

B. Ralph Sylvia  
Senior Vice President

Detroit  
Edison

6400 North Dixie Highway  
Newport, Michigan 48166  
(313) 586-4150

November 9, 1989  
NRC-89-0229

U. S. Nuclear Regulatory Commission  
Attn: Document Control Desk  
Washington, D. C. 20555

- References:
- 1) Fermi 2  
NRC Docket No. 50-341  
NRC License No. NPF-43
  - 2) NRC Letter from Mr. Victor Stello, Jr. to Mr. Walter McCarthy, Jr., Detroit Edison Company, "Notification of the NRC of Employees' Potential Safety Issues", dated April 27, 1989
  - 3) Detroit Edison Letter, NRC-89-0165, dated July 21, 1989

Subject: Amended Response to NRC Letter on Notification of the NRC of Employee's Potential Safety Issues

On July 21, 1989, the Company responded to the NRC, concerning Mr. Stello's letter to the Company on the above-captioned subject. That response was prepared after internal reviews of existing settlement agreements concluded that in the Company's opinion, none of them would prevent an individual from taking a safety concern to the NRC.

Recently, a decision of the U. S. Department of Labor in the Polizzi case has come to the Company's attention. That decision interprets language in a settlement agreement as restricting the individual's right to cooperate with governmental investigations. The Company has re-reviewed its settlement agreements in light of this decision, and while still concluding that the intent was never to restrict employee access to the NRC, has determined that one agreement could be construed otherwise.

Therefore the Company has sent a letter to the individual involved advising him that he is free to go to the NRC with any safety concern he may have without fear of retribution from the Company and that any

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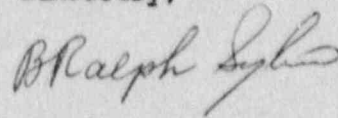
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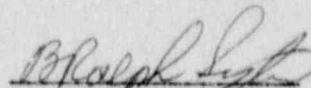
construction of the settlement agreement otherwise will not be enforced by the Company.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ralph Lytle".

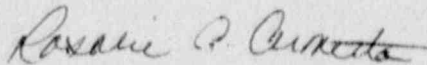
cc: A. B. Davis  
R. C. Knop  
W. G. Rogers  
J. F. Stang

I, B. RALPH SYLVIA, do hereby affirm that the foregoing statements are based on facts and circumstances which are true and accurate to the best of my knowledge and belief.



B. RALPH SYLVIA  
Senior Vice President

On this 9<sup>th</sup> day of November, 1989,  
before me personally appeared B. Ralph Sylvia, being  
first duly sworn and says that he executed the foregoing  
as his free act and deed.



Notary Public

ROSALIE A. ARMETTA  
Notary Public, Monroe County, MI  
My Commission Expires Jan. 11, 1992

