

September 13, 1995  
EN 94-005A

OFFICE OF ENFORCEMENT  
NOTIFICATION OF SIGNIFICANT ENFORCEMENT ACTION

Licensee: Northern States Power Company (EA 93-192)  
Prairie Island Nuclear Generating Plant  
Docket Nos. 50-282 and 50-306

Subject: WITHDRAWAL OF NOTICES OF VIOLATION AND CIVIL PENALTY

By EN 94-005 dated January 21, 1994 the Commission was notified of the staff's intent to issue a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$50,000 to Northern States Power Company (NSP) based on a decision by a Department of Labor Administrative Law Judge (ALJ) that a contractor for NSP, Burns International Security Service, had discriminated against an employee for raising safety concerns. The staff also issued a Notice of Violation to Burns for the violation (EA 94-016).

Recently, the Secretary of Labor overturned the ALJ's ruling, finding that Burns would have discharged the employee even if she had not engaged in protected activities and that the discharge was not discrimination. Since the complainant did not appeal the Secretary of Labor's finding, the staff has decided that the Notice of Violation and proposed civil penalty to NSP and the Notice of Violation to Burns should be withdrawn based on the Secretary's finding. Letters withdrawing the Notices of Violation and proposed civil penalty will be sent to NSP and Burns on September 14, 1995.

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PRELIMINARY INFORMATION - NOT FOR PUBLIC DISCLOSURE UNTIL  
VERIFICATION THAT LICENSEE HAS RECEIVED ACTION

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PDR I&E  
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