



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
811 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76011

DEC 27 1990

Docket Nos. 50-445
50-446
License Nos. NPF-87
CPPR-127

TU Electric
ATTN: W. J. Cahill, Jr., Executive
Vice President, Nuclear
Skyway Tower
400 North Olive Street, L.B. 81
Dallas, Texas 75201

Gentlemen:

Subject: ALLEGED DISCRIMINATION AGAINST EMPLOYEES FOR HAVING ENGAGED IN
PROTECTED ACTIVITIES

This refers to your letter dated July 30, 1990, in response to our letter dated May 31, 1990, concerning the alleged discrimination of three former contractor employees for having engaged in protected activities. These former employees alleged in complaints filed with the U.S. Department of Labor (DOL) that they had been dismissed because they raised safety concerns while employed at TU Electric's Comanche Peak Steam Electric Station (CPSES). In response to these complaints, DOL either secured employer-employee conciliations or determined that the complaint had not been timely filed.

In NRC's May 31, 1990, letter, we requested that TU Electric provide for each case the basis for the employment action regarding the former employee and any action taken or planned to assure that these actions not have a chilling effect in discouraging other licensee or contractor employees from raising perceived safety concerns.

In your July 30, 1990, letter, you stated that TU had prepared summaries of the basis for each of the employment actions and that these summaries, together with information related to the investigation of these employment actions, were available for NRC review. You concluded in your letter that none of these actions had a chilling effect in discouraging other employees from raising perceived safety concerns and described policies, procedures and practices TU Electric had in place at the time these employment actions were taken and since then to assure that employees will report safety-related concerns without fear of intimidation and harrassment.

On October 9, 1990, TU Electric made summaries of these employment actions available for NRC review in Region IV's office. After reviewing the information provided and because of the circumstances of these cases, NRC has determined that enforcement action will not be taken at this time.

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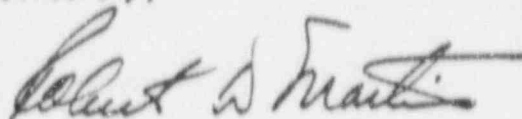
TU Electric

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No response to this letter is required. In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC Public Document Room.

Sincerely,



Robert D. Martin
Regional Administrator

cc:
TU Electric
ATTN: Roger D. Walker, Manager,
Nuclear Licensing
Skyway Tower
400 North Olive Street, L.B. 81
Dallas, Texas 75201

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President - CASE
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TU Electric
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Heron, Burchette, Ruckert, & Rothwell
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E. F. Ottney
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TJ Electric

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Newman & Holtzinger, P.C.
ATTN: Jack R. Newman, Esq.
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Texas Department of Labor & Standards
ATTN: G. R. Bynog, Program Manager/
Chief Inspector
Boiler Division
P.O. Box 12157, Capitol Station
Austin, Texas 78711

Honorable George Crump
County Judge
Glen Rose, Texas 76043

Texas Radiation Control Program Director
1100 West 49th Street
Austin, Texas 78756

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TU Electric

bcc w/encl:

DMB - IE51

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Resident Inspector (2)

DRP

DRS

Section Chief (DRP/B)

Project Engineer (DRP/B)

DRSS-FRPS

Lisa Shea, RM/ALF

MIS System

RSTS Operator

RIV Files

IE51

*PREVIOUSLY CONCURRED

RIV:EO

*GSanborn:ap
11/19/90

*SJCollins
11/20/90

*WLBrown
11/27/90

~~JMontgomery~~

^(W)
*RDMartin
11/27/90

*JLieberman
12/26/90

By telephone
GSI

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