

Docket No. 50-331

SEP 01 1987

Iowa Electric Light and Power
Company

ATTN: Mr. Lee Liu
President and Chief
Executive Officer

IE Towers
P. O. Box 351
Cedar Rapids, IA 52406

Gentlemen:

On June 8, 1987, the U. S. Department of Labor (DOL) Wage and Hour Division in Des Moines, Iowa, received a complaint from a former maintenance worker who had been employed by Bechtel Construction Corporation under contract with Iowa Electric Light and Power. The former maintenance worker alleged that he had been reassigned to perform work in lower condenser A on May 19, 1987 after raising safety concerns about the work and was terminated by his general foreman after refusing to do the work without the implementation of adequate safety precautions and stating that he intended to contact the NRC.

On July 6, 1987, the Wage and Hour Division found that the individual was a protected employee engaged in a protected activity and that he had been subjected to discrimination as defined and prohibited by Section 210 of the Energy Reorganization Act. We understand that Bechtel Construction Corporation has requested a hearing on this matter before an administrative law judge at DOL.

Notwithstanding the status of the appeal, the NRC is concerned with both the technical aspects of the former employee's complaint and the possibility that actions taken against the former employee by Bechtel may have a "chilling effect" on other contractor or licensee personnel.

To resolve this allegation, you are requested to provide the following information to this office within 30 days of the receipt of this letter:

1. An evaluation of the adequacy of the Health Physics controls applied to work in lower condenser A for the job in question and for condenser steam space work, in general.
2. The basis for terminating the employment of the former maintenance worker and a copy of any investigative report you may have regarding the circumstances of the termination.

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- 3. Your instructions to contractor management concerning employee access to the NRC without fear of retribution.
- 4. Actions you have taken or plan to take to ensure that this termination does not have the "chilling effect" of discouraging other contractor or licensee employees from raising perceived safety concerns.

We will be glad to discuss any questions you may have regarding this matter. After receipt of your response, we will review it in a future inspection.

A. Bert Davis
 A. Bert Davis
 Regional Administrator

cc:
 R. Hannen, Plant Superintendent
 Nuclear
 R. Salmon, Technical Services
 Superintendent
 DCS/RSB (RIDS)
 Licensing Fee Management Branch
 W. G. Guldmond, RIII
 I. N. Jackiw, RIII
 Resident Inspector, RIII
 A. Cappucci, NRR
 Thomas Houvenagle, Iowa State
 Commerce Commission

<i>RIII</i> Farber/plb 8/14/87	<i>RIII</i> Greenman 8/20/87	<i>yes</i> <i>RIII</i> Weil 8/17/87	<i>yes</i> <i>wrong to</i> <i>RIII</i> Grobe 8/17/87	<i>RIII</i> Berson 8/17/87	<i>yes</i> <i>RIII</i> Nedelius 8/18/87
<i>RIII</i> DE Lieberman 8/24/87	<i>RIII</i> Paperiello 8/27/87	<i>RIII</i> Davis 8/31/87			