

RAS 6274  
50-390-CIVP, et al.  
Staff Exhibit 174

SEP 25 1997

Oliver D. Kingsley, Jr., LP 6A-C  
Wallace T. Tanksley, ET 12A-K

SENSITIVE INFORMATION

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JUDICIAL	_____
OTHER	_____
MGR.	<i>for</i> _____
RT.	<i>CT 110</i> _____

TENNESSEE VALLEY AUTHORITY (TVA) MANAGEMENT, SUBJECT ALLEN W. SORRELL, FORMER RADIOLOGICAL & CHEMISTRY CONTROL (RADCHEM) MANAGER, BROWNS FERRY NUCLEAR PLANT (BFN) AND NUCLEAR OPERATIONS, TVA NUCLEAR (TVAN), COMPLAINANT CONCERNS RESOLUTION STAFF (CRS) MATTER -- HARASSMENT/INTIMIDATION  
OIG FILE NO. 2A-367

We have completed our investigation of allegations made by Allen W. Sorrell, former RadChem Manager, in a letter to Chairman Crowell dated February 2, 1997, and in subsequent interviews with the Office of the Inspector General (OIG). Specifically, we investigated whether Sorrell was intimidated and harassed for raising safety concerns, and whether he was forced to resign from TVA.

Our investigation did not substantiate Sorrell's allegations. The bases for our conclusions are outlined in the attached report. In addition, we will make our investigative file available upon request to you or your human resource officer if you desire to review statements and other evidence associated with this investigation.

Since our report contains no recommendations, we are providing you this copy only for your information. Our investigation of this matter is closed.

ORIGINAL SIGNED BY  
G. DONALD HICKMAN

G. Donald Hickman  
Assistant Inspector General  
(Investigations)  
ET 4C-K

RPL:MEM:DBG

*but* cc: Craven Crowell, ET 12A-K  
Johnny H. Hayes, ET 12A-K  
William H. Kennoy, ET 12A-K  
Edward S. Christenbury, ET 10A-K  
Michael R. Harding, LP 3B-C  
Phillip L. Reynolds, LP 3B-C  
Norman A. Zigrossi, ET 12A-K  
OIG File No. 2A-367

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Tax  
9/29/97*

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OFFICE OF INSPECTOR GENERAL INTERNAL INVESTIGATIONS	
SEP 26 1997	
	<i>for</i>

The information contained within this document is the property of the Tennessee Valley Authority and has been determined to be sensitive. Its contents are not to be further distributed without prior approval of the Inspector General or his designee.

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SENSITIVE INFORMATION

Template = SECY-028

SECY-02

Nuclear Regulatory Commission

License No. 50-390 Official Est. No. Staff 174

In the matter of TVA

Staff  IDENTIFIED   
Applicant \_\_\_\_\_ RECEIVED   
Intervenor \_\_\_\_\_ REJECTED \_\_\_\_\_  
Other \_\_\_\_\_ WITHDRAWN \_\_\_\_\_  
DATE 6/19/02 Witness \_\_\_\_\_  
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OFFICE OF THE CLERK  
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Tennessee Valley Authority  
Office of the Inspector General

# Report of Administrative Inquiry

TENNESSEE VALLEY AUTHORITY (TVA) MANAGEMENT, SUBJECT  
ALLEN W. SORRELL, FORMER RADIOLOGICAL & CHEMISTRY  
CONTROL (RADCHEM) MANAGER, BROWNS FERRY NUCLEAR  
PLANT (BFN) AND NUCLEAR OPERATIONS, TVA NUCLEAR (TVAN),  
COMPLAINANT  
CONCERNS RESOLUTION STAFF (CRS) MATTER --  
HARASSMENT/INTIMIDATION

OIG FILE NO. 2A-367

ORIGINAL SIGNED BY  
G. DONALD HICKMAN

APPROVED BY: \_\_\_\_\_  
G. Donald Hickman

DATE ISSUED: \_\_\_\_\_  
SEP 25 1997

The information contained within this document is the property of the Tennessee Valley Authority and has been determined to be sensitive. Its contents are not to be further distributed without prior approval of the Inspector General or his designee.

