

November 3, 2005

Armando Lopez
Chief, Safety and Environmental Division/Code 250
National Aeronautics and Space Administration
Goddard Space Flight Center
Greenbelt, Maryland 20771-0001

RI-2003-A-0034
RI-2003-A-0083

Subject: NRC Office of Investigations Reports 1-2003-025 and 1-2003-038

Dear Mr. Lopez:

The Region I Field Office of the NRC Office of Investigations (OI) initiated an investigation (Case No. 1-2003-025) on April 10, 2003, to determine whether a former employee of Occu-Health at NASA's Goddard Space Flight Center was discriminated against for raising safety concerns regarding a lack of documentation, faulty contamination testing, and missing inventory within the radiation safety program. While personnel actions were taken against the former employee, it could not be substantiated that the personnel actions involving the former employee were the result of raising safety concerns.

Additionally, The Region I Field Office of the NRC Office of Investigations (OI) initiated an investigation (Case No. 1-2003-038) on July 16, 2003, to determine whether another former employee of Occu-Health at NASA's Goddard Space Flight Center was discriminated against for raising safety concerns about health physics program implementation, and maintaining the inventory of radioactive materials at the facility. Based on the results of the OI investigation, it could not be determined that the decision makers at CSS/Parallax (the contractor that replaced Occu-Health) were aware of the former employee's safety concerns, or were informed by Occu-Health or NASA not to hire the former employee. As such, based on the evidence developed by OI during the investigation, the NRC was unable to conclude the former employee was discriminated against by Occu-Health or NASA in this instance.

Please note that final NRC documents, such as the OI report described above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records, a copy of which is enclosed for your information.

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Also, 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).

Should you have any questions regarding this letter, please feel free to contact Mr. J. Dwyer of my staff at (610) 337-5309.

Sincerely,

/RA/

George Pangburn, Director
Division of Nuclear Materials Safety

Enclosure:
10 CFR 9.23, Requests for Records

Armando Lopez

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