



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

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

April 20, 2006

Mr. Kenneth Bowers

7C

SUBJECT: ALLEGATION NUMBERS RII-2005-A-0056 and RII-2005-A-0115

Dear Mr. Bowers:

This is a follow up to our letter of October 6, 2005, in which we advised that your technical concerns remained closed as we addressed them in our letter of August 15, 2005. You also were advised of Florida Power & Light Company's declination of the opportunity to participate in the Nuclear Regulatory Commission's (NRC) Alternative Dispute Resolution (ADR) pilot program for the purpose of resolving your discrimination concern. We also advised that due to the failure of ADR, the NRC Office of Investigations (OI) would be investigating your discrimination concern. On October 26, 2005, you telephoned our offices and spoke with Mr. Steven Rudisail concerning these matters. You were again advised that your technical concerns remained closed and that OI would investigate your discrimination concern, given the failure of ADR. You were given information for contacting OI, and you subsequently contacted Ms. Cheryl Montgomery, Field Office Director, OI, Region II on October 27, 2005.

During your conversation of October 27th with Ms. Montgomery, you expressed reluctance to be interviewed by OI, as you were without the services of an attorney. Your discrimination concern was held in abeyance pending your retention of legal services. We have been informed by OI that you now have obtained the services of legal counsel.

Your case remains open pending completion of OI's investigation of your discrimination concern. You will be advised of our determinations in this matter at the completion of OI's investigation.

Should you have any questions regarding the OI investigation, you may contact Ms. Montgomery at (404) 562-4870.

Sincerely,


A handwritten signature in cursive script, reading "Carolyn F. Evans".

Carolyn F. Evans  
Regional Counsel/Enforcement Officer  
Enforcement and Investigations Coordination Staff

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Unless the NRC receives additional information that suggests that our conclusions regarding Concern Two should be altered, we plan no further action on this matter. You will be advised of our findings at the completion of Concern One. Should you have any additional questions, or if I can be of further assistance in this matter, you may contact me at 800-577-8510 or 404-562-4560 or by mail at P. O. Box 845, Atlanta, Georgia 30301.

Sincerely,



Joel T. Munday, Chief  
Reactor Projects Branch 3  
Division of Reactor Projects

Enclosure: As stated

*Qpcar, I <sup>yesterday (8/15)</sup> mistakenly  
put the "1RA" copy  
for the second page  
in the allegation  
letter, which went to  
Mr. Bowers. Here's  
a copy of the signed  
second page. Sorry for  
the inconvenience  
R11-2005-A-0056 <sup>checked  
2-4559</sup>*