

NOV - 2 1989

In Reply Refer to:  
Docket No. 50-458  
License No. NPF-47

Gulf States Utilities  
Attn: Mr. James C. Deddens  
Senior Vice President (RBNG)  
P.O. Box 220  
St. Francisville, Louisiana 70775

Gentlemen:

This is in response to your letter dated May 31, 1989, which was a reply to my letter dated April 25, 1989, regarding an employee of Burns International Security Services. Burns provides security services at River Bend Station under contract to Gulf States Utilities (GSU). The employee complained that he had been subjected to discriminatory acts as a result of his having brought concerns to the attention of the NRC. The NRC continues to be concerned that a violation of the employee protection provision set forth in 10 CFR 50.7 may have occurred.

You stated in your May 31 letter that GSU conducted a comprehensive investigation of the circumstances of the case. As a result of the investigation, GSU determined that no illegal discrimination under Section 210 occurred. According to GSU, the deteriorated relationship between the complainant and his GSU security supervisor was apparently due only to the fact that the supervisor found the complainant's filing of a lawsuit against GSU "personally offensive." GSU's investigation revealed that the supervisor was not reacting to any allegations concerning possible security or safety matters raised by the complainant.

With regards to the above, we find your reply unsatisfactory. According to information available to us from the Department of Labor, the complainant's supervisor stated in an interview on October 6, 1989, that "he told staff at the water cooler on June 17, 1988, that the allegation of violations to NRC were not valid and something to the effect that the slimeball who complained to the NRC will be proven wrong." In addition, an NRC inspector personally heard the supervisor say to the complainant, when the inspector walked up on several different occasions, words to the effect that "your friends are here" referring presumably to the complainant and the NRC's supposed relationship with him, and then the supervisor told our inspector on at least one of those occasions that "we know who the fink is" again referring presumably to the complainant.

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WLBrown:cms  
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ED  
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DRSS/SSI  
JAKelly  
11/1/89

DRSS  
ABB  
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RA  
RDMartin  
11/2/89

11/5/89

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In light of the above, we request that you review the matter again and within 30 days furnish the NRC a new response with regards to the alleged discriminatory acts with a copy of your response to this office. The NRC will then review both responses to determine whether enforcement action is warranted and whether other actions may be necessary to ensure compliance with regulatory requirements.

In accordance with Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, a copy of this letter will be placed in the NRC Public Document Room.

The response requested by this is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Public Law No. 96-511.

Sincerely,

**ORIGINAL SIGNED BY**  
**ROBERT D. MARTIN**

Robert D. Martin  
Regional Administrator

cc: Gulf States Utilities Company  
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Gulf States Utilities Company  
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(cc list continued on next page)

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cc (continued):

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 St. Francisville, Louisiana 70775

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