SUMMARY OF INVESTIGATION

We have completed our investigation of allegations made by Allen W. Sorrell, former RadChem Manager, in a letter to Chairman Crowell dated February 2, 1997, and in subsequent interviews with the Office of the Inspector General (OIG). Specifically, we investigated whether Sorrell was intimidated and harassed for raising safety concerns, and whether he was forced to resign from the Tennessee Valley Authority (TVA).

Our investigation did not substantiate Sorrell's allegations. The bases for our conclusions are outlined below.

ALLEGATIONS

We investigated the following allegations:

1. Sorrell alleged that Eugene Preston, Jr., former Browns Ferry Nuclear Plant (BFN) Plant Manager, transferred him from his position as BFN RadChem Manager to BFN Manager of Projects in retaliation for concerns expressed in records he kept on a private computer diskette. According to Sorrell, an unknown person took the diskette from Sorrell's office, printed documents from the diskette, then distributed those documents to several BFN managers, including Preston. Sorrell stated that on December 15, 1994, Preston confronted Sorrell about the notes and told Sorrell he did not want anyone working for him who kept notes on private conversations. According to Sorrell, he was told on December 16, 1994, that he was going to be reassigned--one day after Preston received a copy of Sorrell's stolen notes.
2. Later, after Sorrell received a rotational assignment as the TVA Nuclear (TVAN) Corporate RadChem Manager during 1995, Donald E. Moody--then Operations Support Manager and Sorrell's immediate supervisor--allegedly harassed him by not providing him with the responsibilities and authority commensurate with the senior manager position he held. (Moody died in March 1996.)

3. Sorrell alleged he was forced to take an early-out retirement because his supervisor (Moody) and human resource personnel told him his position was going to be eliminated.
4. Sorrell further alleged that during an October 1995 meeting about his early-out, human resource personnel refused to let him explain his concerns or present documentation regarding those concerns. According to Sorrell, he was told his position would be eliminated and he would receive "no special benefits" if he continued to attempt to discuss his concerns.

Sorrell raised these allegations for the first time in his February 2, 1997, letter--over two years after being transferred from the BFN RadChem Manager position and over one year after resigning from TVA. During different interviews, he explained his delay in raising these allegations as being due to (1) embarrassment at the way he had been forced to leave TVA, and (2) just now having the time to devote to raising his allegations.<sup>1</sup>

## BACKGROUND

### Employment History

Sorrell began employment at TVA on May 1, 1978, as a Health Physicist (SD-3). Sorrell was promoted numerous times and received consistently good service reviews--his overall performance ratings were predominantly superior or exceptional. During January 1995, he was placed on rotational assignment as BFN Manager of Projects. Several weeks later (approximately April 1995), Oswald J. Zeringue--Senior Vice President, Nuclear Operations, TVAN--offered Sorrell the TVAN RadChem Manager position in Chattanooga. Sorrell remained in that position until his TVA employment ended effective December 31, 1995.

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<sup>1</sup> Sorrell made additional allegations involving other individuals. However, those allegations were not based on Sorrell's expression of concerns, and accordingly were outside the scope of our investigation. Sorrell also raised several technical issues. He admitted he had not documented his technical concerns on any report at BFN, such as a Problem Evaluation Report or a Condition Adverse to Quality Report. We referred him to the CRS so those issues could be evaluated. Sorrell stated none of his concerns required immediate action for the safe operation of BFN. When he met with the CRS, Sorrell also raised several aged allegations involving potential misconduct or abuse issues. Our preliminary investigation of those issues did not reveal any information warranting further investigation.

Disclosure of Sorrell's Private Computer Documentation

Sorrell stated he kept a private computer diskette which contained his personal notes about technical concerns he had at BFN and some personal notes about his divorce. Sorrell made the following statements about this diskette.

