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

December 22, 2004

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

SUBJECT: (BROWNS FERRY - UNIT 1): ALLEGED DISCRIMINATION AGAINST EMPLOYEE FOR REPORTING SAFETY CONCERNS (OFFICE OF INVESTIGATIONS CASE NUMBER 2-2004-031)

Dear Mr. Singer:

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 Browns Ferry Nuclear Plant against an employee who filed a complaint with the U.S. Department of Labor.

OI determined that there was insufficient evidence to substantiate the allegation of discrimination. 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 by O. DeMiranda for/

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

Docket No.: 50-259
License No.: DPR-33

Enclosure: Investigative Synopsis,
OI Case No. 2-2004-031

cc w/encl: Oscar de Miranda

Distribution:
Oscar de Miranda, EICS

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SYNOPSIS (OI Case No. 2-2004-031)

The U.S. Nuclear Regulatory Commission, Office of Investigations, Region II, initiated this investigation on June 4, 2004, to determine if a former Shook and Fletcher (S&F), contract painter, employed at the Tennessee Valley Authority, Browns Ferry Nuclear Plant was the subject of employment discrimination by his management for reporting safety concerns.

Based on the evidence developed during this investigation, the allegation that a former S&F painter, was the subject of employment discrimination for reporting safety concerns was not substantiated.

Enclosure