

DKF-70-0036

MAY 17 1989

Identical letter sent to: See enclosed list

Gentlemen:

Enclosed for your information is a copy of a letter from Victor Stello, Jr., Executive Director for Operations, to a corporate officer in your company. Please note that a response to the letter is required by July 31, 1989.

Sincerely,

Original Signed By:

Leland C. Rouse, Chief
Fuel Cycle Safety Branch
Division of Industrial and
Medical Nuclear Safety, NMSS

Enclosure: Ltr from VStello, Jr.
dtd 04/27/89

Distribution: w/o encl:

Docket Files (see enclosed list)
NRC File Center
IMSB Staff
Regions I, II, III, IV, V
GFrance, RIII

NMSS R/F
IMSB R/F
LCRouse
URFO File
PGarcia, URFO

IMUF R/F
PDR
FBrown (5)
JRoth, RI
BBrock, RV

IMIF/IMAF R/F
LPDR
VLTharpe (14)
GTroup, RII

OFC:IMUF: <i>JSAB</i>	IMUF: <i>JS</i>	IMSB
NAME:GHBidinger:mh:	VLTharpe:	LCRouse:
DATE:5/17/89	5/17/89	5/ /89

OFFICIAL RECORD COPY

R-17

Identical letters sent to:

Advanced Nuclear Fuels Corp. 70-1257
ATTN: Mr. C. Malody, Jr.
2101 Horn Rapids Road
Richland, WA 99352-0130

Allied-Signal, Inc. 40-3392
ATTN: Mr. Jack E. Honey
P. O. Box 430
Metropolis, IL 62960

Babcock & Wilcox Company 70-27
ATTN: Mr. Larrrie Trent
P. O. Box 785
Lynchburg, VA 24505-0785

Babcock & Wilcox Company 70-135
ATTN: Mr. William L. Coleman
609 N. Warren Avenue
Apollo, PA 15613

Babcock & Wilcox Company 70-364
ATTN: Mr. David G. Culberson
609 N. Warren Avenue
Apollo, PA 15613

Babcock & Wilcox Company 70-824
ATTN: Mr. Charlie C. Boyd, Jr.
P. O. Box 11165
Lynchburg, VA 24506-1165

B & W Fuel Company 70-1201
ATTN: Mr. Ken Shy
P. O. Box 11646
Lynchburg, VA 24506-1646

Cintichem, Inc. 70-687
ATTN: Mr. William G. Ruzicka
Sterling Forest Research Center
P. O. Box 816
Tuxedo, NY 10987

Combustion Engineering, Inc. 70-36
ATTN: Mr. H. E. Eskridge
P. O. Box 107
Hematite, MO 63047

Combustion Engineering, Inc. 70-1100
ATTN: Mr. Charles Waterman
1000 Prospect Hill Road
Windsor, CT 06095-0500

General Atomics 70-734
ATTN: Mr. Keith Asmussen
P. O. Box 85608
San Diego, CA 92138

General Electric 70-754
ATTN: Mr. G. E. Cunningham
P. O. Box 460
Pleasanton, CA 94566

General Electric Company 70-1113
ATTN: Mr. T. Preston Winslow
P. O. Box 780
Wilmington, NC 28402

Nuclear Fuel Services, Inc. 70-143
ATTN: Mr. Bruce Knight
205 Banner Hill Road
Erwin, TN 37650-9718

Sequoyah Fuels Corporation 40-8027
ATTN: Mr. Scott Knight
I-40 & Highway 10
Gore, OK 74435

UNC, Inc. 70-371
ATTN: Mr. Robert Gregg
67 Sandy Desert Road
Uncasville, CT 06382-0981

Westinghouse Electric Corporation 70-1151
ATTN: Mr. E. Reitler
Nuclear Fuel Division
Drawer R
Columbia, SC 29250



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

April 27, 1989

Docket No. IDENTICAL LETTER SENT TO ATTACHED
LIST AND DOCKET NOS.

ADDRESSEE list attached

Dear

SUBJECT: NOTIFICATION OF THE NRC OF EMPLOYEES' POTENTIAL SAFETY ISSUES

The purpose of this letter is to reemphasize to licensees their responsibilities to assure that they, and their contractors and subcontractors permit their employees to contact, without restrictions, the NRC with concerns about potential safety issues. In particular, this letter notifies licensees that it is not acceptable to include in settlement agreements for discrimination matters arising under Section 210 of the Energy Reorganization Act of 1974, as amended, or in any labor agreements or other agreement affecting compensation terms, conditions and privileges of employment, any restrictions on employees or former employees providing information to any members of the NRC including the staff, inspectors, investigators, Administrative Law Judges, Boards, or the Commission.

Information Notice 84-08 (February 14, 1984) reminded licensees that the public health and safety requires that employees be free to raise safety issues to licensee management and to the NRC. Failure to permit employees to do so violates 10 CFR 30.7, 10 CFR 40.7, 10 CFR 50.7, 10 CFR 70.7 and 10 CFR 72.10 regarding "Employee Protection" and may subject licensees to significant enforcement action by the NRC.

