UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

May 26, 2009

Mr. David L. Jones
86 South Larand Drive
Holts Summit, MO 65043

SUBJECT: RESPONSE TO THE DISCRIMINATION CONCERN YOU RAISED TO THE U.S. NUCLEAR REGULATORY COMMISSION (NRC) REGARDING CALLAWAY PLANT

RE: ALLEGATION RIV-2007-A-0092

Dear Mr. Jones:

The NRC has completed its follow up in response to your concern that you were subjected to employment discrimination (letter of reprimand) for not completing a respirator fit test within the established time frame. You believe this is blatant retaliation for filing employee concerns.

The NRC's Office of Investigations (OI) reviewed this concern during an investigation documented as OI Report No. 4-2008-044. Based on the evidence developed during the investigation, testimony, and documents reviewed, the allegation that you were subjected to employment discrimination for raising safety concerns was not substantiated. Your technical concerns were addressed by the NRC in letters dated February 21, 2008, and September 16, 2008.

Thank you for informing us of your concerns. Allegations are an important source of information in support of the NRC's safety mission. We take our safety responsibility to the public seriously. We believe that our actions in this matter have been responsive and unless the NRC receives additional information that suggests that our conclusions should be altered, we plan no further action on this matter. If a request is filed under the Freedom of Information Act (FOIA) related to your areas of concern, the information provided will, to the extent consistent with that act, be purged of names and other potential identifiers.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Should you have any additional questions regarding our response, please contact Ms. Bernadette Baca on the NRC Safety Hotline at 800-695-7403 Monday - Friday between 8 a.m. and 4:30 p.m. central time.

Sincerely,

/RA/

Dwight D. Chamberlain, Director
Division of Reactor Projects

bcc
Allegation File

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RIV:AC		SAC	C:RPBB	C:ACES	DDRP
JLWalker		BDBaca	VGGaddy	WBJones	DDChamberlain
/RA/		/RA/	/RA/	/RA/	/RA/
05/12/2009		05/14/09	05/18/09	05/22/09	05/26/09