

February 4, 2008

Mr. Gene St. Pierre
Site Vice President
FPL Energy Seabrook, LLC
Seabrook Station
P.O. Box 300
Seabrook, NH 03874

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2006-026

Dear Mr. St. Pierre:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine whether a former Instrument and Controls (I&C) Maintenance Supervisor at the Point Beach Nuclear Plant was discriminated against by management for raising safety concerns.

The investigation also involved the Seabrook Station because the supervisor alleged that s/he had been unable to find employment in the nuclear industry because Point Beach management had blacklisted the supervisor due to the supervisor's raising safety concerns. The supervisor applied for a job, through Quadrex Nuclear, Inc. (Quadrex), at the Seabrook Station around mid-year 2005. A Quadrex representative indicated that the supervisor's resume was submitted to Seabrook; however, the supervisor was not afforded a telephone interview that was offered to other applicants.

Based on testimony and Seabrook records, the investigation could not establish whether the supervisor's resume was received by Seabrook. The Quadrex representative testified that the resume was forwarded to the Seabrook contracting manager and that he had phone conversations with the contracting manager regarding the status of the resume. The contracting manager at the time subsequently left Seabrook, could only be located by an E-mail address, and did not cooperate with attempts by the NRC investigator to set up an interview. There is no mention of the supervisor or the supervisor's resume in Seabrook records. Seabrook management testified that they were unaware of the supervisor's involvement with raising safety concerns at Point Beach, had no contact with Point Beach management, and were unaware that the supervisor had ever applied for the position. Seabrook management testified that the position was awarded to a candidate that was already working on the Up-rate Project. They further testified that the selected candidate had experience with the Seabrook database systems. That experience was considered an advantage over other candidates since it would increase the level of productivity.

The investigation did not establish any knowledge by Seabrook management that the supervisor had raised safety concerns at Point Beach nor any contact between Point Beach and Seabrook management with specific intent to blacklist the supervisor. The investigation did not establish that Seabrook management removed the supervisor from consideration for the position based on the supervisor raising safety concerns. Furthermore, the investigation did not establish any

credible evidence that would provide a nexus between the supervisor's participation in raising nuclear safety issues and the supervisor's denial of employment at Seabrook or with any licensee in the nuclear industry. Based on the evidence developed during the investigation, we did not substantiate the allegation. 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 Paul Pelke 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), 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/

Cynthia D. Pederson, Director
Division of Reactor Projects

Docket No. 50-443
License No. NPF-86

Enclosure:
OI Synopsis

credible evidence that would provide a nexus between the supervisor's participation in raising nuclear safety issues and the supervisor's denial of employment at Seabrook or with any licensee in the nuclear industry. Based on the evidence developed during the investigation, we did not substantiate the allegation. 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 Paul Pelke of the NRC Region III staff at telephone number (630) 829-9500.

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Sincerely,
/RA/
 Cynthia D. Pederson, Director
 Division of Reactor Projects

Docket No. 50-443
 License No. NPF-86

Enclosure:
 OI Synopsis

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| DATE | 01/29/08 | | 01/29/08 | | 1/29/08 | | 1/30/08 | | 02/01/08 | |

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*For permission to release OI synopses.

**The 3-week emails have expired.

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, on August 1, 2006, to determine whether a former Instrument and Control (I&C) Maintenance Supervisor at the Point Beach Nuclear Plant was discriminated against by management for raising safety concerns.

Based on the evidence developed, this investigation did not substantiate the allegation that a former I&C Maintenance Supervisor was discriminated against by Point Beach Nuclear Plant management for raising safety concerns.