



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
REGION V

1450 MARIA LANE, SUITE 210  
WALNUT CREEK, CALIFORNIA 94596

JAN 10 1989

Docket No. 50-344

EA No. 88-251

Portland General Electric Company  
121 S.W. Salmon Street, TB-17  
Portland, Oregon 97204

Attn: Mr. David W. Cockfield  
Vice President, Nuclear

SUBJECT: DOL Complaint by James H. Daily, Jr.

Dear Sir:

On June 14, 1988, the U.S. Department of Labor's Wage and Hour Division in Portland, Oregon, received a complaint from James Daily, Jr., a former contract employee of Portland General Electric Company at the Trojan Nuclear Power Plant. Mr. Daily alleged that his contract was prematurely terminated because he had raised safety concerns while performing his duties at Trojan. In response to that complaint, the Wage and Hour Division conducted an investigation, concluding that the employee was engaged in a protected activity within the ambit of the Energy Reorganization Act, and that discrimination as defined and prohibited by the statute was a factor in the actions which comprised his complaint.

In an October 19, 1988 letter to me, you stated, among other things: "Mr. Daily was not terminated because he expressed safety concerns to the NRC," and "[w]e do not believe there is any evidence that the employment actions involving Mr. James H. Daily, Jr., have had a chilling effect on other employees."

Within thirty days of the date of this letter, you are requested to provide this office an update of that response. Please include in your update:

1. All information bearing upon whether Mr. Daily has sought employment with PGE since his termination, and if so, when.
2. A description of the actions, if any, taken or planned to negate the chilling effect of Mr. Daily's termination.
3. All investigation reports concerning this matter, and all documents focused on in those reports.

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

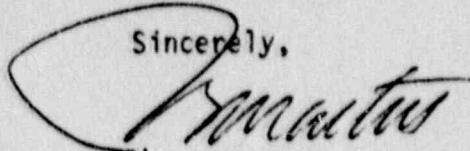
In accordance with 10 CFR 2.790, a copy of this letter will be placed in the NRC Public Document Room.

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The response requested by this letter is 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,

A handwritten signature in cursive script, appearing to read "J. B. Martin". The signature is written in dark ink and is positioned to the right of the word "Sincerely,".

J. B. Martin  
Regional Administrator

JAN 10 1990

The response requested by this letter is 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,

J. B. Martin  
Regional Administrator

bcc:

- J. Taylor, EDO
- H. Thompson, DEDO
- J. Lieberman, OE
- J. Goldberg, OGC
- F. Miraglia, NRR
- M. Blume, RV
- A. Johnson, RV
- R. Zimmerman, RV
- S. Richards, RV
- M. Mendonca, RV

*MB*  
MBlume/nw  
1/16/90

*JMartin*  
JMartin  
1/15/90

REQUEST COPY	REQUEST COPY	SEND TO PDR
YES / NO	YES / NO	YES / NO