

APR 17 1992

Docket No. 50-271
File RI-90-A-0200

Vermont Yankee Nuclear Power Corporation
ATTN: Mr. Warren P. Murphy
Senior Vice President, Operations
RD 5, Box 169
Ferry Road
Brattleboro, Vermont 05301

Dear Mr. Murphy:

Our review of your investigation report dated December 19, 1990 is complete. However, we would like to make a couple of points regarding some of the conclusions in your investigation report.

1. The investigation report defines intimidation as "whether the putative victim of the harassment was forced to do something that he knew to be wrong or not to do something that he knew was right to be done regarding plant, personnel or public safety." Intimidation is only one aspect of discrimination. The NRC's position is that discrimination should be broadly defined and includes intimidation or harassment that could lead a person to reasonably expect that, if he/she makes allegations about what he/she believes are unsafe conditions, the compensation, terms, conditions, and privileges of employment could be affected.
2. The investigation team concluded that the allegation pertaining to avoiding Vermont Yankee's Internal Auditor would not threaten public safety. The Internal Auditor is specified in Vermont Yankee's Improvement Suggestion and Safety Concern Program as one person to whom a confidential submission of a safety concern may be brought. Therefore, a perception of mistrust concerning the Internal Auditor would weaken the Employee Safety Concern Program. The investigation team did not adequately address this allegation, instead they performed a cursory review and dismissal of this issue.

The NRC's onsite review of these areas did not indicate an actual problem existed. No reply to this letter is required.

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Your cooperation is appreciated.

Sincerely,

ORIGINAL SIGNED BY:

Charles W. Hehl, Director
Division of Reactor Projects

cc:

J. Weigand, President and Chief Executive Officer
J. Pelletier, Vice President, Engineering
D. Reid, Plant Manager
J. DeVincentis, Vice President, Yankee Atomic Electric Company
L. Tremblay, Senior Licensing Engineer, Yankee Atomic Electric Company
J. Gilroy, Director, Vermont Public Interest Research Group, Inc.
G. Iverson, New Hampshire Office of Emergency Management
Chief, Safety Unit, Office of the Attorney General, Commonwealth of Massachusetts
R. McCandless, Vermont Division of Occupational and Radiological Health
R. Gad, Esquire
G. Bisbee, Esquire
Chairman, Board of Selectmen, Town of Vernon
R. Sedano, Vermont Department of Public Service
T. Rapone, Massachusetts Executive Office of Public Safety
Public Document Room (PDR)
Local Public Document Room (LPDR)
Nuclear Safety Information Center (NSIC)
NRC Resident Inspector
State of New Hampshire, SLO Designee
State of Vermont, SLO Designee
Commonwealth of Massachusetts, SLO Designee

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bcc w/encl:
 Region I Docket Room (with concurrences)
 Management Assistant, DRMA (w/o encl)
 J. Linville, DRP
 J. Rogge, DRP
 H. Eichenholz, SRI - Vermont Yankee
 M. Fairtile, NRR
 C. Hehl, DRP
 J. Wiggins, DRP
 M. Knapp, DRSS
 W. Hodges, DRS
 R. Fuhrmeister, RI
 K. Smith, RI

RI:DRP

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 Rogge
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 Linville
 3/2/92

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 Smith
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also submitted w/ D. Hoelling
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 Hehl

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