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I-99-64

August 3, 1999

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FOR IMMEDIATE RELEASE

NRC PROPOSES \$55,000 FINE FOR OPERATOR OF SEABROOK PLANT
FOR VIOLATION INVOLVING DISCRIMINATION; CONTRACTOR, FOREMAN CITED

The Nuclear Regulatory Commission staff has proposed a \$55,000 fine against the operator of the Seabrook nuclear power plant for discrimination involving an electrician who raised safety concerns at the Seabrook, N.H., facility. Discrimination against workers raising safety concerns is a violation of NRC requirements.

Although the discriminatory action was taken by an acting supervisor working for a contracting firm, plant operator North Atlantic Energy Service Corporation (NAESCo), as the holder of the NRC operating license, is responsible for ensuring employees and contractors adhere to NRC requirements. Therefore, NAESCo is the object of the proposed civil penalty.

The NRC also has cited the contracting firm, Williams Power Company (WPC), for discriminating against the worker who raised safety concerns. In addition, the acting supervisor, a Williams Power foreman, was cited for "engaging in deliberate misconduct" that caused NAESCo to be in violation of NRC requirements by discriminating against the electrician.

On January 7, 1998, the electrician, who was employed by Williams Power, raised a concern regarding a wiring discrepancy in the control building air-conditioning system's control panel. Specifically, the electrician identified two electrical conductors in the panel which terminated in a configuration opposite that shown in applicable design documents. The worker initially told his foreman of the concern. Later the same day,

he brought it to the attention of a NAESCO quality control (QC) inspector.

Subsequently, on January 16, 1998, the foreman told the electrician he had been laid off.

An investigation by the NRC's Office of Investigations was launched on January 29, 1998. The NRC gathered additional information during a predecisional enforcement conference held this past June 2nd.

While legitimate reasons supporting the layoff may exist, the NRC staff determined the action was at least partially motivated by the worker raising a safety concern, which is considered a protected activity. Specifically, the agency has concluded that the foreman selected the electrician for furlough, at least in part, "in retaliation for the manner in which he raised the wiring discrepancy, i.e., by bringing it to the attention of the QC inspector," NRC Region I Administrator Hubert J. Miller wrote to NAESCO in a letter notifying it of the enforcement action.

NRC staff learned that NAESCO took several proactive steps in response to the layoff, including recommending that Williams Power reinstate the electrician shortly after he lost his job, which the company did; informing supervisory and craft employees about the event; improving the quality of documentation supporting personnel actions; and reinforcing its commitment to a safety-conscious work environment to the entire workforce at Seabrook. If not for the company's corrective actions, the penalty would have been larger.

The utility, Williams Power and the foreman have 30 days to contest this enforcement action.

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