



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION IV

611 RYAN PLAZA DRIVE, SUITE 400
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October 6, 1999

PUBLIC DOCUMENT ROOM

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Gregory M. Rueger, Senior Vice President
and General Manager
Nuclear Power Generation Bus. Unit
Pacific Gas and Electric Company
Nuclear Power Generation, B32
77 Beale Street, 32nd Floor
P.O. Box 770000
San Francisco, California 94177

SUBJECT: CLOSURE OF INVESTIGATION (OI 4-1998-029)

Dear Mr. Rueger:

This letter is in reference to an investigation conducted by the NRC Office of Investigations (OI) regarding activities at the Diablo Canyon Nuclear Power Plant. The OI investigation was initiated in response to complaints from a shift foreman of alleged retaliation for reporting safety concerns.

The NRC Region II office provided technical assistance to OI to ascertain whether procedures were followed for Access Authorization and Fitness for Duty programs. The inspection determined that implementing procedures with respect to the psychological review and appeals process were followed, and met the requirements of 10 CFR Part 26 and 10 CFR Part 73.56.

Based on the evidence developed during the investigation, including testimony and document reviews, the allegations were not substantiated. The NRC plans no further action regarding this investigation and considers this case closed.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be placed in the NRC Public Document Room.

Sincerely,

Ken E. Brockman, Director
Division of Reactor Projects

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