



NEPC

**NATIONAL ENVIRONMENTAL PROTECTION CENTER**

To: Virgilio, NMSS  
Ref. G20020576  
Cys: EDO  
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Skay, NRR  
Goldberg,  
OGC bGC

November 13, 2002

William D. Travers  
Executive Director for Operations  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555-0001

RE: **PUBLIC PETITION TO NRC UNDER 10 C.F.R. 2.206**  
**GENERAL ELECTRIC COMPANY**  
**ADECCO, INC.**

Dear Executive Director Travers:

On October 1<sup>st</sup>, 2002, the National Environmental Protection Center ("NEPC") by and through its undersigned Executive Director submitted a public petition to the U.S. Nuclear Regulatory Commission ("NRC") under 10 C.F.R. 2.206 requesting that certain and specific actions by the NRC be taken regarding the GE Medical Systems and Adecco Technical insofar as those two companies have employee's engaged in activities licensed by the NRC at one or more nuclear power generation stations licensed by the NRC. Subsequent to NEPC's filing of its October 1<sup>st</sup>, 2002 petition, the NRC Petition Review Board ("PRB") convened a telephonic conference call with attorneys representing the above-named companies. On or about November 7<sup>th</sup>, 2002, Mr. Paul Goldberg of the NRC offered NEPC an opportunity to address the PRB via a telephonic conference call. On November 7<sup>th</sup>, 2002, NEPC accepted the NRC's offer to discuss the material aspects of NEPC's petition. Mr. Goldberg has confirmed that NEPC will be provided an opportunity to participate in a PRB telephonic conference call to be scheduled in the near future

At this time, NEPC submits its supplemental 10 C.F.R. 2.206 petition which further supplements and supports NEPC's October 1<sup>st</sup>, 2002 petition as described below:

**REQUESTS FOR NRC ACTION UNDER 10 C.F.R. 2.206**

**REQUEST #1**

NEPC requests that NRC require Adecco, Inc. ("ADECCO") inclusive of all ADECCO affiliates and subdivisions including Adecco Technical to affirm under oath to the NRC that it maintains policies and procedures strictly prohibiting discrimination against employees who raise safety and health concerns regarding operations at any facility licensed for operations by the NRC, and that the company's policy and procedure is written in compliance with 10 C.F.R. 50.7 requirements.

**REQUEST #2**

NEPC requests that NRC require the GENERAL ELECTRIC COMPANY ("GEC") inclusive of all GEC affiliates and subdivisions including GE Medical Systems to affirm under oath to the NRC that it maintains policies and procedures strictly prohibiting discrimination against employees who raise safety and health

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concerns regarding operations at any facility licensed for operations by the NRC, and that the company's policy and procedure is written in compliance with 10 C.F.R. 50.7 requirements

**BASIS FOR REQUEST**

NRC regulations and requirements at 10 C.F.R. 50.7 and various other NRC regulations strictly prohibit any licensee of the NRC from retaliating or otherwise discriminating against any employee who engages in protected activity acting in furtherance of the Energy Reorganization Act of 1974 as amended 42 U.S.C. 5851 in identifying violations of NRC requirements in the operation of commercial nuclear facilities licensed by the NRC.

Petitioner believes that both NRC licensees GEC and ADECCO maintain an inherently discriminatory work environment at facilities located in Jupiter, Florida known as the GE Medical Systems facility. At that facility, GEC-the parent company, apparently condones the practice of allowing its employees and managers to send sexually oriented video materials through the company's computer network email server showing explicit sexual actions of individuals engaged in striking activities. See, enclosed floppy disk containing a video entitled "**BEER**" which depicts a young male following a young female throughout a residence on his hands and knees licking up a beer product carefully spilled by the female in an attempt to clean her house. The male has a huge tongue and he is shown licking the beer from a coffee table, and from the floor, and from the bathroom tub and other fixtures, and then he is lead down the hall licking the floor and ending at the entrance of the female's bedroom. There the female is shown in her panties and a bra preparing to drip more of the beer product on her body so that the male can lick the beer product from her body as well.

Notably, both GEC and ADECCO illegally retaliated against the undersigned when they discharged him from employment at the GE Medical Systems facility for sending his safety and health concerns to senior level managers at the GE facility over the GE network computer email servers. This illegal retaliatory action on the part of GEC and on the part of ADECCO is strong evidence of disparate treatment of employees who engage in protected activity as compared to employees who do not engage in protected activity but nonetheless use the company's equipment in a similar fashion.

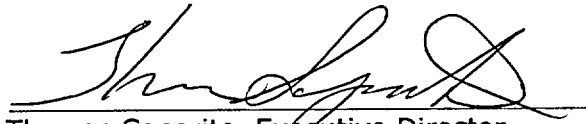
NEPC is very concerned that such conduct apparently condoned by senior level managers at the GEC facility where both ADECCO and GE personnel work, could very well be a strong indicator of the intent of the NRC licensee(s) to discriminate against whistleblowers at facilities operated by GEC and where services are provided by ADECCO and which facilities are licensed for operation by the NRC, such as nuclear power stations and/or certain medical facilities.

Moreover, NEPC submitted a written request to Jeff Immelt, CEO for the General Electric Company and to Julio Arieta, CEO for Adecco, Inc., requesting an investigation of the circumstances surrounding the discharge of a whistleblower at the GE Medical Systems facility on August 2<sup>nd</sup>, 2002. Neither Mr. Immelt nor Mr. Arieta provided any response to this request. Please include petitioner's supplemental request with its original petition dated October 1<sup>st</sup>, 2002. The questionable silence on the part of the top level manager at the General Electric Company and at Adecco, Inc. is of grave concern to the petitioner.

WHEREFOR, petition requests that the NRC advise it as to the date and the time of the anticipated PRB telephonic conference call so that NEPC can discuss these concerns with the NRC panel in greater detail. In addition, Mr. Goldberg promised to provide NEPC with a toll-free number for which to participate in the upcoming teleconference call with the NRC PRB. Please act to ensure that NEPC is provided with that number in a timely manner.

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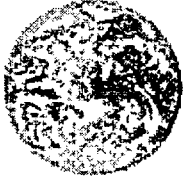
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C: Hon. George W. Bush  
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The White House  
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Washington, D.C. 20500

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Paul Goldberg, NRC  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20500

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**FACSIMILE COVER SHEET**

**Date:** November 13th, 2002

**To:** WILLIAM TRAVERS, EXECUTIVE DIRECTOR FOR OPERATIONS

**Company:** U.S. Nuclear Regulatory Commission

**FAX #:** 301-415-2700

**Phone #:**

**From:** Thomas Saporito

**Number of Pages Including Cover Sheet:** 4

**Message:** If you fail to receive the entire FAX, please contact Thomas Saporito at 623-386-6863 or send an email message to NEPC@THEPOSTMASTER.NET

Disk and original petition is also being sent by U.S. Mail.

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