- Sorrell had previously discussed with Preston all but one of his technical concerns documented on his diskette. He could not recall the nature of the one concern he had not discussed with Preston. He had experienced no retaliation for raising concerns to Preston.
- The diskette had been in Sorrell's drawer for approximately one year, and he had never printed copies of his notes.
- On or around December 15, 1994, the diskette was taken by an unknown person, or persons, who printed documents from the diskette and distributed them to several key BFN managers.
- Sorrell was unable to locate the diskette during the OIG investigation.<sup>2</sup>

Our review of the documents allegedly taken from Sorrell's diskette showed they included summaries of meetings between Sorrell and Preston (Sorrell's manager), technical concerns, RadChem performance highlights, organizational options, and a diary of daily activities, including concerns about the performance of John M. Corey, former BFN Radiological Control (RadCon) Manager, who subsequently replaced Sorrell as RadChem Manager. The dated entries were in 1994, with the earliest dated entry being in September 1994 and the latest in November 1994. Examples of entries are contained in the appendix to this report.

According to Sorrell, on December 15, 1994, Preston confronted Sorrell about the documents. Sorrell stated Preston said he did not want anyone working for him who kept notes on private conversations. According to Sorrell, on December 16, 1994, Preston's secretary called Sorrell at home (while he was on annual leave) and read him a letter from Preston notifying Sorrell he

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<sup>2</sup> During a June 18, 1997, interview, Sorrell stated he was reviewing his 17 years of personal notes to better communicate his allegations of intimidation and harassment.

would be reassigned from the BFN RadChem Manager position in January 1995. Preston's letter provided several potential positions or assignments for Sorrell and asked that Sorrell rank the prospective positions in order of preference.

TRANSFER FROM BFN RADCHEM

Sorrell alleged his transfer from RadChem was in retaliation for his keeping notes documenting his technical and management concerns at BFN. While the evidence indicates Sorrell's note-taking was a factor in the circumstances surrounding his transfer, the evidence does not indicate that Sorrell's note-taking was a protected activity. Accordingly, the evidence does not support a finding of misconduct.

Our investigation revealed the following concerning Sorrell's transfer.

- In a December 5, 1994, memorandum, Preston stated Sorrell would be returning to his permanent position as BFN RadChem Manager, while Corey would temporarily be assigned as the BFN RadCon Manager.
- In a memorandum dated eleven days later--December 16--Preston notified Sorrell he would be reassigned from his BFN RadChem position in January 1995 and provided Sorrell a list of potential positions/assignments to rate in order of preference.

Preston made the following statements about Sorrell's transfer.

- He had decided to transfer Sorrell before Sorrell's notes were distributed. Preston gave two reasons for this decision. First, Preston stated he had a practice of rotating key BFN managers to increase their understanding of plant operations, to provide for broad development of key managers, and to provide depth of experience to BFN's key management team. Second, Preston stated another utility was trying to recruit Corey, and TVA was trying to keep him by promoting him to the BFN RadChem Manager position.
- Preston acknowledged he told Sorrell he would not have anyone working for him whom he could not trust--such as someone who would keep personal diaries on private

conversations. However, Preston stated Sorrell's notes only reinforced his decision to transfer Sorrell. Preston characterized Sorrell's notes as being similar to a diary documenting Sorrell's private observations about coworkers, including Preston. Preston did not recall any regulatory or technical issues in Sorrell's distributed notes. Preston also stated that there was no circumstance under which he would not have addressed any regulatory or technical concerns. According to Preston, Sorrell's reassignment was not in retaliation for expressing any differing staff view or technical concern.

Other evidence supporting Preston's statements as to the reasons for Sorrell's transfer included the following.