In addition to NRC action, employees who have been discriminated against for raising safety issues have the right to file complaints with the Department of Labor pursuant to Section 210 of the Energy Reorganization Act of 1974, as amended, for the purpose of remedying the harm caused by the discrimination. Following the filing of a complaint, the Department of Labor performs an investigation. If either the employee or the employer is not satisfied with the outcome of the investigation a hearing can be held before an Administrative Law Judge with review by the Secretary of Labor.

In many cases the employee and the employer reach settlement of the issues raised in the DOL proceeding before completion of the formal process and a finding by the Secretary of Labor. NRC supports settlements as they provide remedies to employees without the need for litigation. Settlement agreements in Section 210 proceedings are matters within the jurisdiction of the Department of Labor. Licensees and their contractors must not include clauses in these settlements which in any way restrict the ability of employees to provide

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information about potential safety issues to NRC. Examples of restrictive clauses include but are not limited to prohibiting or in any way limiting an employee, or an attorney for such employee, from coming to and providing safety information to an NRC staff member.


Licenses should examine their current and previous agreements to assure that restrictive clauses are not present. If restrictive clauses are found, licenses should promptly inform the employee or former employee that the restriction should be disregarded, that he or she may freely come to NRC at any time without fear of any form of retribution, and that such a restriction will not be enforced.

Please notify us no later than July 31, 1989 if any such restrictive clauses have been identified. Your response should be provided to your licensing contact in headquarters.

This request for information was approved by the Office of Management and Budget under clearance number 3150-0011 which expires December 31, 1989. Comments on burden and duplication may be directed to the Office of Management and Budget, Reports Management Room 3208, New Executive Office Building, Washington, D.C. 20503.

Questions concerning this letter should be directed to the Director of the Office of Enforcement.

Sincerely,


Victor Stello, Jr.
Executive Director
for Operations

Identical Letters Sent to Those Listed Below:

Docket Nos. 70-1100, 70-36
Mr. Charles E. Hugel
Chairman and Chief Executive Officer
Combustion Engineering, Inc.
900 Long Ridge Road
Stanford, Connecticut 06904

Docket No. 70-734
Mr. J. Neal Blue
President and Chief Executive Officer
General Atomics
P. O. Box 85608
San Diego, California 92138

Docket No. 70-1257
Mr. R. B. Stephenson
President and Chief Executive Officer
Advanced Nuclear Fuels Corporation
600 108th Avenue, N.E.
Bellevue, Washington 98009

Docket No. 40-3392
Mr. Edward Hennessey, Jr.
Chairman of the Board and
Chief Executive Officer
Allied-Signal, Inc.
Columbia Road and Park Avenue
Morristownship, New Jersey 07960

Docket Nos. 70-27, 70-824, 70-1201, 70-135, 70-364
Mr. John P. Eckert
Vice President and Group Executive
Defense and Nuclear Power Group
Babcock & Wilcox Company
P. O. Box 11165
Lynchburg, Virginia 24506-1165

Docket No. 30-199936
Mr. E. S. Woolard, Jr.
Chairman of the Board
and Chief Executive Officer
E. I. DePont De Nemours and Company, Inc.
10007 North Market Street
Wilmington, Delaware 19898

Docket No. 30-05222
Dr. Louis DiFazio, President
Technical Operations
E. R. Squibb and Sons, Inc.
One Squibb Drive
P. O. Box 1919
New Brunswick, New Jersey 08903-0191

Docket No. 30-08047
Mr. Stephen Thompson
President
Amersham Corporation
2636 South Clearbrook Drive
Arlington Heights, Illinois 60005

Docket No. 30-05095
Mr. Raymond F. Bentele
President and Chief Executive Officer
Mallinckrodt, Inc.
675 McDonnell Boulevard
St. Louis, Missouri 63134

Docket No. 30-04950
Mr. Allen F. Jacobson
Chief Executive Officer
Bldg. 220, 14th Floor West -04
Minnesota Mining and Manufacturing Company
3M Center Building 220-2E-02
St. Paul, Minnesota 55144

Docket No. 40-08837
Mr. Donald F. Landers
President
Teledyne Engineering Services
130 Second Avenue
Waltham, Massachusetts 02254-9195

Docket No. 30-08681
Mr. Donald F. Schutz
President
Teledyne Isotopes, Inc.
50 Van Buren Avenue
Westwood, New Jersey 07675

Docket Nos. 70-1113 and 70-754
Mr. Jack Welch
Chairman of the Board
General Electric Company
3135 Easton Turnpike
Fairfield, Connecticut 06431

Docket No. 70-687
Mr. David Gallagher
President
Cintichem Inc.
P. O. Box 289
140 East Ridgewood Avenue
Paramus, New Jersey 07653-289

Docket No. 70-1151
Mr. John C. Marsos
Chairman and Chief Executive Officer
Westinghouse Electric Corporation
Westinghouse Building
11 Stanwyz Street
Pittsburgh, Pennsylvania 15222

Docket No. 70-731-371
Mr. Dan A. Colussy
President and Chief Executive Officer
UNC, Inc.
175 Admiral Cochran Drive
Annapolis, Maryland 21401-7394

Docket No. 70-143
Mr. Charles Johnson
President
Nuclear Fuel Services, Inc.
205 Banner Hill Road
Erwin TN 37650-9718

Docket No. 40-8027
Mr. Reau Graves
President
Sequoyah Fuels Corporation
P. O. Box 610
Gore, OK 74435