



UNITED STATES  
**NUCLEAR REGULATORY COMMISSION**  
REGION IV  
1600 EAST LAMAR BLVD  
ARLINGTON, TEXAS 76011-4511

October 4, 2013

EA-13-153

John D. Richardson, President  
Enercon Services, Inc.  
Kennesaw Office-Corporate Headquarters  
500 Townspark Lane  
Suite 275  
Kennesaw, Georgia 30144-5509

**SUBJECT: ACKNOWLEDGEMENT OF RESPONSE TO NRC LETTER - ALLEGED  
DISCRIMINATION (U.S. DEPARTMENT OF LABOR OCCUPATIONAL SAFETY  
AND HEALTH ADMINISTRATION CASE NO. 7-5880-12-070)**

Dear Mr. Richardson:

By letter dated August 19, 2013 (ADAMS ML13233A208), the NRC notified Enercon Services, Inc., (Enercon) of a concern regarding the finding by the Department of Labor's Occupational Safety and Health Administration that there was reasonable cause to believe that Enercon violated Section 211 of the Energy Reorganization Act of 1974 by terminating the employment of a former employee for raising safety concerns while performing duties at the Wolf Creek Generating Station. Specifically, the NRC is concerned that Enercon's violation of Section 211 of the Energy Reorganization Act may also be a violation of the employee protection provisions set forth in 10 CFR 50.7, "Employee Protection."

This letter is to acknowledge your letter dated September 18, 2013 (ADAMS ML13276A029), which contains your response to the information requested within 30 days of receiving our August 19 letter. We will review your response and determine future inspection activities required to review the progress on your stated actions.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access Management System (ADAMS), accessible from the NRC's website at <http://www.nrc.gov/reading-rm/adams.html>. The NRC also includes significant enforcement actions on its website at <http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions>.

J. D. Richardson

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Please contact me at (817) 200-1141 with any questions concerning the details of our letter dated August 19, 2013.

Sincerely,

/RA/

Heather J. Gepford, Chief  
Allegations Coordination and Enforcement

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