- James E. (Ed) Boyles--then Human Resource Manager, TVAN Human Resource Operations; current Consultant, Chattanooga Site Human Resources--indicated rotational assignments were used to broaden the perspective of good TVAN managers.
- Zeringue stated that management wanted to promote Corey in an attempt to retain him, because another utility was recruiting him.

#### OIG Conclusion

There is evidence indicating the circumstances of Sorrell's transfer were based at least in part on the discovery that he kept private notes of meetings and activities. Specifically, Preston acted to transfer Sorrell on the same day or the day after Sorrell's notes were disseminated, even though in a memorandum dated 11 days earlier he had said Sorrell would be returning to the BFN RadChem Manager job.

However, there is insufficient evidence to conclude that Sorrell's practice of keeping notes was a protected activity. Specifically, there is no evidence to show Sorrell kept these notes to obtain safety information for the purpose of promptly bringing such material to the attention of TVA or the Nuclear Regulatory Commission. Rather, the evidence indicates he kept these notes for personal reasons. Furthermore, management's stated reasons for the transfer--to place Sorrell on a rotational assignment and to promote Corey to retain him as a TVA employee--are not unreasonable, and Sorrell did not suffer any loss in grade or pay as a result of the transfer.

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Therefore, there is insufficient evidence to find that any action was taken against Sorrell because he raised safety concerns.<sup>3</sup>

ALLEGED HARASSMENT BY MOODY

While he was the RadChem Manager in Chattanooga during 1995, Sorrell reported to Moody. Sorrell alleged Moody harassed him. Specifically, according to Sorrell, Moody would not delegate authority to him, would not go through him when communicating with employees who reported to Sorrell, and would not act on items Sorrell sent to him for action or approval. Sorrell listed ten examples of action taken by Moody to prevent Sorrell from doing his job. The examples included not letting Sorrell do service reviews or approve travel for people working for him. Sorrell offered no evidence to indicate that Moody's alleged harassment was due to his expressing concerns.

Moody could not respond to these allegations because of his death. Wilson C. McArthur--former TVAN RadCon Manager; current TVAN RadChem Manager--worked under Sorrell while Sorrell reported to Moody. McArthur made the following comments about this allegation.

- Sorrell was an absentee manager who spent most of his time in Muscle Shoals, Alabama. McArthur often would call for Sorrell in Muscle Shoals, but no one would know where he was. In Sorrell's absence, McArthur performed the function of RadChem senior manager.
- McArthur observed nothing to indicate that Moody was either ignoring Sorrell, failing to act upon Sorrell's recommendations, or bypassing Sorrell and going directly to Sorrell's subordinates on issues in an attempt to harass Sorrell. Sorrell was almost never in Chattanooga and frequently could not be reached by telephone in Muscle Shoals, and there were times when management decisions had to be made in Sorrell's absence.
- Sorrell acknowledged he spent much of his time in Muscle Shoals. He stated Zeringue had approved his working in the Muscle Shoals area several days a week through June or

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<sup>3</sup> There also is no direct evidence to show that expression of any technical concerns in the notes led to Preston's actions. Sorrell stated he already had raised all but one of the technical concerns to Preston, and Preston indicated it was the notes of personal conversations that upset him.

July 1995 even though TVA had a local manager there. Sorrell explained he wanted to be close to his daughter's softball activities in Muscle Shoals.

OIG Conclusion

Based on this information, there was insufficient evidence to substantiate that Moody harassed Sorrell because he raised safety concerns.

SORRELL'S RESIGNATION

Sorrell alleged he was forced to resign when Moody and human resource personnel told him his position was going to be eliminated. Contrary to Sorrell's allegation, the evidence shows Sorrell requested and received an early-out/retirement with benefits that were not available to other employees at that time. The bases for this conclusion follow.

