From: Richard E Coen <bajabum@cox-internet.com>
To: <nrcrep@nrc.gov>, <oeweb@nrc.gov>, <oemail@nrc.gov...
Date: Mon, Oct 16, 2000 11:35 PM
Subject: Discrimination Task Group

Below is the result of your feedback form. It was submitted by
Richard E Coen (bajabum@cox-internet.com) on Monday, October 16, 2000 at 23:34:18

Affiliation: Whistleblower from Kentucky

Comments: This statement is being submitted to the NRC Discrimination Task Group.

On February 23, 2000 my professional services were terminated by USEC while under contract through SAIC on the High Assay Upgrade Program at Paducah Kentucky. I had been warned by my contract manger prior to my dismissal that if I pursued documentation of the safety issue I was concerned about, USEC would get nervous and terminate me. I documented the safety issue and was terminated. I provided OSHA and the NRC with documentation concerning the safety issue and my termination in MARCH. The NRC interviewed me in April. The NRC did not interview any of the other witnesses until the end of July. The NRC interviews did not include a key witness. The NRC's visit to Kentucky was setup during the key witness's rotation home.

Now missing one of the key witnesses is not so bad if a finding substantiating the whistleblower is issued. However that is not the case. This case involves contract personnel who had original been slated to be sent home in July. The NRC has issued a finding that a discriminatory environment did indeed exist, but is continuing its investigation into my termination. I am curious if a finding will be publicized before or after the contract personnel are disbanded.

As a result of the NRC visit to Paducah, contract employees have been told to have no contact with me. I notified the NRC and OSHA concerning this issue. The NRC interviewed me concerning the blackballing on October 11, 2000.

The Energy Reorganization Act, Title 42. Chapter 73. SUBCHAPTER II bears the Nuclear Regulatory Commissions name, which precedes "Nuclear Whistleblower Protection", implying that the NRC protects its whistleblowers. The process is to file a complaint with OSHA. Within 30 days of receipt of the complaint, an investigation SHALL be completed. A finding SHALL be issued within 90 days.

Now for all of you that don't know how the process really works, it is simple. You notify the NRC concerning safety issues. You notify OSHA concerning discrimination. OSHA does not have the money to pursue discrimination. OSHA does not have jurisdiction to pursue discrimination issues unless the COMPANY agrees (Per OSHA) .

The NRC has no stake in how the whistleblower is treated. It is not their jurisdiction to protect the whistleblower or his family. The documents provided me (42 USCA 5851) by the NRC are a sham. They describe protection and Due Process that doesn't exist.

How does the NRC process work to protect the whistleblower? It does not. The whistleblower is fired. The whistleblower is blackballed from employment in his profession. Attempts are made to prevent the whistle blower from transferring his skills through character assassination and false statements. His family is threatened with incarceration by Kentucky Public safety officers. His property is vandalized.

The resolution of the safety issues? I do not have a clue whether they have been resolved. I do know that the public document representing plant safety had many false statements when I left. The SAR is not factual. The SAR is misleading the public. I do know that when I filed my statement in March, USEC personnel had begun what appeared to be a cover up of the safety issues.

To summarize my feelings, 90 days is long past. The NRC has taken action in front the professional world to support a USEC employees statement. We (at USEC) can do what ever we please and the NRC will allow us.

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