



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

July 11, 2002

Mr. M. Warner
Site Vice President
Kewaunee and Point Beach Nuclear Plants
Nuclear Management Company, LLC
6610 Nuclear Road
Two Rivers, WI 54241

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2001-034

Dear Mr. Warner:

As a result of a concern that a Nuclear Oversight inspector was discriminated against for filing a discrimination complaint with the Nuclear Regulatory Commission (NRC) and the Department of Labor, the NRC recently conducted an investigation regarding this matter. Based upon the results of the investigation, we did not substantiate that the employment actions taken against the individual were the result of the complaints filed with the NRC and the DOL. A copy of the Office of Investigations report synopsis is enclosed. This concludes the NRC's investigation into this matter.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if any, 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/reading-rm.html> (the Public Electronic Reading Room).

If you have any questions or comments regarding this matter, please contact James Heller or Andrea Kock of the NRC Region III staff at telephone number (630) 829-9500.

Sincerely,


John A. Grobe, Director
Division of Reactor Safety

Docket Nos. 50-266; 50-301
License Nos. DPR-24; DPR-27

Enclosure: As stated

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations, Region III, on July 30, 2001, to determine whether a former Senior Quality Assurance (QA) Engineer was discriminated against at the Point Beach Nuclear Plant for raising concerns to the NRC. On August 6, 2001, OI was asked to concurrently investigate whether the QA Engineer deliberately falsified QA surveillance records.

Based upon the evidence developed, this investigation did not substantiate the allegation that the Senior QA Engineer was discriminated against for raising concerns to the NRC.

Based upon the evidence developed, this investigation did substantiate the allegation that the Senior QA Engineer deliberately falsified QA surveillance records.