- Sorrell alleged he had worked as TVAN RadChem Manager for about nine months when Moody told him his job would be eliminated at the end of fiscal year 1996. Sorrell further alleged Naomi C. Lindsey--then Manager, TVAN Human Resource Operations; current Manager, Human Resources, Customer Service and Marketing--and Boyles also told him his position was to be eliminated.
- Sorrell acknowledged he received no written termination notice.
- Lindsey told the OIG that Zeringue requested she and Boyles meet with Sorrell to discuss early-out and retirement benefits. It was her understanding Sorrell had requested the early-out/retirement; to her knowledge, his job was not at-risk.
- According to Boyles, he understood from Lindsey and Phillip L. Reynolds--General Manager, TVAN Human Resources--that Sorrell had requested an early-out. Boyles stated Sorrell never told him why he wanted the early-out; but, during several discussions, Sorrell said that he wanted to be in Muscle Shoals, close to his daughter.

SENSITIVE INFORMATION

- According to Zeringue, Sorrell initiated his early out/retirement. Zeringue stated Sorrell's position was not at-risk; and, if he had not asked for the early-out, he could have remained in the TVAN RadChem position. Zeringue further stated the early-out period had ended at the time Sorrell asked for his early-out. Zeringue stated he agreed to Sorrell's request because he had been a good employee who had made significant contributions to TVA.
- The early-out incentive option given Sorrell added three years to his attained age and three years to his length of creditable service in the TVA Retirement System for pension calculation purposes.
- McArthur (former RadCon Manager) stated that based on conversations he had with Sorrell, he believed Sorrell initiated the request for an early-out. According to McArthur, Sorrell mentioned he had talked with Zeringue several times but had been unable to negotiate an acceptable relocation package from his home, near Muscle Shoals, to Chattanooga. McArthur believed, from Sorrell's comments, that as an alternative to the relocation package, Sorrell requested an early-out. McArthur stated Sorrell seemed happy when he was able to negotiate an acceptable early-out package.
- In a December 16, 1994, memorandum to Sorrell, Preston notified Sorrell he would be reassigned from his BFN RadChem position in January 1995 and provided Sorrell a list of potential positions/assignments to rate in order of preference. In Sorrell's December 22, 1994, written response to Preston, Sorrell stated his first preference was to remain as BFN RadChem Manager; however, he provided Preston with eight alternatives for Preston's consideration. The third alternative on Sorrell's list--which was not included in Preston's original letter to Sorrell--follows.
  3. Leave of absence with TVA offer to accept the early out incentive program. I had previously given thought to teaching and it will take me about one year to become a teacher. I could present a strong, positive nuclear view in this capacity. I would like to be offered the early out to be effective December 31, 1995, and be given time off with pay in order to obtain my teacher's certificate.
- Sorrell's signature appears on an "Early-Out Incentives Application" which states, "I offer to voluntarily resign from TVA employment under the Early-Out Incentive . . . ."

- Sorrell's former position as TVAN RadChem Manager was not eliminated.

OIG Conclusion

The above evidence shows Sorrell sought and received an early-out/retirement. There is no evidence to support his allegation that he was forced to resign.<sup>4</sup>

OCTOBER 1995 MEETING WITH LINDSEY AND BOYLES

Sorrell alleged that during an October 1995 meeting about his early-out, human resource personnel refused to let him explain his concerns or present documentation regarding those concerns. According to Sorrell, he was told his position would be eliminated and he would receive "no special benefits" if he continued to attempt to discuss his concerns. The evidence developed during our investigation does not support Sorrell's allegation.

This allegation concerns an October 1995 meeting between Sorrell, Lindsey, and Boyles, which was arranged to discuss Sorrell's early-out/retirement package. Sorrell alleged that during this meeting, he attempted to explain about his stolen diskette and attempted to give Lindsey and Boyles a 15-page documentation package which discussed his allegation that he was a victim of intimidation and harassment. According to Sorrell, Lindsey stopped him from speaking and told him that if he continued, his position would be eliminated and he would get "no special benefits." (Sorrell described Boyles' presence at the meeting as being that of a "bystander." Boyles told the OIG he was present for most, but not all, of the meeting.)

