

**R4ALLEGATION - FW: Safety Conscious Work Enviroment at the Callaway Nuclear Plant**

**From:** [redacted]  
**To:** Houlihan Bill <bill\_houlihan@durbin.senate.gov>  
**Date:** 12/12/2007 4:47:25 PM  
**Subject:** FW: Safety Conscious Work Enviroment at the Callaway Nuclear Plant  
**CC:** US Nuclear Regulatory Commission Region 4 Allegations <r4allegation@nrc.gov>, Roy Caniano <rjc1@nrc.gov>, Vince Gaddy <vgg@nrc.gov>

Mr. Houlihan,

Since I met with you on October 26, my employment with Ameren has ended.

On November 9 I attended a dispute resolution meeting with Ameren in Washington, DC. At that meeting, I was offered a financial settlement in exchange for resigning from my position at the Callaway Nuclear Plant. I was informed by my attorneys that the agreement would preclude me from pursuing my retaliation claim with the US Department of Labor but it would not preclude me from pursuing resolution to my claim with the US Nuclear Regulatory Commission.

My attorneys assured me the amount of compensation being provided to me was a fair settlement for my claim and urged me to take the settlement, which I did. Under strict penalties, I am required to keep even the existence of this agreement confidential, so please do not forward this information to anyone who is not either within the US NRC or associated with the staff of a member of Congress.

I did not file an allegation of retaliation with the Nuclear Regulatory Commission in order to fleece Ameren out of [redacted] [redacted] I filed my claim because I was concerned about the Safety Conscious Work Environment at the Callaway Nuclear Plant.

I believe that upper management in the Operations Department at the Callaway Nuclear Plant retaliated against me for bringing forth safety concerns. I further believe that when my complaint of retaliation was brought forward to the Employee Concerns Program, it was intentionally ignored by the upper management of the Callaway Nuclear Plant.

The compensation paid to me in no way discourages similar behavior in the future at the Callaway Nuclear Plant; it is an amount which is produced every day before noon by the sale of the electricity generated at Callaway. Ameren can write off settlements such as mine as minor business expenses; well worth the cost for getting rid of "trouble makers".

Today I received a letter from Harry Freeman, the Senior Allegation Coordinator of Region IV of the United States Nuclear Regulatory Commission. In the letter, Mr. Freeman informed me that because of my settlement agreement with Ameren, my discrimination complaint would be closed with no further action.

I vehemently disagree with the closing of my discrimination complaint. At no point was it communicated to me that by accepting a settlement from Ameren I would be relinquishing investigation of my discrimination allegation by the US Nuclear Regulatory Commission.

As the reactor melt downs in Michigan and Pennsylvania in the 1970s demonstrate, operating a nuclear power plant is serious business. Although Professional Engineers at nuclear plants are required to address safety concerns which they encounter, it is an extremely difficult decision to pursue the right path when one knows one's career and the ability to support one's family may be jeopardized.

I have suffered greatly for doing my duty at Ameren. I am currently unemployed and my closest job prospect (which has not yet resulted in an offer) is [redacted] The confrontation between me and my employer has been particularly unnerving to [redacted]

In nuclear power, the self sustaining nature of the fission reaction and the radioactivity of the fission products create inherent

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accordance with the Freedom of Information Act.  
Exemptions 7c  
FOIA/PA 2007-0042

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risks. Because of these risks, the operation of commercial reactors cannot be entrusted to just anyone. We (the United States) fund the Nuclear Regulatory Commission to ensure the operators of commercial reactors are properly adhering to strict standards of conduct. By its own admission, the US NRC is not capable of performing its role without the support of plant personnel who are willing and able to address safety concerns. Allowing utilities to "heaply get rid of "trouble makers" who are willing to challenge their inappropriate decisions significantly undermines the safe operation of commercial reactors.

If possible, I would like to meet with you either this week or next. I am currently in (b)(7)c project on the (b)(7)c while working at Callaway. I intend to come to Springfield on Friday (December 14), but I can come earlier if you are available to meet. I was planning on spending next Monday and Tuesday (December 17 & 18) in (b)(7)c before returning to (b)(7)c to (b)(7)c (b)(7)c Please call me at (b)(7)c and let me know what date and time is convenient for you.

At our meeting, I wish to discuss the options available for ensuring my discrimination complaint is appropriately investigated. Additionally, I would like to discuss my settlement agreement with you and explain why the other individuals I informed you about during our previous meeting are reluctant to come forward. There is a pattern of retaliation at the Callaway Nuclear Plant and the US Nuclear Regulatory Commission's policy of not investigating complaints which are financially settled in the Accelerated Dispute Resolution (ADR) process is allowing this retaliation to continue unabated.

I look forward to hearing from you.

Merry Christmas,

(b)(7)c

If you send me something needing my attention, please call me at (b)(7)c and leave me a message to check my account.

