

YANKEE ATOMIC ELECTRIC COMPANY

B.1.1.1
WYC 80-14



20 Turnpike Road Westborough, Massachusetts 01581

May 8, 1980

PROJECT NUMBER
PROPOSED RULE PR-19, 30, 40, 50, 70, 71, 150 (24)
(45 FR 15184)



Secretary of the Commission
United States Nuclear Regulatory Commission
Washington, DC 20555

Attention: Docketing and Service Branch

Subject: Protection of Employees Who Provide Information - Proposed Rule
(45 FR 15184 - 3/10/80)

Dear Sir:

Yankee Atomic Electric Company appreciates the opportunity to comment on the Nuclear Regulatory Commission's subject proposed rule. Yankee Atomic owns and operates a nuclear power generating plant in Rowe, Massachusetts. The Yankee Nuclear Services Division also provides engineering services for other nuclear plants in the Northeast including Vermont Yankee, Maine Yankee and Seabrook 1 and 2.

We have the following comments on the proposed rule:

- The proposed rule should be clarified with regard to individuals who release proprietary information. We are concerned that interpretation of the proposed rule may allow an employee to cause release of proprietary (including security) information to the public and be immune from any ensuing disciplinary action(s). The proposed rule should state that the protection provided employees will not be allowed if proprietary information is released to the public.
- If an employee allows a hazardous condition to persist at the plant, that person should be subject to disciplinary action in accordance with plant policy. Engaging in certain protected activities as defined in paragraph (a), should not always prevent a person from being subjected to the disciplinary action. The word "discrimination" should be defined in such a manner as to allow an employer to suspend such a person without fear of reprisal from the U.S. Department of Labor or NRC. An employer must be able to protect his employees and the general public from such individuals as soon as they are suspected of causing potential damage. Paragraph (a) should be clarified to allow sufficient range to permit employers to discharge their responsibility to protect both his employees and the general public.

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Acknowledged by card 5/14/80 mdv

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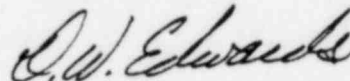
In addition, the proposed rule provides for no protection of an employer from employee harassment, such as the reporting of unsubstantiated claims of violation to the Commission. NRC must address, in the proposed rule, how they intend to resolve such reportings.

It appears that punitive measures could be imposed [paragraph (c)] on licensees or permittees for actions taken by their contractors or subcontractors [paragraph (a)]. This should be deleted from the proposed rule since licensees have little or no control over the discharge procedures of their contractors and subcontractors which may, in fact, be determined by the individual contractor or subcontractor Labor agreements.

If you have any questions with regard to our comments, please contact us.

Very truly yours,

YANKEE ATOMIC ELECTRIC COMPANY



D. W. Edwards, Director
Operational Projects

JHM/ncj