Our investigation revealed the following regarding Sorrell's allegation.

- Lindsey told the OIG Sorrell mentioned in the meeting that someone stole a diskette from his desk at BFN, but he did not describe what kind of information was on the diskette. To keep the discussion focused on Sorrell's early-out/retirement, Lindsey suggested Sorrell contact BFN personnel to report the theft. Lindsey disputed Sorrell's claim he attempted to hand her a package of written concerns. Lindsey stated Sorrell never verbally expressed,

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<sup>4</sup> Sorrell suggested several times during our investigation that the OIG administer polygraph examinations to him, Lindsey, and Boyles. We did not believe polygraphs were warranted in view of the total lack of evidence supporting Sorrell's allegations.

nor attempted to present any documentation about, allegations he had been intimidated and harassed by anyone in TVA, or concerns about technical, regulatory, or safety matters.

- Boyles told the OIG that during the October 1995 meeting, Sorrell mentioned a diskette was taken from his desk and copied. Boyles recalled Lindsey told Sorrell if he wanted to discuss the theft, she would refer him to the proper authorities. According to Boyles, Sorrell said no, he wished to continue their meeting about his early-out/retirement benefits. Boyles stated he did not hear Sorrell say the diskette contained notes on safety or intimidation/harassment matters. Boyles stated he never observed Sorrell offering a collection of papers documenting his concerns to Lindsey or to him.
- Sorrell sent a letter to Boyles, dated January 2, 1996, the full text of which follows.

Well, I am starting my first week of retirement thanks to TVA allowing me to participate in the 3 + 3 early-out program. I wanted to take time to thank you for working so well with me on my retirement transition. Your excellent personality made it easy to discuss crucial details. Again, thanks for your help and tell Naomi I also enjoyed working with her.

(Sorrell told the OIG he sent approximately 20 such thank-you letters in an effort to cover his embarrassment from being terminated by presenting a facade that he left TVAN voluntarily.)

- On Sorrell's "Browns Ferry Checkout Form," written beside the CRS sign-out area is the following: "No one there. No adverse items to discuss--A. W. Sorrell" (comment not dated).

#### OIG Conclusion

There is no evidence to support Sorrell's allegation that human resource officers refused to let him express concerns and threatened loss of his benefits if he tried to express concerns.

#### REMARKS

Based on the above information, no recommendation is warranted.

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## APPENDIX

### SAMPLE ENTRIES ALLEGEDLY FROM SORRELL'S PRIVATE COMPUTER DISK

October 1, 1994 - Sorrell and Mr. Preston met. Mr. Preston stated he intended to make Sorrell a job offer but he would not do anything that was detrimental to Sorrell and if he did not find the offer acceptable the RadChem manager job was still his.

November 22, 1994 - Sorrell met with Mr. Preston. After being told by Sorrell that he was not interested in an INPO assignment Mr. Preston stated that Sorrell had been given the highest service review of his directs, he had no "hidden agenda", and there was no change that the RadChem position was still his if Sorrell wanted it.

1. Serving pizza every Wednesday to plant manager and his secretary using TVA funds.
2. Workers regularly leave work early. Discussed with Maintenance manager and Plant Manager but ignored.
3. Statement by the Maintenance Manager to the Plant Manager on November 30, 1994 that TVA had been lying to the NRC for years by installing non-qualified equipment into unit 2

- September 19, 1994; Corey stated he did not think we would be able to perform leak checks with drywell head on. Turned out to be a non-problem but following RadChem recommendations would have added an extra head lift.

- September 21, 1994; At 0730 morning meeting Chemistry reported an iron value of "3.7- exactly what you would expect for plant conditions." I mentioned this inconsistency to Corey who said he had not picked up on it. I reminded Corey this was the type of Chemistry status which made me worry if they understood what they were doing.

- October 19, 1994; On the day before the ISI dose goal was stated in the morning meeting to be on target with no comments. Today ISI reached 100% of their dose goal with a lot of work to go. Apparently high dose work is not being closely monitored.

