



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV
611 RYAN PLAZA DRIVE, SUITE 400
ARLINGTON, TEXAS 76011-8064

April 22, 1998

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SUBJECT: ALLEGATION NO. RIV-1997-A-0193

Dear [] nc

This is in reference to my January 20, 1998, letter which acknowledged receipt of your concerns, and advised you that we had initiated a review of your concerns regarding the activities at the United Nuclear Corporation (UNC) - Church Rock facility.

The NRC Region IV Office of Investigations (OI) has completed its investigation in response to the concerns which you identified to this office. The enclosure to this letter documents each of your concerns and summarizes how the NRC resolved each of your concerns. Your concerns are underlined and the resolution is in **bold text**. In summary, the OI investigation did not substantiate that a UNC supervisor deliberately falsified radiation survey records of windblown tailings, or that you [redacted] were the subject of harassment for reporting safety concerns to the NRC. Enclosed for your reference and information is a copy of the OI Synopsis of the investigation.

The OI transcript of your interview was reviewed by the Region IV technical staff to determine whether there were any issues which warranted additional review by NRC. Our review did not identify any safety issues which required further NRC review.

Thank you for informing us of your concerns. We believe that our actions in this matter have been responsive to your concerns. We take our safety responsibilities to the public very seriously and will continue to do so within the bounds of our lawful authority. Unless the NRC receives additional information that suggests that our conclusions should be altered, Region IV plans no further action on this matter.

Should you have any additional questions, or if I can be of further assistance in this matter, please call me on the NRC Safety Hotline at (800)695-7403.

Sincerely,

Russell Wise
Russell Wise
Senior Allegations Coordinator

Enclosures:
As stated

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in accordance with the Freedom of Information
Act, exemptions nc
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RESOLUTION OF CONCERNS

RIV-1997-A-0193

1. Records concerning the cleanup of windblown tailings (specifically, the radiation survey taken after the tails had been cleaned up) were intentionally falsified at the direction of your supervisor to show that radiation was down to acceptable levels instead of the elevated levels given by the instruments.

The NRC Region IV Office of Investigations (OI) conducted an investigation and concluded that a United Nuclear Corporation (UNC) supervisor did not deliberately falsify radiation survey records of windblown tailings. Additionally, the Region IV technical staff reviewed the transcript of your interview with OI and did not identify any safety issues which required further NRC review.

This concern was not substantiated.

2. You ^{nc} were harassed after you reported the concern to UNC management, and you were terminated from your employment.

OI did not substantiate that a UNC supervisor harassed you ^{nc} after you reported safety concerns to the NRC.

This concern was not substantiated.

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SYNOPSIS

This investigation was initiated on August 19, 1997, by the Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region IV (RIV), to determine whether a supervisor at United Nuclear Corporation (UNC), an NRC licensee, deliberately falsified radiation survey records of the windblown tailings. Additionally, it was alleged that a UNC supervisor harassed a former UNC employee [redacted] after the employee reported safety concerns to the NRC.

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Based on the evidence, testimony, and review by the RIV technical staff and the Regional Counsel during this investigation, the allegation that a UNC supervisor deliberately falsified radiation survey records of windblown tailings was not substantiated. Additionally, the allegation that a UNC supervisor harassed the former UNC employee [redacted] after the employee reported safety concerns to the NRC was not substantiated.

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FIELD OFFICE DIRECTOR, OFFICE OF INVESTIGATIONS, REGION IV

Case No. 4-97-046

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bcc w/Enclosure:
Allegation File

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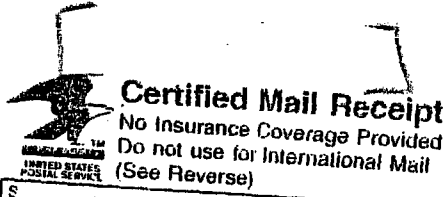
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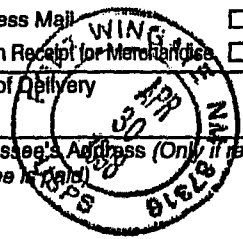
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