



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

February 19, 1998

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MEMORANDUM TO: Ellis Merschoff, Regional Administrator
Region IV

Donald M. Cool, Director
Division of Industrial Medical Nuclear Safety
Office of Nuclear Material Safety
and Safeguards

Jack R. Goldberg, Deputy Assistant General
Counsel for Enforcement
Office of the General Counsel

97-193

FROM: James Lieberman, Director
Office of Enforcement

SUBJECT: OI REPORT 4-97-046; RE: UNITED NUCLEAR CORP., FALSIFICATION
OF WINDBLOWN TAILINGS SURVEYS AND DISCRIMINATION

The above captioned OI report involves allegations of falsification of windblown tailings surveys and employee discrimination. The OI investigation could not substantiate either allegation based on evidence and testimony during the investigation. Additionally, an inspection report dated October 28, 1996, was reviewed. The inspection report 40-8907/96-01, indicated that through selective examinations of procedures and representative records, interviews with personnel and observation of activities in progress, that activities were being conducted in accordance NRC license conditions and regulations. Therefore, it appears that enforcement action is not appropriate in this case.

I do not intend to request an OGC analysis of this report. We will consider the matter closed unless we receive a different view within three weeks of the date of this memorandum. Please contact John Lusher of my staff with any comments.

cc: A. Thadani, DEDE
C. Paperiello, NMSS
G. Caputo, OI
Gary F. Sanborn, Regional Enforcement Coordinator

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