UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931

June 22, 2001

Southern Nuclear Operating Company, Inc.
ATTN: Mr. H. L. Sumner, Jr.
Vice President
P. O. Box 1295
Birmingham, AL 35201-1295

SUBJECT: DEPARTMENT OF LABOR (DOL) CASE NO. 2000-ERA-0005
(LEDARIL MOSELY V. SOUTHERN NUCLEAR OPERATING COMPANY)

Dear Mr. Sumner:

The purpose of this letter is to inform you of the Nuclear Regulatory Commission's (NRC) completion of activities related to the subject complaint of discrimination involving the Hatch Nuclear Plant.

The NRC's Office of Investigations reviewed the complaint, and Southern Nuclear Operating Company, Inc. (SNOC) was notified of the results of the investigation by letter dated March 2, 2001. The OI investigation, Case No. 2-2000-012, concluded that the evidence developed did not substantiate that the complainant was subjected to illegal discrimination by SNOC. In that letter, SNOC was also advised that the NRC would withhold its judgement on whether or not enforcement was warranted in this matter until after a final decision had been reached by the DOL.

On May 9, 2001, the DOL Office of Administrative Law Judges (ALJ) issued a Recommended Decision and Order Approving Settlement, approving the settlement of the complaint (Case 2001-ERA-0005). Through a Memorandum of Understanding with DOL, the NRC reviewed the settlement agreement and determined that it was not prohibitive with respect to the requirements of 10 CFR 50.7(f). In addition, the DOL Administrative Review Board was not petitioned for review of the case, rendering the ALJ approval of the settlement a final DOL decision and closing the case.

Based on the OI conclusions regarding the complaint, the DOL's closure of the case, and our review of the settlement agreement, we plan no further action in this matter. If you have any questions regarding this case, you may contact me at 404-562-4421, or at the above address.

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).

Sincerely,

/RA

Anne T. Boland
Enforcement Officer

Docket Nos. 50-321, 50-366
License Nos. DPR-57, NPF-5

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