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APR 01 1994

Docket No. 50-295  
Docket No. 50-304

Commonwealth Edison Company  
ATTN: Mr. R. Tuetken, Site Vice President  
Zion Station  
101 Shiloh Boulevard  
Zion, IL 60099

Dear Mr. Tuetken:

SUBJECT: NRC CONCERN AMS-NO. RIII-92-A-0040

The NRC has resolved its technical review of this concern and did not identify any unresolved technical issues or any enforcement matters.

This matter was also the subject of an investigation performed by the NRC Office of Investigation (OI) at your facility. The OI investigation did not develop sufficient evidence to substantiate that an individual was terminated at your facility in retaliation for raising a safety concern. A copy of the Synopsis of Investigations Report 3-93-009 is enclosed with this letter. The NRC considers this matter closed.

In accordance with 10 CFR 2.790 of the Commission's regulations, a copy of this letter and the enclosure will be placed in the NRC Public Document Room.

We will gladly discuss any questions you may have relative to this letter or the enclosure.

Sincerely,

Original Signed by John A. Grobe

*TOP* W. L. Axelson, Director  
Division of Radiation Safety  
and Safeguards

Enclosure:  
OI Investigation Report  
3-93-009 Synopsis

RIII  
*[Signature]*  
Louden/dp  
3/28/94

yes  
RIII  
WGS  
Snell  
3/28/94

RIII  
*[Signature]*  
Grobe  
3/28/94

*[Signature]*  
RIII  
Axelson  
3/28/94

yes  
RIII  
RWA  
DeFoyette  
3/30/94

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Distribution

cc w/enclosure:

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OC/LFDCB

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Mayor, City of Zion

Licensing Project Manager, NRR

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bcc w/enclosure: PUBLIC (IE 06)

## SYNOPSIS

On September 23, 1992, the Director of the Office of Investigations (OI), U.S. Nuclear Regulatory Commission, was notified that an investigation was being initiated by OI, Region III (RIII), to determine whether or not an employee of Anchor Darling Valve Company (ADVCo), Williamsport, Pennsylvania, had been discriminated against and "blackballed" for having identified a safety concern, which was alleged excessive work area radiation at the Zion Generating Station, Zion, Illinois.

The OI investigation revealed that the employee in question was terminated for unsatisfactory work performance prior to the identification of the alleged excessive radiation in the work area. It was further revealed that the employee alleging the discrimination failed to adhere to directions by his immediate supervisor and bore a great deal of responsibility for a loss of work production on the shift under his supervision. The alleged excessive radiation issue was addressed in a timely manner by members of the Commonwealth Edison Company (CECo) Radiation Department and ADVCo personnel.

Finally, the investigation revealed that the individual had not been blackballed for identifying an alleged radiation issue but rather was terminated as "not eligible for rehire" due to disciplinary and lack of trust issues.