



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

August 13, 1985

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Duke Power.*

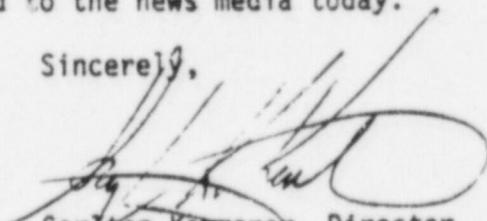
The Honorable Edward Markey, Chairman
Subcommittee on Energy Conservation and Power
Committee on Energy and Commerce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

Enclosed for your information is an announcement that the Nuclear Regulatory Commission staff is proposing to fine Duke Power Company \$64,000 for an alleged violation of NRC requirements which prohibit discrimination against an employee who brings safety concerns to the attention of management.

This announcement will be mailed to the news media today.

Sincerely,



Carlton Kammerer, Director
Office of Congressional Affairs

Enclosure:
As stated

cc: Rep. Carlos Moorhead

IDENTICAL LETTER SENT TO:
Sen. Simpson/cc: Sen. Hart
Rep. Udall/cc: Rep. Lujan
Sen. Hollings
Sen. Thurmond
Rep. Spratt

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UNITED STATES NUCLEAR REGULATORY COMMISSION

Office of Public Affairs
Washington, D.C. 20555

No. 85-108
Tel. 301/492-7715

FOR IMMEDIATE RELEASE
(Tuesday, August 13, 1985)

NRC PROPOSES TO FINE DUKE POWER FOR DISCRIMINATION AGAINST EMPLOYEE

The Nuclear Regulatory Commission staff is proposing to fine Duke Power Company \$64,000 for an alleged violation of NRC requirements which prohibit discrimination against an employee who brings safety concerns to the attention of management.

The finding of an alleged violation is based on a Partial Initial Decision issued by a NRC Atomic Safety and Licensing Board on June 22, 1984. The Licensing Board concluded that Gary E. "Beau" Ross, a quality control welding inspector foreman, had been poorly rated in his 1981-1982, November 1982 interim and 1982-1983 performance appraisals because he and his crew had brought safety concerns involving the construction of the Catawba nuclear power plant near Rock Hill, South Carolina, to the attention of Duke Power management.

The alleged discrimination against Ross was addressed in a June 4 Director's decision concerning a request for enforcement against Duke Power Company, and has been categorized as a Severity Level II violation since the alleged discrimination involved senior management officials. The NRC's Enforcement Policy lists five categories of violations, with Severity Level I being the most serious.

Duke Power Company now has 30 days to provide a written statement to the Director of the NRC's Office of Inspection and Enforcement which: admits or denies the alleged violation; the reasons for the violation if it is admitted; the corrective steps that have been taken and the results achieved; the corrective steps which will be taken to avoid further violations; and the date when full compliance with NRC requirements will be achieved.

The company also has 30 days to pay the fine or to protest its imposition in whole or in part. If the fine then is imposed, the company may request a public hearing.

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