



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555-0001

SEP 21 1993

Docket No. 50-245  
(10 CFR 2.206)

Mr. Clarence O. Reynolds  
5 Lancashire Court  
Waterford, Connecticut 06385

Dear Mr. Reynolds:

This letter is to acknowledge receipt of your Petition filed August 22, 1993 requesting that the Executive Director for Operations take escalated enforcement action with regard to alleged violations at Millstone Nuclear Power Station Unit 1. Specifically, you request that certain actions be implemented against "Maintenance Department Management" and that multiple Severity Level II and III violations be issued against the Millstone Unit 1 maintenance department. As grounds for your request, you assert that you were suspended from your job on August 12, 1993 for having filed nuclear concerns with Millstone management and the NRC. Your Petition has been referred to the Office of Enforcement pursuant to 10 CFR 2.206 of the Commission's regulations.

With regard to your request that the EDO's office insist on immediate reinstatement of your position as a maintenance mechanic pending an investigation, the NRC has no authority to order a direct personal remedy such as reinstatement of an employee. This authority has been given to the Department of Labor in Section 210 (now 211) of the Energy Reorganization Act. If you wish to seek reinstatement, you should file a complaint with DOL within 180 days of the alleged act of discrimination.

As to your other requests, in accordance with section 2.206, we have carefully reviewed your petition in an attempt to ascertain whether the petition and the requests therein "set forth the facts that constitute the basis for the request". 10 CFR 2.206(a). In addition, we have reviewed a brief report of interview prepared by an Office of Investigations investigator who interviewed you on August 20, 1993. Although you have described in some detail the circumstances surrounding the employment action taken against you, you have supplied insufficient information or facts to provide a basis for us to act on your request. In order for us to determine whether any action is warranted by your section 2.206 petition, you must describe, in detail --

- (1) the safety-related allegations or other activities that you claim constitute protected activity under section 211 of the

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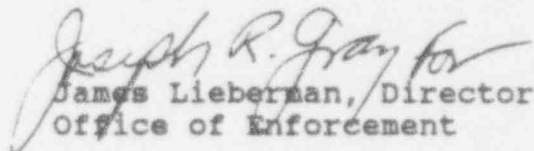
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Energy Reorganization Act, as amended;

- (2) the nexus between the licensee's action against you and your protected activity, including the basis upon which you believe that the licensee's managers and supervisors who took action against you knew that you engaged in the protected activity identified in response to question (1) and any evidence you may have that indicates that the employment action was directly related to your protected activity; and
- (3) the protected activities of the "other employees" that you refer to in your petition and the detailed basis upon which we might take action "to protect other employees from adverse employment action" as you request in your petition.

If detailed information on these items is not provided within 30 days of the date of this letter, we will assume that you do not wish to pursue your 2.206 petition, and we will dispose of it accordingly.

Sincerely,

  
James Lieberman, Director  
Office of Enforcement

Enclosure: As Stated

cc: Northeast Utilities

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Clarence O. Reynolds

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