

January 17, 2003

Mr. Joe F. Colvin
President and Chief Executive Officer
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, D.C. 20006-3708

Dear Mr. Colvin:

The U.S. Nuclear Regulatory Commission (NRC) has reviewed your letter of November 22, 2002, to Chairman Richard A. Meserve. In that letter, you presented the results of an internal Nuclear Energy Institute (NEI) review of statements made by an NEI representative at an Employee Concerns Program (ECP) Forum in September 2002, which concerned an individual who had expressed his views on subjects related to those discussed at the forum. These remarks led to our receipt of an October 15, 2002, letter from the individual to Chairman Meserve, in which he claimed that he was, "personally and professionally defamed" during the NEI presentation at the ECP forum on worker fatigue in the nuclear industry. This meeting was also attended by several NRC employees who also brought the issue to the attention of NRC management.

The NRC is concerned about the remarks made by the NEI representative. In light of NEI's leadership role in the nuclear industry, the NRC expects that NEI personnel would be sensitive to the potential impact of disparaging remarks about protected activity. The nuclear industry relies heavily on licensee employees and contractor personnel to maintain and operate nuclear power plants in a safe manner. Safety rests, in part, on the ability of employees and contractor personnel to raise safety concerns to the licensee and the NRC without fear of reprisal. It was disappointing to learn that an NEI representative made his remarks about a licensee employee who has used processes protected by law to raise such concerns.

Your November 22, 2002, letter to Chairman Meserve indicates that NEI has taken steps to resolve the NRC concerns. We note that you have counseled the employee involved, implemented training for all NEI personnel, and plan to revise your internal policies to strengthen their focus on the principles of a safety conscious work environment. The NRC believes that these actions are appropriate in light of the importance of this matter.

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Mr. J. Colvin

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The NRC appreciates you informing us of your actions. We believe that all individuals who raise safety concerns must feel free to do so without fear of reprisal and also be treated with respect. In light of your indicated actions, the NRC does not plan to take further action with regard to this matter.

Sincerely,

/RA/

William D. Travers
Executive Director
for Operations

Mr. J. Colvin

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