



Commonwealth Edison

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June 21, 1989

Mr. A. Bert Davis
Regional Administrator
U.S. Nuclear Regulatory Commission
Region III
799 Roosevelt Road
Glen Ellyn, IL 60137

Subject: LaSalle County Station Units 1 and 2
Allegations Concerning Ben L. Ridings
NRC Docket Nos. 50-373 and 50-374

Reference (a): W.E. Morgan letter to A.B. Davis dated
March 31, 1989.

Dear Mr. Davis:

This letter provides information supplementing that contained in our letter of March 31, 1989 (Reference (a)), relating to a Complaint pending before the U.S. Department of Labor filed pursuant to the Energy Reorganization Act by a former contractor at Commonwealth Edison Company's LaSalle County Station. Specifically, this additional information is in support of the fact that the termination of the Complainant, Ben L. Ridings, did not have a chilling effect in discouraging other Licensee or Contractor employees from raising perceived safety concerns.

As we have previously indicated, the Company is both aware and respectful of its obligations not to retaliate against persons who engage in protected activity as defined under the Energy Reorganization Act. The Company has vigorously contested the allegations by Mr. Ridings, who was working as a technical writer at LaSalle Station, that it violated the Energy Reorganization Act. The U.S. Department of Labor Administrative Law Judge recently has recommended dismissal of Mr. Ridings' complaint based upon Mr. Ridings' contumacious conduct and his attempts to disrupt the course of those proceedings. There is no merit to Mr. Ridings' claim and, consequently, the Company does not believe that his termination based upon completely unrelated reasons could have had a "chilling effect" on other employees.

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There has been no suggestion or reason to suspect that other individuals have ever been prevented or discouraged from raising perceived safety concerns at any of the Company's nuclear stations, including LaSalle County. To the contrary, the Company has taken a number of steps both before and after Mr. Ridings filed his Complaint not only to ensure that there is no such "chilling effect" but to encourage individuals to raise safety-related concerns with either their employers or the Nuclear Regulatory Commission.

The Company has complied and continues to comply with the requirement set forth in 10 CFR 19.11 requiring it to post notices of employees' rights to raise potential safety concerns. Such postings are prominently displayed in areas throughout LaSalle County, including common areas in the plant. Individuals in the same work group as Mr. Ridings passed by these postings on a daily basis. The Company has confirmed that such postings were in place during the time period Mr. Ridings was working at the plant and have remained in place on an uninterrupted and continuous basis.

All individuals assigned to work at the plant are informed of their right to raise safety concerns with the Nuclear Regulatory Commission even before they begin their work there. The Company's Nuclear General Employee Training Program, an orientation program required for any person assigned for work at a nuclear station, includes a detailed discussion of the right of all individuals to report, pursuant to the Energy Reorganization Act, safety concerns directly to the Nuclear Regulatory Commission. This portion of the curriculum also discusses the emphasis placed by the Company upon safety and quality control in the workplace and each individual's role in maintaining safety. Mr. Ridings and all of the other technical writers at the station received this training.

The Company also has posted in prominent locations at the Station main access facility the pictures, names, and phone numbers of the Nuclear Regulatory Commission's Senior Resident Inspector, Resident Inspector, and Secretary in order that individuals who have safety-related concerns may, if they wish, exercise their rights and contact these individuals either by telephone or on-site.

Shortly after the filing of Mr. Ridings' complaint, the Company implemented a new corporate directive designed to further enhance its communication to construction contractor organizations performing work at its nuclear plants of the requirements of the Energy Reorganization Act and Department of Labor and Nuclear Regulatory Commission regulations. Pursuant to this directive, the station manager or his designee is required to meet with each contractor construction site manager and discuss the contractor's obligation to comply with these requirements. The station manager or his designee reviews the

provisions of the Energy Reorganization Act and the rules related to employee protection promulgated by both the U.S. Department of Labor and Nuclear Regulatory Commission with the construction site manager. Furthermore, the Company informs the contractor of its responsibility to notify the Company prior to any adverse employment action that the contractor has reason to believe may result in a claim of discrimination. This information allows the Company to, among other things, review the intended employment action to avoid the possibility that there will be a violation of the employee protection provisions and to ensure that there be no consequent "chilling effect" in the plant.

Only several months after Mr. Ridings left the LaSalle Station, in September, 1988, the Company also implemented its "Quality First" program at the plant. Quality First (first implemented at Edison's Braidwood Station in 1984 and subsequently at the remainder of Edison's stations in the Fall of 1988) is an independent group of the Company's management responsible for receiving, investigating and evaluating concerns expressed regarding quality, security and management at all of the Company's nuclear plants, including LaSalle Station. The Company has established a hotline, operational 24 hours a day, seven days a week, to receive concerns from any Company employee or contractor personnel, whether or not currently employed at the plant.

The Quality First program has been widely publicized throughout the LaSalle Station. The Company has prominently posted large signs in many areas of the plant describing Quality First and noting the hotline number. Moreover, Quality First staff conducts exit interviews with all Company and contractor personnel when they leave the station because of termination or reassignment. As part of this exit interview process, individuals are encouraged by Quality First interviewers to voice any concerns regarding safety at the plant. In addition, each individual is informed that Quality First is only intended to provide an additional avenue to voice such concerns and does not replace the individual's legal right to directly contact the Nuclear Regulatory Commission. The identities of all persons who contact Quality First, whether on their own initiative or through an exit interview, are kept strictly confidential. Individuals are informed of this right to confidentiality and are assured that there will be no adverse action of any kind taken against them as a result of their expression of concerns to either the Company or the Nuclear Regulatory Commission. In fact, the Company informs each individual who provides his or her identity with a follow-up verbal report as to the resolution of any nuclear safety concerns.

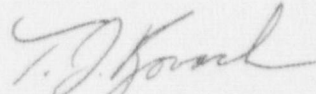
While the Company does not believe that Mr. Ridings' termination could have had a "chilling effect" at the station, the Company's implementation at the station of Quality First only a short time later no doubt had the effect of further encouraging the voicing of safety-related concerns without fear of reprisal. There were six contractor personnel working in technical writing

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positions at LaSalle under the same Company supervision as Mr. Ridings who, in the year since Mr. Ridings' termination, are now no longer working at the plant and were provided exit interviews under the Quality First program. We believe that these interviews by the Company sent a clear message to the employees in the work group that the Company encourages the expression of any safety-related concerns.

The Company remains committed to taking all reasonable actions to encourage individuals at its nuclear plants to express any safety-related concerns. These actions at the LaSalle County Station have included compliance with all Nuclear Regulatory Commission and U.S. Department of Labor requirements as well as implementation of programs that go beyond such requirements. Based upon these factors, we respectfully submit that there could not have been a "chilling effect" in this case.

Sincerely,



T. J. Kovach
Nuclear Licensing Manager

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