

September 27, 2000

South Carolina Electric and Gas Company
ATTN: Mr. Stephen A. Byrne
Vice President, Nuclear Operations
Virgil C. Summer Nuclear Station
P.O. Box 88
Jenkinsville, South Carolina 29065

SUBJECT: NRC OFFICE OF INVESTIGATIONS CASE NO. 2-2000-005

Dear Mr. Bryne:

This refers to our letter dated September 13, 2000 in which you were informed of the Nuclear Regulatory Commission's (NRC) completion of activities regarding alleged discrimination against a V.C. Summer Process Control Analyst because the individual had engaged in activity protected under Section 211 of the Energy Reorganization Act of 1974. This was based on the results of our Office of Investigations review and the fact that the concerned individual did not appeal the Department of Labor's Occupational Safety and Health Administration (OSHA) Regional Supervisory Investigator's decision in the company's favor. However, on September 19, 2000, the NRC received additional information from the DOL which revealed that an appeal was filed in response to the OSHA Regional Supervisory Investigator's June 15, 2000, decision regarding the discrimination complaint.

Based on this new information, we are monitoring the progress of the DOL appeal and will inform you of the results of our final review of this case at a later time.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Should you have any questions concerning this letter, please contact me at 404-562-4421.

Sincerely,

/ra

Anne T. Boland, Enforcement Officer
Enforcement and Investigations
Coordination Staff

Docket No.: 50-395
License No.: NPF-12

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