

February 15, 2001

Mr. Michael J. Sullivan, Director  
Department of Veterans Affairs  
Medical Center  
University and Woodland Avenues  
Philadelphia, Pennsylvania 19104

EA 00-086

Subject: Request for an Extension of Time to Request a Hearing

Dear Mr. Sullivan:

This refers to your letter, dated January 11, 2001, in response to the Order Imposing Civil Monetary Penalty sent to you by our letter, dated December 14, 2000. The Order was related to a violation involving discrimination against a research nurse who was subjected to a hostile work environment after contacting the NRC regarding safety concerns. The violation was classified at Severity Level III. A civil penalty in the amount of \$5,500 was imposed by Order for the violation to emphasize the importance of continuously assuring a work environment that is free of any harassment, intimidation, or discrimination against those who raise safety concerns.

On December 26, 2000 the NRC received your payment of \$5,500. In your January 11, 2001 response, you indicated that the payment of the fine should not be interpreted as an indication of your final acceptance of the decision and requested a 30-day extension of the time to request a hearing based on the unavailability of key personnel. Also, you indicated the need to consult your attorney who was on leave from the General Counsel's Office in Washington D.C. until January 13, 2001.

On, February 5, 2001, Mr. J. Bradley Fewell, USNRC Region I Regional Counsel spoke with Mary Moore, RSO, VA Philadelphia, after she had discussed the matter with the appropriate VA officers, and was informed that you do not plan to request a hearing. However, Ms. Moore stated that you may still wish to submit a letter to the NRC outlining you view that discrimination did not occur. In light of this conversation, there is no reason to act on your extension request. We consider this matter closed.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice", a copy of this letter will be made 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).

Sincerely,

/RA/

R.W Borchardt, Director  
Office of Enforcement

Docket No. 030-14526  
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