From: (b)(7)c  
To: bill\_houlihan@durbin.senate.gov  
CC: (b)(7)c  
Subject: FW: Safety Conscious Work Enviroment at the Callaway Nuclear Plant  
Date: Mon, 29 Oct 2007 10:05:21 -0400

Mr. Houlihan,

(b)(7)c was terminated during the (b)(7)c (may have been early autumn) and recently reached a settlement with Ameren. He is still concerned with the Safety Conscious Work Environment at the Callaway Nuclear Plant, but, like (b)(7)c (b)(7)c fears that any additional pursuit to change that culture will result in reprisal from Ameren. Although speaking with the staff of a United States Senator is protected activity, a frivolous law suit from Ameren would cause (b)(7)c legal expenses which he cannot bear.

Any informatio (b)(7)c can provide can also be obtained under the Freedom of Information Act. (b)(7)c case was 5 USC S 552 - Case No. (b)(7)c

If your office would request this case, it would provide some insight into the Safety Culture at Callaway Plant.

Thank you for your assistance,

(b)(7)c

From: (b)(7)c  
To: (b)(7)c  
Subject: Re: Safety Conscious Work Enviroment at the Callaway Nuclear Plant  
Date: Sun, 28 Oct 2007 22:38:03 -0600

(b)(7)c

I would be willing to discuss issues within the terms of the agreement that I have between myself and AMERENUE. I would not want to incur any additional legal fees, so I would ask that the individuals who want to talk with me agree to pay for any additional legal fees that I might see due to meetings with other interested personnel.

I can offer the following information, which is available under the FOIA process per 5 USC S 552 -

Case No (b)(7)c

This avenue should provide insight regarding my concerns, without causing extensive involvement on my part at this point.

Let me know what I can do to be of assistance to ensure a SCWE truly exists at all levels at Callaway.

(b)(7)c

----- Original Message -----

**From:** (b)(7)c  
**To:** (b)(7)c  
**Cc:** Houlihan, Bill  
**Sent:** Friday, October 26, 2007 4:32 PM  
**Subject:** FW: Safety Conscious Work Enviroment at the Callaway Nuclear Plant

Gentlemen,

I met with Mr. Houlihan from Senator Durbin's office today. The original intent of the meeting was to address the NRC's response to some allegations I had raised. Mr. Houlihan brought up the subject of whether I had been retaliated against. I informed him that I had, but that that issue was still an active investigation which I am willing to allow the NRC a chance to appropriately address. He then asked whether others had been retaliated against in the past. I informed that there was past retaliation against employees who brought forward safety concerns.

Mr. Houlihan asked that I have other people who have been retaliated against contact him. He seemed to prefer that the constituents of Senator McClaskill contact her office and that they (Senators Durbin and McClaskill's staffs) work together to address this issue. I received the sense that since Callaway is in Missouri he wanted to, as a courtesy, get Senator McClaskill's staff involved.

Mr. Houlihan's email address is in the "To:" field of the email below if you wish to contact him. He can put you in touch with the appropriate people in Senator McClaskill's office. He seemed very interested in ensuring Ameren develops and maintains a work environment free of retaliation.

As you can see from the email below (b)(7)c was not comfortable making initial contact with Mr. Houlihan. If you (b)(7)c are not comfortable contacting him directly, I can pass (b)(7)c information on to him. I have (b)(7)c phone number but not (b)(7)c email. Please feel free to forward this email on to (b)(7)c

Mr. Houlihan's office number is (217) 492-4062 but because of his travel schedule he is most easily contacted via email.

Thank you,

(b)(7)c

**From:** (b)(7)c  
**To:** bill\_houlihan@durbin.senate.gov  
**CC:** (b)(7)c  
**Subject:** Safety Conscious Work Enviroment at the Callaway Nuclear Plant  
**Date:** Fri, 26 Oct 2007 17:26:38 -0400

Mr. Houlihan,

Thank you for meeting with me today regarding my concerns with the US Nuclear Regulatory Commission and the Callaway Nuclear Plant.

You asked me if there were other individuals who would be willing to speak with you or Senator McCaskill's staff. I just spoke with (b)(7)c was the (b)(7)c at Callaway Plant until late 2005 when he was terminated. (b)(7)c reached a settlement with Ameren and is not allowed to speak to me about the particulars of his case. If his settlement allows it, he would like to speak with you though.

(b)(7)c asked that you contact his attorney, Beverly Figg, at (573) 636-8135 if and when you wish to speak with him (b)(7)c was deeply involved with the Corrective Action Process at the Callaway Nuclear Plant and the establishment of a Safety Conscious Work Environment.

Please pass (b)(7)c contact information along to whomever may be involved in investigating the retaliation against whistle blowers at Callaway Plant.

(b)(7)c