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

July 28, 2008

(b)(7)(C)

SUBJECT: ALLEGATION NO. RIV-2007-A-0039

Dear (b)(7)(C)

This refers to my April 20, 2007, letter which acknowledged receipt of your discrimination complaint involving Energy Northwest and Williams Plant Services at the Columbia Generating Station. In my letter, the NRC offered you the opportunity to resolve your complaint using the NRC's mediation process. Since you were unable to resolve your dispute, the NRC's Office of Investigations (OI), Region IV Field Office opened an investigation into your complaint on December 5, 2007.

The NRC has completed its investigation of your concern. The enclosed "Resolution of Concern" documents your concern and summarizes the NRC resolution. In summary, the NRC was unable to substantiate your claim that your employment was terminated for raising safety concerns involving the conduct of cooling tower fan blade maintenance. You may obtain a copy of the investigation report under the Freedom of Information Act through the NRC's web page at http://www.nrc.gov/reading-rm/foia/foia-privacy.html by requesting OI Report of Investigation 4-2008-016.

Thank you for informing us of your concern. We believe that our actions in this matter have been responsive to your concerns. We take our safety responsibilities to the public very seriously and will continue to do so within the bounds of our lawful authority. Unless the NRC receives additional information that suggests that our conclusions should be altered, we plan no further action and we consider this case closed.

Should you have any additional questions regarding our resolution, please call me on the NRC Safety Hotline at 800-695-7403, Monday - Friday between 8:00 a.m. and 4:30 p.m. Central time. Per your May 7, 2007, telephone conversation with Ms. Judith Walker, Allegation Coordinator, this letter is being sent via regular U.S. Mail rather than certified mail.

Sincerely,

Harry A. Freeman

Harry A. Freeman
Senior Allegation Coordinator

Enclosure:
Resolution of Concern

b/3

RESOLUTION OF CONCERN

RIV-2007-A-0039

Concern

Your employment was terminated because you raised concerns with respect to the unverifiability of 8 out of 10 as-left entries for cooling tower #7 in a work package. You expressed the desire not to sign off on the work package because of the discrepancies, but ultimately signed, under duress, with the inaccurate as-left entries in the work package.

Resolution

OI initiated an investigation on December 5, 2007, to determine whether you had engaged in a protected activity and as a consequence, whether you were terminated from employment at the Columbia Generating Station. Based upon interviews conducted by OI, there was no corroboration that (b)(7)(C) pressured you to falsify the as-left entries or that you had raised as concerns about the unverifiabilty of the as-left entries. Former (b)(7)(C) testified that you and he did have a conversation with regarding the lack of as-left data and that you were directed to ensure that the as-left data section be completed. Therefore, the NRC concluded that any employment action taken against was not because you had engaged in a protected activity and therefore, was not in violation of Section 211 of the Energy Reorganization Act.

This concern was not substantiated.

bcc w/Resolution of Concern:
Allegation File

SUNSI Review Completed: HAF ADAMS: □ Yes ■ No Initials: HAF
□ Publicly Available ■ Non-Publicly Available ■ Sensitive □ Non-Sensitive
DOCUMENT NAME: S:\RAS\ACES\ALLEGATIONS\2007 Case Files\RIV-2007-A-0039\07039 Letter - Closure.doc

OFFICE	RIV:SAC	D:ACES	C:RPBA	SAC
NAME	HAFreeman	WBJones	CEJohnson	HAFreeman
DATE	07/28/2008	7/28/2008	7/28/2008	07/28/2008

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