From: Michael Stein
To: <nrcrep@nrc.gov>
Date: Wed, Feb 7, 2001 4:34 PM
Subject: Discrimination Task Group

Below is the result of your feedback form. It was submitted by
Michael Stein (michael.stein@ferc.fed.us) on Wednesday, February 7, 2001 at 16:34:06

Affiliation: Former NRC Discrimination Enforcement Specialist

Comments: As I stated in my Differing Professional View, Differing Professional Opinion, 2.206 Petition, and Petition for Rulemaking, the Discrimination Enforcement Program at the NRC has lost its credibility because:

1) the NRC threshold for taking enforcement action for discrimination has been lowered by OGC to almost zero.

2) the NRC pays little heed to licensee's positions and arguments with regard to legitimate business reasons for taking adverse actions against their employees.

3) Ever since the Millstone discrimination enforcement actions, OGC has coopted enforcement decisions at the NRC previously left to the staff.

My Petition for Rulemaking to open hearings to any NOV recipient receiving an enforcement action for discrimination or for wrongdoing under the misconduct rule remains unanswered after almost a year and a half.

To fix this problem- adopt my rulemaking proposal, return to the but for standard for discriminiation cases, and most importantly, stop OGC from fishing for discrimination cases.

Thank you for this opportunity to comment on a program I worked on for almost 5 years. Feel free to post my comments on your website and you can use my name.

Mike Stein

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