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HEHL, C.W. NRC - No Detailed Affiliation Given  
RECIP. NAME RECIPIENT AFFILIATION  
MUELLER, J.H. Niagara Mohawk Power Corp.

SUBJECT: Discusses NRC OI, Region 1 investigation re discrimination of programmer analyst. Copy of synopsis of OI rept encl.

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November 4, 1998

Mr. John H. Mueller  
Chief Nuclear Officer  
Niagara Mohawk Power Corporation  
Nine Mile Point Nuclear Station  
Operations Building, 2nd Floor  
P.O. Box 63  
Lycoming, NY 13093

Dear Mr. Mueller:

On March 12, 1998, the NRC's Office of Investigation (OI), Region I Field Office, initiated an investigation to determine whether a Programmer/Analyst employed by General Physics Corporation, working at the Nine Mile Point Nuclear Station, had been discriminated against (removed from and denied a position as a Simulator Test Specialist) as a result of raising safety concerns in December 1997 regarding simulator software deficiencies. Based upon the evidence developed during this investigation, OI could not substantiate that the contract Programmer/Analyst was discriminated against as a result of raising safety concerns regarding simulator software deficiencies. The OI investigation, documented in OI Report No. 1-98-012, was completed on August 28, 1998. A copy of the synopsis of the OI report is enclosed.

You should note that final NRC documents, including the final OI report, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information provided under FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records.

Should you have any questions regarding this letter, please feel free to contact Mr. Lawrence Doerflein, of my staff, at (610) 337-5378.

Sincerely,

Original Signed By:

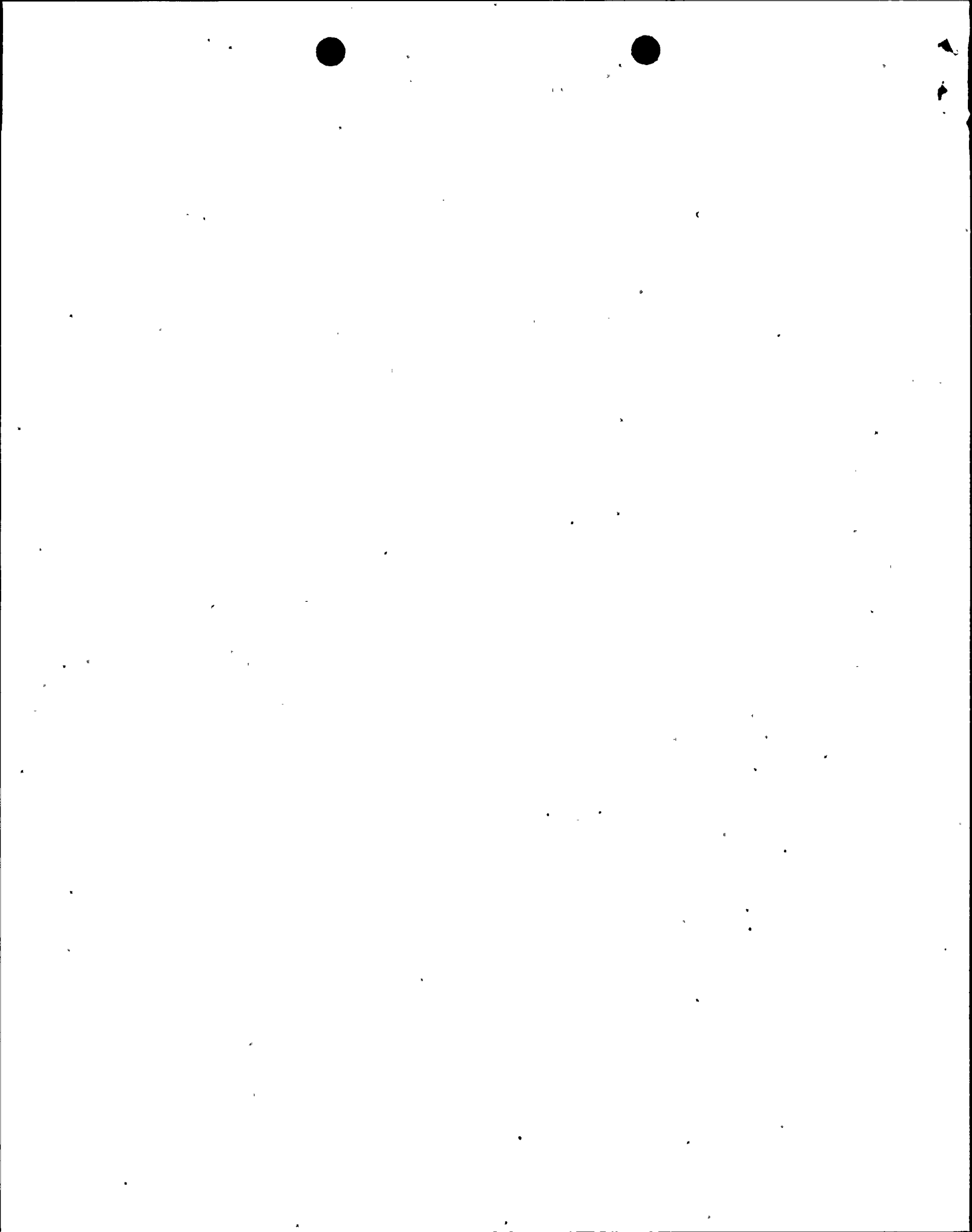
Charles W. Hehl, Director  
Division of Reactor Projects

Enclosure: Synopsis of OI Report No. 1-98-012

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Mr. John H. Mueller

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RI-98-A-0045

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## SYNOPSIS

This investigation was initiated on March 12, 1998, by the Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region I, to determine whether a Programmer/Analyst employed by General Physics Corporation (GPC), working at the Nine Mile Point Nuclear Station (NMPNS), had been discriminated against (removed from and denied a position as a Simulator Test Specialist) as a result of raising safety concerns in December 1997 regarding simulator software deficiencies.

Based upon the evidence developed during this investigation, OI could not substantiate that the contract Programmer/Analyst was discriminated against as a result of raising safety concerns regarding simulator software deficiencies.

