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Ms. Annette Vietti-Cook
Secretary of the Commission
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555-0001

Dear Ms. Vietti-Cook,

The comments below are in reference to a rulemaking petition submitted by the Union of Concerned Scientists as published in the October 27, 1999 Federal Register. The petition requests that training be provided for various levels of supervisors and managers on regulations prohibiting discrimination against workers raising safety concerns. This would vacate NRC arguments of not taking individual enforcement actions due to lack of knowledge of the law.

I do not think that the proposed change should be necessary. In a proper regulatory climate, penalties would be based on facts and the law. However, the proviso of 'proper regulatory climate' does not apply to NRC, especially when it comes to whistleblower issues. The petitioner does an excellent job of showing the NRC's inaction in certain aspects of whistleblower cases. By the NRC's own admission, action was not taken in one case because the manager lacked knowledge of the employee protection statutes. I think the real reason has to do with the NRC's cultural unwillingness to deal with both the issues raised by whistleblowers and the discrimination we ultimately face.

Essentially the proposed rule change is an attempt to 'legislate morality' i.e., to get NRC to do the right thing because NRC is organizationally incapable of the doing the right thing. I support the proposed change in the hope that if the NRC follows the new rule those that discriminate against whistleblowers will suffer the same fate for their unlawful acts as the whistleblower suffers for his lawful ones.

Respectfully,
Barry Quigley

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