



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

May 27, 2004

Tennessee Valley Authority
ATTN: Mr. J. A. Scalice
Chief Nuclear Officer and
Executive Vice President
6A Lookout Place
1101 Market Street
Chattanooga, TN 37402-2801

SUBJECT: (SEQUOYAH): ALLEGED DISCRIMINATION AGAINST EMPLOYEE FOR
REPORTING SAFETY CONCERNS (OFFICE OF INVESTIGATIONS CASE
NUMBER 2-2003-052)

Dear Mr. Scalice:

Enclosed for your information is the synopsis of the Nuclear Regulatory Commission (NRC) Office of Investigation's (OI) completed report regarding alleged discrimination at the Sequoyah Nuclear Plant against an employee who filed a complaint with the U.S. Department of Labor.

OI determined that, based on the evidence, testimony, and documentation developed during this investigation, the allegation that a pipefitter foreman was the subject of employment discrimination for raising a safety concern was not substantiated. We plan no further action with regard to this matter. Should you have any questions concerning this letter, please contact us.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure 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/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Carolyn F. Evans ,
Regional Counsel/Enforcement Officer
Enforcement and Investigations
Coordination Staff

Docket No.: 50-327, 50-328
License No.: DPR-77, DPR-79

Enclosure: Investigative Synopsis,
OI Case No. 2-2003-052

cc w/encl: Oscar de Miranda

TVA

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Distribution:

Oscar de Miranda, EICS

OFFICE	RII:OI	RII:EICS	DRP:RII	DRP:RII
SIGNATURE			SMS for	SMS
NAME	LWilliamson	OdeMiranda	SCahill	SShaeffer
DATE	05/ /2004	05/ /2004	05/ 26 / 2004	05/ 26 /2004

SYNOPSIS (OI Case No. 2-2003-052)

The U.S. Nuclear Regulatory Commission, Office of Investigations, Region II, initiated this investigation on August 19, 2003, to determine if a pipefitter foreman employed by Gilbert Union Boiler Morrison Kneutson in conjunction with work on components for the Tennessee Valley Authority (TVA) Sequoyah Nuclear Plant was the subject of employment discrimination by TVA management for raising a safety concern.

Based on the evidence, testimony, and documentation developed during this investigation, the allegation that a pipefitter foreman was the subject of employment discrimination for raising a safety concern was not substantiated.

Enclosure