



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE SUITE 400  
ARLINGTON TEXAS 76011 8064

SEP 30 1994

Dockets: 50-313  
50-368  
Licenses: DPR-51  
NPF-6  
EA 94-209

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PUBLIC DOCUMENT ROOM

Entergy Operations, Inc.  
ATTN: J. W. Yelverton, Vice President  
Operations, Arkansas Nuclear One  
1448 S.R. 333  
Russellville, Arkansas 72801

Dear Mr. Yelverton:

On July 15, 1994, the U.S. Department of Labor's Wage and Hour Division in Little Rock, Arkansas, received a complaint from a former employee of Brand Utility Services/Vectra Services, an Entergy Operations, Inc. contractor at the Arkansas Nuclear One (ANO) site. The former employee alleged that he had been the subject of harassment and was subsequently terminated because he had identified concerns while performing his duties at Brand Utility Services/Vectra Services.

In response to that complaint, the Wage and Hour Division conducted an investigation, and in a letter dated September 15, 1994, the District Director of the Wage and Hour Division found that the evidence obtained during the Division's investigation indicated that the employee was engaged in a protected activity within the scope 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.

The NRC is concerned that a violation of the employee protection provisions set forth in 10 CFR 50.7 may have occurred and that the actions taken against the former employee may have had a chilling effect on other licensee or contractor personnel.

Accordingly, pursuant to sections 161c, 161o, 182 and 186 of the Atomic Energy Act of 1954, as amended, and the Commission's regulations in 10 CFR 2.204 and 10 CFR 50.54(f) in order for the Commission to determine whether your license should be modified, suspended or revoked, or other enforcement action taken to ensure compliance with NRC regulatory requirements, you are required to provide this office, within 30 days of the date of this letter, a response in writing and under oath or affirmation that:

1. Provides the basis for the employment action regarding the former employee and includes a copy of any investigation reports you have regarding the circumstances of the action; and

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SEP 30 1994

2. Describes the actions, if any, taken or planned to assure that this employment action does not have a chilling effect in discouraging other licensee or contractor employees from raising perceived safety concerns.

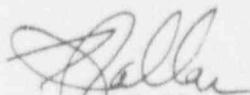
Your response should not, to the extent possible, include any personal privacy, proprietary, or safeguards information so that it can be released to the public and placed in the NRC Public Document Room. If personal privacy information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the personal privacy-related information and a redacted copy of your response that deletes the personal privacy-related information. Identify the particular portions of the response in question which, if disclosed, would create an unwarranted invasion of personal privacy, identify the individual whose privacy would be invaded in each instance, describe the nature of the privacy invasion, and indicate why, considering the public interest in the matter, the invasion of privacy is unwarranted. If you request withholding on any other grounds, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., provide the information required by 10 CFR 2.790(b) to support a request for withholding confidential commercial or financial information).

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 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC Public Document Room.

The responses directed by this letter are 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,



L. J. Callan  
Regional Administrator

cc:  
Carl H. Bass, District Director, DOL

Entergy Operations, Inc.  
ATTN: Harry W. Keiser, Executive  
Vice President & Chief Operating Officer  
P.O. Box 31995  
Jackson, Mississippi 39286-1995

Entergy Operations, Inc.  
ATTN: Jerrold G. Dewease, Vice President  
Operations Support  
P.O. Box 31995  
Jackson, Mississippi 39286

Wise, Carter, Child & Caraway  
ATTN: Robert B. McGehee, Esq.  
P.O. Box 651  
Jackson, Mississippi 39205

Honorable C. Doug Lunningham  
County Judge of Pope County  
Pope County Courthouse  
Russellville, Arkansas 72801

Winston & Strawn  
ATTN: Nicholas S. Reynolds, Esq.  
1400 L Street, N.W.  
Washington, D.C. 20005-3502

Arkansas Department of Health  
ATTN: Ms. Greta Dicus, Director  
Division of Radiation Control and  
Emergency Management  
4815 West Markham Street  
Little Rock, Arkansas 72201-3867

B&W Nuclear Technologies  
ATTN: Robert B. Borsum  
Licensing Representative  
1700 Rockville Pike, Suite 525  
Rockville, Maryland 20852

Admiral Kinnaird R. McKee, USN (Ret)  
214 South Morris Street  
Oxford, Maryland 21654

Entergy Operations, Inc.

-4-

SEP 30 1994

ABB Combustion Engineering  
Nuclear Power  
ATTN: Charles B. Brinkman  
Manager, Washington  
Nuclear Operations  
12300 Twinbrook Parkway, Suite 330  
Rockville, Maryland 20852

bcc:

LCallan  
 Branch Chief (DRP/D)  
 MIS System  
 RIV File  
 Project Engineer (DRP/D)  
 ABBeach  
 WLBrown  
 PDR  
 LPDR

Resident Inspector  
 Leah Tremper, OC/LFDCB, MS: MNBB 4503  
 DRSS-FIPB  
 Branch Chief (DRP/TSS)  
 LWilliamson  
 GSanborn  
 JLieberman, OE  
 LChandler, OGC  
 RZimmerman, NRR

RIV:SAO*	EO*	RC <i>WLB</i>	D:DRP <i>AB</i>	DRP <i>JM</i>	RA <i>LJC</i>
RWise/cjg	GFSanborn	WLBrown	ABBeach	JMMontgomery	LJCallan
9/29/94	9/29/94	9/29/94	9/29/94	9/30/94	9/29/94

\*previously concurred