



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415
April 6, 1999

IA 99-017

Mr. H. P. Risley
[HOME ADDRESS DELETED
UNDER 2.790]

SUBJECT: NRC Office of Investigations (OI) Case No. 1-96-002

Dear Mr. Risely:

This letter is in reference to an investigation conducted by the NRC's Office of Investigations (OI) and to the conclusions of the Millstone Independent Review Team recently appointed by the Commission to review the OI investigative record and advise the Commission on the conclusions that are supported by that record. The purpose of the investigation and independent review was to determine whether you and other managers deliberately demoted and removed from supervisory responsibilities the Supervisor in the Engineering Mechanics group at Northeast Nuclear Energy Company's (NNECo's) Millstone Station because that supervisor engaged in protected activities at Millstone. The investigation and subsequent independent review support a finding that your actions in 1993 in connection with the demotion and removal from supervisory responsibilities of this supervisor were taken, at least in part, because the supervisor engaged in various protected activities at Millstone. This constitutes discrimination which is prohibited by 10 CFR 50.7. At the time the discrimination occurred, you were the Director of the Engineering Department at Millstone.

Based on a review of the evidence in this matter, the NRC has concluded that your conduct in connection with the demotion of this supervisor contributed to a violation of NRC regulatory requirements. As a result, the NRC has taken enforcement action against NNECo for a violation of 10 CFR 50.7 (employee protection). A copy of that enforcement action with a summary of the findings in Case 1-96-002 is enclosed for your information.

After a careful assessment of your involvement in this matter, the NRC has decided to issue you this Letter of Reprimand. You are on notice that retaliatory personnel actions are very serious matters and will not be tolerated by the NRC. You should be aware that any similar violation in the future could result in significant enforcement action being taken against you.

You are not required to respond to this letter. However, if you choose to provide a response, you should provide it to me within 30 days of the date of this letter with a copy to the Director, Office of Enforcement.

PDR Adock 0500245

In accordance with 10 CFR 2.790, a copy of this letter, with your address removed, and a copy of your response, if you choose to submit one, will be placed in the NRC Public Document Room after 45 days from the date of this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "H. Miller", with a stylized flourish at the end.

Hubert J. Miller
Regional Administrator

Enclosure: Notice of Violation to NNECo with Attachments

DISTRIBUTION

*After 45 day hold

*PDR

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