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AN ALLEGER

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> EX 6 + 7C

7C
+ 6

February 8, 1999

Russell Wise
Senior Allegations Coordinator
United States
Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

RE: Allegation No. [redacted]

EX 6 + 7C

Dear Mr. Wise:

The following is an update of the continuing discrimination I have received since my last meeting with the NRC on 8/20/98.

On 9/3/98, my supervisors retaliated against me by [redacted]

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On 10/8/98, I communicated to my supervisor that I did not attend a scheduled [redacted]

I stated the following: 1) my attorney advised me not to attend until my rights to privacy were secured. 2) I am not refusing to submit to a [redacted] and 3) I will continue to protect my rights.

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On 10/8/98, my supervisor recommended to the General Manager that I be terminated for failure to attend the scheduled [redacted]

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On [redacted], the SMUD General Manager issued to me a [redacted]

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On 10/23/98, my attorney and I attended a Skelly hearing with the General Manger to consider the 10/9/98 [redacted]

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On 10/30/98, the General Manager rescinded her [redacted] which was largely based on the fact that I had relied on the advice of my counsel who advised me not to attend the [redacted] until my rights to privacy had been secured. It should be noted that I had communicated this same fact to my supervisor prior to his [redacted]

The decision to rescind [redacted] was predicated upon my written agreement to five conditions. One of these conditions was that I must demonstrate both willingness and follow through in the preparation of PDQs (i.e., Potential Deviation from Quality report, which is an official problem report for reporting plant problems to the employer rather than the NRC). Note that this condition was imposed after I had expressly stated to my employer that I had received past discrimination for having written PDQs in the past and furthermore had filed a complaint with the NRC and California Department of Labor for this past discrimination. Also it should be noted that my expressed concern of past discrimination for having written PDQs was a stated reason for [redacted]

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On 12/11/98, I submitted to a [redacted] The [redacted] concluded that there was no evidence of [redacted]

EX 6-7

On [redacted] work at Rancho Seco.

On 1/13/99, [redacted] threatened to [redacted] if he found out that I reported a plant problem directly to the NRC without first writing a PDQ (i.e., without reporting the problem first to my employer). [redacted] insisted that this was a condition the General Manger imposed as a condition for [redacted] This was a clear act of discrimination and a denial of my right to report problems directly to the NRC per Form 3.

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It is very important that you contact SMUD employee [redacted] at [redacted]. He has informed me that he has also recently suffered discrimination for having reported a safety concern with a planned release of liquid effluent water from the Rancho Seco Nuclear Power Plant. The planned effluent release exceeded 10 times the allowed radiological specific activity limit for tritium. He suffered intimidation and harassment from SMUD for reporting this potential violation of the California Regional Water Quality Board, National Pollutant Discharge System Permit, NPDES CA004758. The initial attempt by supervision to ignore the NPDES limits (Title 22) and their attitude toward regulatory compliance should be considered when investigating the allegation regarding the cover up of a violation of Technical Specifications described in DQ 95-12. I communicated this allegation to the NRC on 8/20/98 via letter from [redacted] to Mr. Boal, "Concerns Regarding Rancho Seco", item 2.0.

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Enclosed, please find a copy of my complaint of discrimination recently filed with the US Department of Labor. As stated in the complaint, I have assembled substantial documentary and testimonial evidence, which supports my claim that my employer has discriminated against me for having engaged in protected activities. The investigation of this evidence will clearly show that I had engaged in the protected activities. The evidence will also show that there was a clear causal relationship between my reporting regulatory and procedural violations and SMUD's

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negative attitudes toward me and discriminatory actions taken against me. Also, the evidence will show that the effect of the discrimination I have been subjected to has caused an intolerable working environment whereby I am no longer free to report problems.

I have a strong conviction that in order to effectively regulate the Nuclear Power Industry and thereby to protect the public's health and safety, there must be a free environment for reporting and resolving safety concerns identified by nuclear workers. I trust in the United States Department of Labor and Nuclear Regulatory Commission's commitment to ensure that this key element is protected. Please help.

Sincerely

[Redacted signature area]

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