

DOCKET NUMBER

PETITION RULE PRM

50-47  
(52 FR 1200) (21)

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ILLINOIS POWER COMPANY



CLINTON POWER STATION, P.O. BOX 678, CLINTON, ILLINOIS 61727

DOCKETED  
USNRC

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March 14, 1987

OFFICE OF SECRETARY  
DOCKETING & SERVICE  
BRANCH

Docket No. PRM-50-47

Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

ATTENTION: Docketing and Service Branch

SUBJECT: Response to Petition for Rulemaking

Dear Sir:

On January 12, 1987, the Federal Register (Volume 52, No. 7) contained a notice to the public requesting comments on a petition for rulemaking dated October 27, 1986, that was filed by Quality Technology Company. The Petitioner requested that the Commission add to its regulations a requirement that all utilities involved in a nuclear program (1) report to the Nuclear Regulatory Commission's (NRC's) Office of Investigation all employee-identified concerns related to "wrong doing" activities and (2) establish and maintain an employee concerns program.

Illinois Power has reviewed the above proposal for such rulemaking and believes the Commission should deny it in all respects for the following reasons:

- ° The establishment of such an employee concerns program should be at the initiative of each utility and considered only when need has been demonstrated. The Petitioner's basis for the proposal is heavily weighted on experiences obtained from one plant under construction. There is insufficient factual evidence to suggest that this experience can be validly extended and applied to other plants, and in particular to operating nuclear plants.
- ° The issuance of a rule may result in a standardized approach to employee concern programs that would reduce the flexibility of utility management to develop a program that meets plant specific needs.

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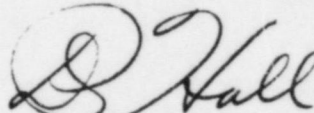
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- ° The proposed rule would encourage communication of employee concerns to third parties, at the expense of the reporting of concerns to line supervision and management for resolution. This would tend to dilute the accountability of those with first line responsibility for the quality of the safety-related work and may hinder timely resolution of problems and concerns.
- ° Clinton Power Station's experience in this area indicates that existing rules are adequate for the communication of employee concerns to line supervision and management, and to the NRC; and for the protection of employees' rights who voice concerns. Therefore, the additional reporting requirements proposed by the Petitioner are unnecessary, impose unwarranted requirements and would not contribute significantly to the safety of nuclear plants.

If there are any questions on the above, please contact R. E. Campbell, Manager - Quality Assurance, at Clinton Power Station.

Sincerely yours,

A handwritten signature in cursive script, appearing to read "D. P. Hall".

D. P. Hall  
Vice President

RDW/jsp