



Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

O. J. "Ike" Zeringue
Senior Vice President, Nuclear Operations

OCT 23 1995

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D.C. 20555-0001

Gentlemen:

In the Matter of the Application of)
Tennessee Valley Authority)

Docket Nos. 50-390
50-391

RECOMMENDED DECISION AND ORDER FROM THE U.S. DEPARTMENT OF
LABOR'S OFFICE OF ADMINISTRATIVE LAW JUDGES - CASE NO. 95-ERA-20

This letter and its enclosures respond to your letter dated October 13, 1995, regarding the Administrative Law Judge's (ALJ) Recommended Decision and Order (RDO) in the case of *Robert O. Klock v. TVA & United Energy Services Corporation*. As we informed you in our letter of October 12, 1995, TVA disagrees with the ALJ's RDO and we will be presenting our position before the Secretary of Labor. Because it is important to understand the bases for our disagreement, Enclosure 1 describes why we believe that the ALJ's RDO is in error.

TVA also believes that it took effective measures to assess whether the events surrounding Mr. Klock's complaint could discourage others from raising safety or quality issues. The results of these measures and our overall efforts to monitor the work environment at the Watts Bar Nuclear Plant (WBN) clearly show that no chilling effect exists at WBN. TVA has also considered whether the ALJ's recent RDO could have a chilling effect in discouraging TVA or contractor employees from raising concerns. Accordingly, we have taken action to assure that no such effect results. Enclosure 2 discusses our efforts in

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this regard and responds to the enumerated items presented in your letter of October 13, 1995. In addition, with regard to the manager who took employment action against Mr. Klock, Enclosure 3 addresses the results of our assessment of that manager's ability to continue carrying out his job responsibilities.

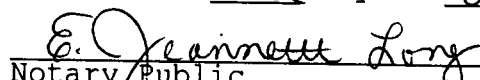
Enclosure 1 to this letter contains the identities of individuals associated with Mr. Klock's complaint and, given the pendency of the subject case, is of the type customarily held in confidence by TVA. As such, its public disclosure would constitute an unwarranted invasion of personal privacy under TVA Freedom of Information Act (FOIA) regulations at 18 CFR 1301.1(a)(6) and (a)(7). Accordingly, pursuant to the provisions of 10 CFR 2.790(a)(6) and (a)(7), TVA requests that the full text of Enclosure 1 not be placed in the NRC Public Document Room and otherwise not be disclosed to the public. In addition, in accordance with standard interagency FOIA practice, TVA asks that any requests the NRC might receive from the public for release of this material be referred to TVA for disposition.

Any questions may be directed to me at (423) 365-8758.

Sincerely,


J. Zeringue

Subscribed and sworn to before
me on this 23rd day of October 1995


Notary Public

My Commission Expires July 1, 1997

Enclosures
cc: See page 3