

NIAGARA
MOHAWK

NIAGARA MOHAWK POWER CORPORATION/NINE MILE POINT, P.O. BOX 63, LYCOMING, NY 13093/TELEPHONE (315) 349-2882

B. Ralph Sylvia
Executive Vice President
Nuclear

May 6, 1992
NMP1L0664

Mr. Thomas T. Martin
Regional Administrator, Region 1
U. S. Nuclear Regulatory Commission
475 Allendale Road
King of Prussia, Pennsylvania 19406-1415

RE: Nine Mile Point Unit 1
Docket No. 50-220
DPR-63

Nine Mile Point Unit 2
Docket No. 50-410
NPF-69

Dear Mr. Martin:

Subject: Response to Request for Information Regarding
Employment Action Against Former Employee

Your letter of April 6, 1992 requested that Niagara Mohawk Power Corporation (NMPC) provide information regarding a complaint filed with the U. S. Department of Labor by a former NMPC employee. While the complaint was settled, the request was to provide the basis for the action taken and a copy of any investigation reports regarding the circumstances. Additionally, the request asked NMPC to describe actions taken or planned to assure the employment action would not be misunderstood by other NMPC employees and would not have a chilling effect in discouraging other employees or contractors from raising perceived safety concerns. The purpose of this letter is to respond to the request.

PARAGRAPH WITHHELD IN
ACCORDANCE WITH
10 CFR 2.790(a)(6)

WITHHOLD FROM PUBLIC DISCLOSURE-CONTAINS 10CFR§2.790 INFORMATION

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PARAGRAPH WITHHELD IN
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10 CFR 2.790(a)(6)

Your letter noted that the former employee filed a complaint with the U. S. Department of Labor, and that a negotiated settlement was reached to resolve the issues that he raised. The settlement was entered into by NMPC solely to avoid the expense of extended litigation and the diversion of management resources to such a hearing. There are no NMPC internal investigation reports prepared to describe the circumstances of the action.

PARAGRAPH WITHHELD IN
ACCORDANCE WITH
10 CFR 2.790(a)(6)

Niagara Mohawk has a clear policy regarding all persons' rights and responsibilities to report safety concerns. Personnel are encouraged to utilize their chain of command and the Deviation/Event Report (DER) process, first. If they are not satisfied with the response or they prefer to go outside their chain of command, personnel are advised of other alternatives for reporting safety concerns, namely the Quality First Program and the NRC. We will continue to reinforce that policy to personnel through qualification and annual requalification programs, and required postings. Additionally, management periodically takes other opportunities to advise employees and consultants of their rights and responsibilities to report safety issues and to encourage such reporting. For example, recent opportunities have included "town hall" meetings and employee training through the chain of command on a new revision to the DER process. These sessions stressed the importance of individual accountability for compliance with the Standards of Performance, and in the training sessions specifically, responsibility for identifying conditions adverse to quality.

WITHHOLD FROM PUBLIC DISCLOSURE-CONTAINS 10CFR§2.790 INFORMATION



We request that the contents of this letter be withheld from public disclosure under the provisions of 10CFR2.790(a)(6). The personnel matters discussed herein are of a confidential nature. The information, if released, could reasonably be expected to constitute an unwarranted invasion of personal privacy inasmuch as it might be possible to determine the name of the individual involved as a result of the facts contained in this letter. Therefore, the contents of this letter should not be released to the public.

If you have any further questions regarding this matter, please contact me.

Very truly yours,



B. Ralph Sylvia
Exec. Vice President - Nuclear

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