

TENNESSEE VALLEY AUTHORITY

CHATTANOOGA, TENNESSEE 37401

6N 38A Lookout Place

July 31, 1989

Mr. Dennis M. Crutchfield
Associate Director for Special Projects
Office of Nuclear Reactor Regulations
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Crutchfield:

NOTIFICATION OF THE NRC OF EMPLOYEES' POTENTIAL SAFETY ISSUES

This is in response to Victor Stello's letter of April 27, 1989, notifying 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. To that end, TVA was asked to examine its current and previous agreements to assure that such restrictive clauses were not present.

As a result, TVA carefully examined its Section 210 settlement agreements, as well as settlement agreements arising in a variety of other forums, to assure that restrictive clauses of the type described in Mr. Stello's letter are not present. Specifically, in addition to reviewing all 22 of its Section 210 settlement agreements, TVA examined over 150 Merit Systems Protection Board settlement agreements entered into since 1980, when TVA's records indicate that the first such settlement was reached. TVA reviewed over 450 settlements of Equal Employment Opportunity related complaints raised since 1966, the date of the first settlement contained in our records. Twenty-five settlement agreements of employee labor grievances resolved internally by TVA's nuclear labor relations staff since 1979 were reviewed. Records containing nuclear labor grievance settlement agreements prior to 1979 are no longer in existence. TVA also reviewed 17 nuclear employment related settlement agreements arising as a result of litigation before the courts. In none of the above-mentioned settlements did we find any language which we believe restricts any complainant from contacting the NRC.

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Mr. Dennis M. Crutchfield

July 31, 1989

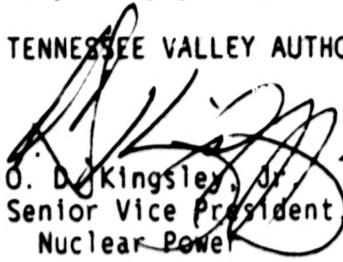
As part of its review, TVA also wrote to over 200 of its contractors, enclosing Mr. Stello's letter, asking those contractors to review any settlement agreements of the nature identified in that letter, which they or their major subcontractors entered into while performing work for TVA, and advise us whether any of these agreements contain restrictive clauses of the type described therein. To date, approximately one-quarter of these contractors have responded, none of which have identified any such language in their agreements. We will inform you if any of the remaining contractors identifies any such restrictive language. Some of the major contractors which TVA has contacted include Babcock & Wilcox, Bechtel, Black & Veatch Brown & Root, Brown Boveri, Burns and Roe, Chem Nuclear, Combustion Engineering, Ebasco Services, General Electric, Gibbs & Hill, Gilbert/Commonwealth, Impell, NUS, Sargent & Lundy, Stone & Webster, Teledyne, and Westinghouse.

TVA believes that the review described above has been thorough and fully responds to the concerns expressed in the NRC's letter of April 27. Based upon our completed examination and that of our contractors to date, we have found no restrictive clauses which we believe prevent an employee from contacting the NRC about potential safety issues.

Enclosed is a list of all the commitments contained in this submittal.

Very truly yours,

TENNESSEE VALLEY AUTHORITY


O. D. Kingsley, Jr.
Senior Vice President
Nuclear Power

Enclosure

cc (Enclosure):

Ms. S. C. Black, Assistant Director
for Projects
TVA Projects Division
U.S. Nuclear Regulatory Commission
One White Flint, North
11555 Rockville Pike
Rockville, Maryland 20852

Mr. B. A. Wilson, Assistant Director
for Inspection Programs
TVA Projects Division
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Atlanta, Georgia 30323

-ENCLOSURE

NOTIFICATION OF THE NRC OF EMPLOYEES' POTENTIAL SAFETY ISSUES

The following is a list of all commitments contained in this submittal.

1. Inform NRC if any of the remaining contractors identifies any restrictive language in its settlement agreements.