- November 16, 1994; Environmental release to the river due to poor operation of the biocide system by chemistry.

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\* When interviewed by the OIG, the maintenance manager denied making this statement.

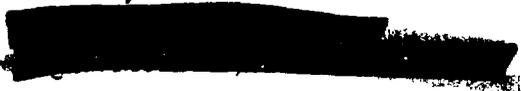


Tennessee Valley Authority, 400 West Summit 1st Drive, Knoxville, Tennessee 37902-1400

January 25, 1995

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Gary L. Fiser



Dear Mr. Fiser:

Please refer to the August 10, 1994, letter to you from TVA's Assistant Inspector General G. Donald Hickman. A copy is enclosed for your convenience.

As Mr. Hickman indicated, the IG's office gave us copies of your tapes to determine their relevancy to a proceeding brought against TVA by William F. Jocher. That case has now been set for trial, and it appears to us that it may be necessary to make the contents and existence of certain tapes public in that proceeding. In order to use them, we would have to disclose them to Mr. Jocher, and you may also have to appear as a witness at the hearing to authenticate them and testify as to the conversations you recorded.

The IG has informed us that disclosure of the tapes is a matter of sensitivity to you. We are writing this letter to inform you of that possibility. Since we do not know if you are represented by counsel at this time in matters involving the tapes, we are writing you directly to notify you of these matters. If you have counsel, please inform us of your attorney's name, address, and telephone number so that we may deal directly with your counsel, as necessary.

Thank you for your attention. If you wish to discuss these matters further, please call Philip J. Pfeifer at 615-632-8949.

Sincerely yours,

Justin M. Schwamm, Sr.  
Assistant General Counsel

Enclosure

*Typ 1 ...*  
*I ...*

EE000628



Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

February 21, 1995

Mr. Gary Fiser  
3030 Laurel Cove Lane  
Signal Mountain, TN 37377

Dear Mr. Fiser:

The TVA Freedom of Information Act (FOIA) section received your FOIA request on February 6, 1995. This office is coordinating the search and review records responsive to your request.

We regret that your request cannot be completed within 10 days, but assure you it will be processed as soon as possible. After reviewing any responsive records, copies will be provided to the extent permitted under the FOIA.

If you have questions, please call me at 751-2523 in Chattanooga.

Sincerely,

A handwritten signature in cursive script that reads "Mark R. Winter".

Mark R. Winter  
Specialist, Information Access

EE000630



Tennessee Valley Authority, 1101 Market Street, Chattanooga, Tennessee 37402-2801

March 8, 1995

Mr. Gary Fiser  
3030 Laurel Cove Lane  
Signal Mountain, TN 37377

Dear Mr. Fiser:

This is in response to your February 6, 1995, Freedom of Information Act (FOIA) request for a copy of an Inspector General's report. The Inspector General's investigation found no evidence of misconduct.

It is standard Federal agency FOIA practice to protect the privacy of persons who have been investigated if no misconduct is found. Accordingly, we are withholding the Office of the Inspector General's report in its entirety pursuant to the personal privacy exemptions of the FOIA, exemption 6, 5 U.S.C. §552(b)(6) (1988), and exemption 7(C), 5 U.S.C. §552(b)(7)(C) (1988), and the deliberative process privilege incorporated within exemption 5 of the FOIA, 5 U.S.C. §552(b)(5) (1988).

You have a right to appeal this initial determination within 30 days of your receipt of this letter. See 18 C.F.R. §1301.1(c)(2) (1994). Any appeal should be addressed to William S. Moore, Senior Manager, Administrative and Transportation Services, Tennessee Valley Authority, 400 Summit Hill Drive (WT 2C), Knoxville, Tennessee 37902-1499.

Sincerely,

A handwritten signature in cursive script that reads 'Mark R. Winter'.

Mark R. Winter  
Specialist, Information Access

EE000631