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UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

May 19, 2000

CHAIRMAN

Mr. Robert C. Seldon
Project on Liberty and
the Workplace
1612 K Street, N.W.
Suite 1004
Washington, D.C. 20006

Dear Mr. Seldon:

I am writing in response to your April 20, 2000 letter to me and Nuclear Regulatory Commission (NRC) Inspector General Hubert T. Bell, Jr., concerning the NRC's actions with respect to Neil J. Aiken, a former employee of Pacific Gas & Electric Company. Mr. Aiken alleged he was retaliated against for raising concerns about the Diablo Canyon Nuclear Power Plant.

The NRC does not condone discrimination against individuals who raise safety or compliance concerns to plant management or the NRC. A safety-conscious work environment is critical to a licensee's ability to carry out licensed activities. The NRC's record of enforcement in this area demonstrates our commitment to ensure that nuclear plant workers are provided a work environment that encourages raising safety concerns without fear of retaliation or intimidation. We have taken and will continue to take appropriate action in those cases where the evidence supports a conclusion that retaliation has occurred.

The statement made by the Region IV Deputy Regional Administrator to Matt Wald, a reporter for The New York Times, that was quoted in a recent Times article only reflected a small part of the interview with Mr. Wald. The Region IV Deputy Regional Administrator explained to Mr. Wald that NRC had already expended significant resources performing a comprehensive investigation of your client's complaint, including a review of the Department of Labor's (DOL) findings. The statement was meant to convey that the NRC saw no benefit to expending *additional* resources to investigate a matter that had already been fully investigated by this agency.

The NRC Inspector General, Mr. Hubert Bell, Jr., has initiated an investigation of the staff's actions in response to the findings of the DOL's investigation. I have asked Mr. Bell to inform you of the investigation results, as appropriate, when they become available.

Sincerely,

Richard A. Meserve

cc: Mr. Hubert T. Bell, Jr.

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