



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

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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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.

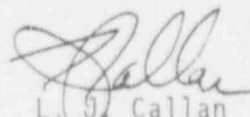
Your response should not, to the extent possible, include any personal privacy, proprietary, or safeguards information so that it can be released to the public and placed in the NRC Public Document Room. If personal privacy information is necessary to provide an acceptable response, then please provide 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

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ATTN: Harry W. Keiser, Executive
Vice President & Chief Operating Officer
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Jackson, Mississippi 39286-1995

Entergy Operations, Inc.
ATTN: Jerrold G. Dewease, Vice President
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Wise, Carter, Child & Caraway
ATTN: Robert B. McGehee, Esq.
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Honorable C. Doug Lunningham
County Judge of Pope County
Pope County Courthouse
Russellville, Arkansas 72801

Winston & Strawn
ATTN: Nicholas S. Reynolds, Esq.
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Arkansas Department of Health
ATTN: Ms. Greta Dicus, Director
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B&W Nuclear Technologies
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Oxford, Maryland 21654

Entergy Operations, Inc.

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ABB Combustion Engineering
Nuclear Power

ATTN: Charles B. Brinkman
Manager, Washington
Nuclear Operations

12300 Twinbrook Parkway, Suite 330
Rockville, Maryland 20852

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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>	DR <i>WLB</i>	RA <i>LJ</i>
RWise/cjg	GFSanborn	WLBrown	ABBeach	JMMontgomery	LJCallan
9/29/94	9/29/94	9/29/94	9/29/94	9/30/94	9/30/94

*previously concurred