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 AUTH.NAME AUTHOR AFFILIATION
 BOLAND, A.T. Region 2 (Post 820201)
 RECIP.NAME RECIPIENT AFFILIATION
 PLUNKETT, T.F. Florida Power & Light Co.

SUBJECT: Discusses DOL Administrative Review Board case 98-ERA-044 & Administrative Law Judge case 96-ERA-36. Investigation of complaint concluded that there was insufficient evidence to substantiate allegation of discrimination. Case dismissed.

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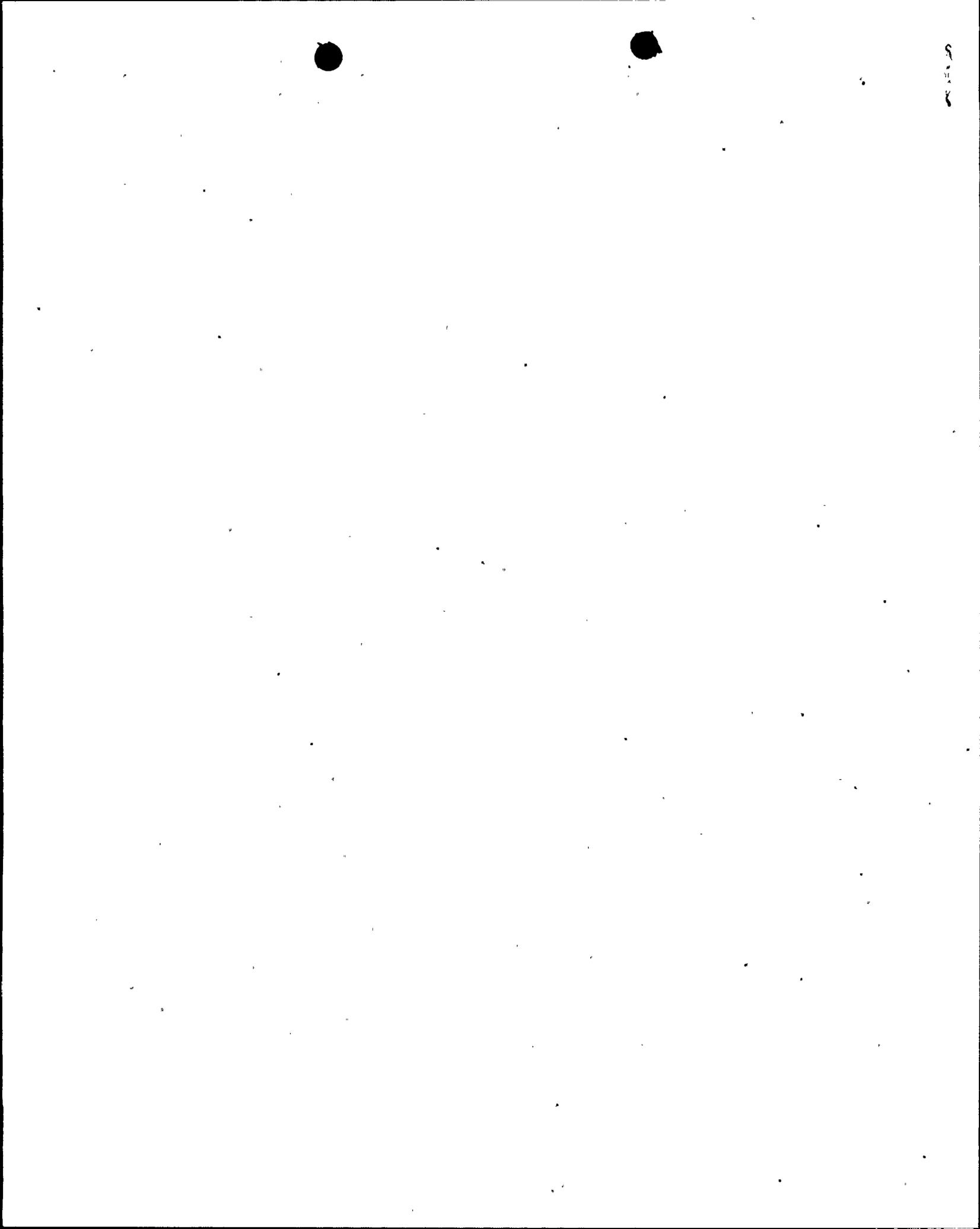
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UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-3415

April 16, 1999

Florida Power and Light Company
ATTN: Mr. T. F. Plunkett
President - Nuclear Division
P. O. Box 14000
Juno Beach, FL 33408-0420

SUBJECT: DEPARTMENT OF LABOR (DOL) ADMINISTRATIVE REVIEW BOARD CASE
NO. 98-ERA-044 - ADMINISTRATIVE LAW JUDGE CASE NO. 96-ERA-36

Dear Mr. Plunkett:

On June 24, 1996, the U.S. DOL's, Wage and Hour Division in Miami, Florida received a complaint filed by a former employee of Florida Power and Light Company's (FP&L) Turkey Point Nuclear Plant. On May 29, 1997, you were advised that the NRC's Office of Investigations (OI) had completed an investigation of the complaint which concluded that there was insufficient evidence to substantiate the allegation of discrimination. However, you were advised that NRC would hold its judgement on whether or not enforcement action was warranted until after the DOL activity was concluded on this matter.

On March 31, 1999, the DOL Administrative Review Board (ARB) issued a Final Decision and Order in the case dismissing the complaint. Based on the ARB's Final Decision and Order and NRC's review of the decision, the staff's monitoring of DOL activities has been completed.

This concludes the NRC's activities regarding this matter. If you have any questions regarding this case, you may contact me at 404-562-4421.

Sincerely,

Anne T. Boland, Enforcement Officer
Enforcement and Investigations
Coordination Staff

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19