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JUN -4 1996

EA 96-051

Florida Power and Light Company
ATTN: Mr. T. F. Plunkett
President - Nuclear Division
P. O. Box 14000
Juno Beach, FL 33408-0420

SUBJECT: PREDECISIONAL ENFORCEMENT CONFERENCE
(Department of Labor Case No. 92-ERA-010)

Dear Mr. Plunkett:

This is in response to your letter dated April 24, 1996, in which you requested a predecisional enforcement conference related to Department of Labor (DOL) Case No. 92-ERA-010, Regino R. Diaz-Robainas vs. Florida Power & Light Company. This request resulted from our March 25, 1996, letter to you which forwarded the Secretary of Labor's decision in this case, identified an apparent violation of 10 CFR 50.7 for discrimination against an employee for engaging in protected activities, and provided you the option to respond to the apparent violation in writing or request a conference. As already discussed with you, a predecisional enforcement conference has been scheduled in the Region II office on June 14, 1996, at 10:00 a.m.

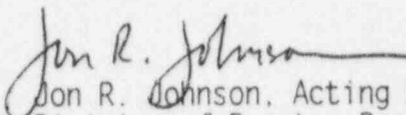
In your April 24, 1996, letter you also requested that NRC inform you in advance of the conference of those questions and issues of concern to the NRC regarding this case. Our March 25, 1996, letter, provided general guidance relative to this request. Because NRC enforcement action in discrimination cases such as this one is generally based on the DOL decision, our primary interest will focus on your assessment of the potential chilling effect and corrective actions. Specifically, at the conference, you should supplement your discussion provided in your April 24, 1996, letter, and be prepared to address in detail: (1) The status of Florida Power & Light Company's compliance with the Secretary of Labor's Order to reinstate and compensate Mr. Robainas; (2) The specific actions implemented and methodology employed to assess whether a chilling effect existed following the January 19, 1996, Secretary of Labor decision; (3) The results of and actions in response to your self-assessment of your employee concerns program, Speakout; and (4) The steps taken to mitigate any potential chilling effect following the Secretary's decision.

Should you have any additional questions concerning this letter, please contact Kerry Landis, Chief Branch 3, Division of Reactor Projects at 404-331-5506.

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PDR ADOCK 05000250
G PDR

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,


Jon R. Johnson, Acting Director
Division of Reactor Projects

Docket Nos. 50-250, 50-251
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