



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

September 19, 1990

The Honorable Leon E. Panetta
Member, United States
House of Representatives
380 Alvarado Street
Monterey, California 93940

Dear Congressman Panetta:

I am responding to your letter of August 24, 1990, which enclosed a letter from your constituent, Mr. Emil J. Tellez. In his letter Mr. Tellez stated that, while he was employed at the Diablo Canyon Nuclear Power Plant, he had observed illegal drug use and the illegal dumping of industrial chemicals.

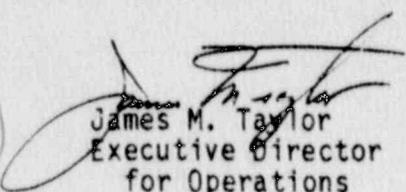
The U. S. Nuclear Regulatory Commission (NRC) has detailed procedures for dealing with allegations concerning NRC-regulated activities at nuclear plants such as Diablo Canyon. Mr. Tellez's allegations will be tracked by the NRC's Allegation Management System. As controlled allegations, they will be processed, controlled, investigated and dispositioned in accordance with the established procedures defined in the NRC Manual, Chapter 0517, "Management of Allegations" (copy enclosed).

Since January 3, 1990, the NRC has had in place regulations (10 CFR Part 26, copy enclosed) requiring random and for-cause drug and alcohol testing of employees having unescorted access to the protected area at nuclear power plants. Part 26 requires nuclear plant licensees to have fitness-for-duty programs that provide reasonable assurance that nuclear plant personnel will perform their tasks in a reliable and trustworthy manner and are not under the influence of any substance, legal or illegal, or mentally or physically impaired from any cause, which in any way adversely affects their ability to safely and competently perform their duties. Other goals and objectives of Part 26 include providing reasonable measures for the early detection of persons who are not fit to perform their duties, and achieving a drug-free workplace and a workplace free of the effects of such substances.

Mr. Tellez's letter raises concerns about compensation for pain and suffering, back pay, workmen's compensation, or State disability funds. Since these concerns are outside the NRC's jurisdiction, I suggest that they be referred to the U. S. Department of Labor or the State of California for resolution.

Congressman Panetta, let me assure you that the NRC will conduct a prompt and thorough evaluation of Mr. Tellez's safety and environmental allegations and will take all necessary actions required to ensure the protection of public health and safety and of the environment at Diablo Canyon.

Sincerely,


James M. Taylor
Executive Director
for Operations

Enclosures: As stated

9010020183-XA
IP
00350
FULL TEXT ASCII SCAN

CCS2
11