



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

JUN 24 1992

Docket No. STN 50-482
License No. NPF-42

Wolf Creek Nuclear Operating Corporation
ATTN: Bart D. Withers
President and Chief Executive Officer
P.O. Box 411
Burlington, Kansas 66839

Gentlemen:

SUBJECT: ALLEGED DISCRIMINATION AGAINST AN EMPLOYEE FOR HAVING ENGAGED IN
PROTECTED ACTIVITIES

This is in reference to your May 6, 1992 letter, in which the Wolf Creek Nuclear Operating Corporation (WCNOC) replied to NRC's April 6, 1992 letter concerning the alleged discrimination of an employee for having engaged in protected activities.

The employee had alleged in a complaint filed with the U.S. Department of Labor that he had been subjected to discriminatory treatment, including the receipt of a poor performance appraisal, because he had brought safety concerns to the NRC. This complaint resulted in a settlement between WCNOC and the employee.

NRC's April 6 letter asked WCNOC to explain the basis for the actions alleged to have been taken with regard to this employee and asked WCNOC to describe any actions taken to ensure that the willingness of other employees to raise safety concerns was not adversely affected.

In response, WCNOC denied that any actions relative to the employee were based on his having gone to the NRC with safety concerns. In fact, WCNOC denied any knowledge of his having gone to the NRC prior to his filing of the complaint with DOL. In addition, WCNOC stated its belief that this matter did not have an adverse effect on the willingness of others to raise safety concerns and described its programs for encouraging employees to raise concerns.

After reviewing the information provided by WCNOC, and because of the circumstances of this case, NRC has determined that enforcement action will not be taken at this time.

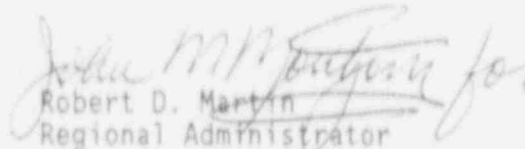
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JUN 22 1992

No response to this letter is required. 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.

Sincerely,


Robert D. Martin
Regional Administrator

cc:
Wolf Creek Nuclear Operating Corp.
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ATTN: Regional Administrator, Region III
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Wolf Creek Nuclear Operating Corp.
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Kansas Corporation Commission
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Chairman, Coffey County Commission
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Kansas Department of Health
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IES4

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