person will be. Yet the utility can bring a gaggle of lawyers, plant managers, vice-presidents, regulatory affairs, department heads and plant spokespersons and I guess if they wanted to they could bring their dog Spot.

The NRC has to be an advocate for the worker and not the utility. Allegors are at a tremendous disadvantage when they go up against a nuclear utility. In most cases these people can't find an attorney that's heard of the Code of Federal Regulations never mind being well versed in them. The utilities on the other hand have whole departments whose sole purpose in life is to interpret the Regulations so that they can put up arguments against the NRC when a problem arises. They have herds of attorneys well versed in the Code of Federal Regulations standing in the wings waiting for a call.

The NRC has to do away with the mindset that they have a common destiny with the nuclear utilities. They need to end the incestuous relationship they have with the utilities and do the job that they were founded to do. That is protect the American Public, not further the interests of the American Nuclear Industry.
Thank You.

NRC Discrimination Task Group

October 5, 2000

Lisle, Illinois

Presentation By

Commonwealth Edison Company

Nuclear Generation Group

Introduction

- ComEd-NGG focus on this issue
 - NEI Protected Activities Task Force
 - NRC Discrimination Task Group
 - ANS Utility-NRC Interface Workshop
- Offer some observations on NRC process
- Recommendations for some near-term enhancements -- not exclusive of any other reforms

Process Observations

- Investigation of discrimination allegations
 - Importance of management involvement
 - Creating a complete and accurate record
 - Communicating to achieve clarity

Process Observations (cont'd)

- PDEC and subsequent NRC assessment
 - Understanding the allegation(s)
 - Underlying legal and technical issues
 - Evidentiary issues - direct and indirect evidence, use of inference as a substitute for direct objective evidence

Suggestions for Improvement Investigation Phase

- Provide the allegation in writing to the licensee
- Give the licensee an opportunity to investigate and provide written statement of position
- Agree on the open issues and schedule
- Give opportunity for reconciliation

Suggestions for Improvement PDEC Phase

- specify the alleged violation to be discussed at PDEC
- open exchange of information and views
- consensus on technical and legal issues
 - review of preliminary investigative findings
 - analysis of exceptions - licensee vs. NRC reviews
- agree on potential for use of inferences to satisfy elements of discrimination

Goals

- improve on transparency
- maximize common understanding of facts
- promote informed decisionmaking by NRC
- promote better understanding of reasons for adverse NRC determinations
- enhance public confidence
- “bridge” to further reforms

Discrimination Task Force 10/5/00

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ENFORCEMENT PANEL WORKSHEET REGION III

EA: 99- 012
Revision:

Licensee: First Energy Corporation (formerly Centerior Energy Corporation)
Facility: Perry Nuclear Power Plant
If materials licensee, qualify as a small business (10CFR2.810)? N/A
Docket No(s) 50-440
License No(s) NPF-58
Inspection Report No(s). N/A
Date of Inspection: N/A
Date of Exit Meeting: N/A

OI Report No. 3-1998-007
Date of OI Report: December 10, 1998

Date of Enforcement Panel: January 14, 1999 @ 9:30 a.m.
Date of Predecisional Enforcement Conference: TBD

SES Sponsor: [REDACTED]

1. Brief Summary of Inspection Findings:

On December 10, 1998, the Region III Office of Investigations (OI) completed its investigation of an employment discrimination allegation and documented this investigation as OI Report No. 3-1998-007. The OI staff concluded that the licensee had discriminated against an individual [REDACTED] as a result of his protected activities concerning the Perry Nuclear Power Plant. Specifically, [REDACTED] was engaged in protected activities, i.e., a Department of Labor (DOL) hearing concerning an employment discrimination matter covered under the Energy Reorganization Act of 1974. The radiation protection manager (RPM), who admitted that he was aware of [REDACTED] involvement in the deposition, counseled [REDACTED] regarding his involvement in the testimony on the day before he was scheduled to provide a deposition and entered a letter into [REDACTED] personnel file, which documented the counseling session.

the couns [REDACTED]
adverse e [REDACTED] Although the intent of this action could not be clearly established, the OI staff concluded that the RPM's actions amounted to an adverse employment action taken as a result of [REDACTED] protected activities. Therefore, the licensee was in violation of 10 CFR 50.7.

2. (a) Analysis of Root Causes:

Not Known.

(b) Safety Significance:

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This violation is of high safety significance. The RPM is a licensee official (mid-level manager) and has a wide range of plant responsibilities and broad scope of influence. Acting in this capacity, the RPM discriminated against an employee as a result of the employee's protected activities and, subsequently, may have created a chilled environment. Also, the licensee's corporate attorney recommended that the RPM discuss the CI's pending participation in the DOL deposition and in effect sanctioned the counseling session. Consequently, the RPM did not act autonomously.

(c) Risk Significance:

Not Applicable.

(d) Regulatory Significance:

Employment discrimination is of high regulatory significance. The NRC relies on its licensee's to maintain an environment which encourages the identification and reporting of safety concerns. In this case, a licensed official took an action as a result of an individual's engagement in protected activities.

(e) Is generic communication (IN, GL, etc.) needed for this issue?

No.

3. Basis for Severity Level (Safety Significance) of the violations by reference to the applicable section of NUREG 1600:

4



Supplement VII -- Miscellaneous Matters: B.4. "Severity Level II -- Violations involving an action by plant management or mid-level management in violation of 10 CFR 50.7 or similar regulations against an employee."

The licensed official who took the discriminatory action had significant responsibilities relative to licensed activities. The individual's actions relative to his sphere of influence may have a potential chilling effect on the licensee's organization.

