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UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION II  
101 MARIETTA STREET, N.W.  
ATLANTA, GEORGIA 30323

NOV 21 1990

Docket Nos. 50-280, 50-281  
License Nos. DPR-32, DPR-37

Virginia Electric and Power Company  
ATTN: Mr. W. L. Stewart  
Senior Vice President - Nuclear  
5000 Dominion Boulevard  
Glen Allen, VA 23060

Gentlemen:

SUBJECT: ALLEGED EMPLOYEE DISCRIMINATION

On August 14, 1990, the U.S. Department of Labor's Wage and Hour Division in Richmond, Virginia, received a complaint from a former employee of Power Systems Energy Services, Inc., a Virginia Power Company contractor at the Surry Nuclear Station. The former employee alleged that he was dismissed from employment because he had raised safety concerns related to the Fitness For Duty rule while performing his duties at the Surry Nuclear Station. In response to that complaint, the Wage and Hour Division secured an employee/ employer conciliation and so notified the parties involved by letter dated November 5, 1990.

The NRC is concerned that a violation of the employee protection provisions set forth in 10 CFR 50.7 may have occurred and that the actions taken against the former contractor employee may have had a chilling effect on other licensee or contractor personnel. Therefore, you are requested to provide this office, within 30 days of the date of this letter, a response which:

1. Provides the basis for the employment action regarding the former contractor employee and includes a copy of any investigation reports you have regarding the circumstances of the action; and
2. Described the actions, if any, taken or planned to assure that this employment action does not have a chilling effect in discouraging other licensee or contractor employees from raising perceived safety concerns.

After reviewing your response, the NRC will determine whether enforcement action is necessary at this time to ensure compliance with regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC Public Document Room.

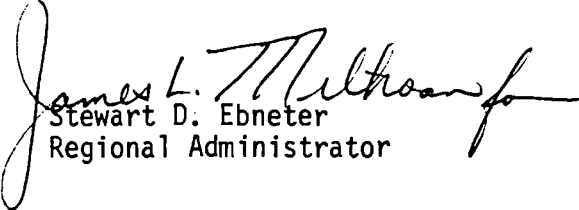
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The responses directed by this letter are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Sincerely,

  
Stewart D. Ebnetter  
Regional Administrator

cc: Commonwealth of Virginia