



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

May 13, 2005

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

SUBJECT: BROWNS FERRY NUCLEAR PLANT: ALLEGED DISCRIMINATION AGAINST
CONTRACT EMPLOYEE FOR RAISING SAFETY CONCERNS (OFFICE OF
INVESTIGATIONS CASE NUMBER 2-2004-043)

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/

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. 2-2004-043

Distribution:

Oscar de Miranda, EICS

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SIGNATURE	MEP2	SJC2	AI for				
NAME	MPribish	SCahill	OdeMiranda				
DATE	05/13/2005	05/13/2005	05/13/2005				
E-MAIL COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region II (RII), on September 9, 2004, to determine if a former contract laborer, Stone and Webster Construction, Inc. (SWCI), Tennessee Valley Authority (TVA), Browns Ferry Nuclear Plant (BFN), was the subject of employment discrimination by SWCI management for reporting safety concerns.

Based on the evidence developed during this investigation, the allegation that a former contract laborer, SWCI, TVA, BFN, was the subject of employment discrimination by SWCI management for reporting safety concerns, was not substantiated.

Approved for release - DBW, 05/12/05

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