4. Identify Previous Escalated Action Within 2 Years or 2 Inspections?

5



EAs 96-482, 96-542, 97-047, and 97-430 (Notice of Violation and Civil Penalty) -- the violations concerned inadequate corrective actions, technical specification adherence, and the failure to identify an Unreviewed Safety Question.

5. Identification Credit? No Yes
(Mark applicable items)

Licensee-identified (date?)

NRC-identified (Office of Investigation Report)

Missed opportunities

Revealed through event

Mixed identification

6



7



Explain who and how the item was identified and list any missed opportunities

6. Corrective Action Credit? No Yes TBD

Brief summary of known and proposed corrective actions at the time of inspection. Did the corrective action address root causes?

8

- The licensee removed the counseling letter from the CI's file in early 1998.

Since the licensee did not identify the violation and the licensee maybe unaware of the violation, the long term corrective actions are not known.

7. Candidate For Discretion? No Yes TBD

Currently no factors warrant exercising discretion to mitigate or escalate the sanction. However the enforcement conference will determine if discretion is warranted

8. Is A Predecisional Enforcement Conference Necessary? Yes No

If yes, should OE or OGC attend? No Yes
 Should conference be closed? No Yes

9. Non-Routine Issues/Additional Information:

(A) Besides this allegation, [REDACTED] filed the same complaint with the DOL. [REDACTED] withdrew the DOL complaint and stopped the DOL investigation when the counseling letter was withdrawn from his personnel file. It appears that the counseling letter was withdrawn based on [REDACTED] actions to remove the counseling letter and not based upon the threat of a DOL investigation.

(B) The OI investigation states that the counseling letter was placed in [REDACTED] personnel file. Apparently there are two personnel files. One personnel file is maintained in the department where the individual is working and a second personnel file is maintained in the corporate office. The department's personnel file is only accessible by managers within the department and not assessable to managers outside the department. The counseling letter was placed in [REDACTED] department personnel file and not in [REDACTED] company personnel file.

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(C) Besides the allegation filed by [REDACTED] a plaintiff – who has an active employment discrimination lawsuit against First Energy Corporation – filed a similar allegation. That allegation alleged that First Energy Corporation was harassing individuals (such as [REDACTED] whom the plaintiff called to testify in the employment discrimination lawsuit against First Energy Corporation.

10. This Action is Consistent With the Following Action (or Enforcement Guidance) Previously Issued:

Basis for Inconsistency With Previously Issued Actions (Guidance)

11. Regulatory Message:

The NRC places a high value on nuclear industry employees being free to raise potential safety concerns, regardless of the merits of the concerns, to both licensee management and the NRC. Consequently, employment discrimination as a result of an individual's protected activity is of great concern to the NRC, including the potential for these actions to result in a chilling effect on individuals that may contemplate reporting safety concerns.

12. Recommended Enforcement Action:

Licensee: Conduct an enforcement conference. During the enforcement conference, the licensee should discuss the following:

- (A) the licensee's position on the potential violation and the purpose and intent of the counseling session and counseling letter
- (B) the RPM's position in the licensee's organization, including his/her sphere of influence in licensed activities;
- (C) whether the licensee conducted an independent investigation of the issue and the results of such an investigation;
- (D) the corrective steps taken and the results achieved;
- (E) the corrective steps that will be taken to avoid further violations;
- (F) the date when full compliance will be achieved;
- (G) the description of the actions, if any, taken or planned to assure that this action does not have a chilling effect in discouraging other licensee or contract employees from raising perceived safety concerns.

10



The results of the conference will determine if the issue warrants a Severity Level II violation with a base civil penalty (\$88,000).

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Individuals: Enforcement action against the individuals is still under evaluation. Based on the OI report, it is unclear whether the RPM's actions were deliberate. In addition, the RPM appeared to take action as recommended by the corporate attorney. Therefore, the staff concluded that the discrimination resulted from more than one person's actions.

- 13. This Case Meets the Criteria for a Delegated Case. No Yes
(Materials cases only)
- 14. Should This Action Be Sent to OE For Full Review? Yes
- 15. Regional Counsel Review
No Legal Objection Dated:

16. Attach a copy of the NOVs

10 CFR 50.7(a), in part, prohibits discrimination by a Commission licensee against an employee for engaging in certain protected activities. Discrimination includes discharge and other actions that relate to the compensation, conditions, terms, or privileges of employment. Protected activities are described in Section 211 of the Energy Reorganization Act of 1974, as amended, and in general are related to the administration or enforcement of a requirement imposed under the Atomic Energy Act or Energy Reorganization Act, and include, but are not limited to, an employee testifying in any Commission proceeding, or before Congress, or at any Federal or State proceeding regarding any provision (or proposed provision) of either the Atomic Energy Act or the Energy Reorganization Act of 1974.

Contrary to the above, First Energy Company (formerly Centerior Energy Corporation) discriminated against [REDACTED] on July 16, 1997, when its Radiation Protection Manager took adverse employment actions against [REDACTED] (i.e., verbally counseled the individual and placed a letter in his personnel file) as a result of his participation in a Department of Labor hearing concerning an employment discrimination matter covered by the Energy Reorganization Act of 1974.

17. Provide the supporting information such as copies of the applicable TS, applicable FSAR sections, portion of applicable procedures, etc.

OI report 3-1998-007 was previously distributed.

<END>

DISCRIMINATION TASK GROUP MEETING ATTENDANCE

DATE 10/5/2000

*	NAME	AFFILIATION	PHONE	EMAIL
	MIKE HORVATH	AEP/COOK PLT	616-466-3300	
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Please indicate by "*" whether you intend to give a presentation.