

December 9, 2004

Mr. Mark Puett
Manager, Environmental Affairs
Mallinckrodt Chemical, Inc.
Mallinckrodt & Second Streets
P.O. Box 5439
St. Louis, MO 63147

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2003-025

Dear Mr. Puett:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine whether a Quality Assurance Manager for Burns & McDonnell, a Mallinckrodt, Inc., contractor, was discriminated against for raising safety concerns. Based on the evidence developed during the investigation, we did not substantiate the issue. The synopsis from the OI report of investigation is enclosed.

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

In accordance with 10 CFR 2.390 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/adams.html> (the Public Electronic Reading Room).

You should note that final NRC documents, including the final OI report, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information pursuant to the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Request for Records. The instructions for making a request for information under the FOIA are accessible at <http://www.nrc.gov/reading-rm/foia/foia-request.html>.

Sincerely,

/RA/

Marc L. Dapas, Director
Division of Nuclear Material Safety

Enclosure: As stated

cc w/enclosure: AMS File No. RIII-03-A-0073

DOCUMENT NAME: E:\Filenet\ML051360291.wpd

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	RIII	N	RIII	N	RIII	N	RIII	N	RIII	N	RIII	N
NAME	Lambert		O'Brien		Kryk for Paul		Clayton*		Berson		Dapas	
DATE	11/22/04		11/19/04		11/22/04		11/22/04		11/23/04		12/09/04	

OFFICIAL RECORD COPY

* For permission to release the OI synopsis.

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, on August 19, 2003, to determine if a former Quality Assurance (QA) Manager for Burns & McDonnell, a contractor at Mallinckrodt, Inc., was discriminated against for raising safety concerns.

Based upon the evidence developed, this investigation did not substantiate the allegation that a former contract QA Manager was discriminated against for raising safety concerns.