



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

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January 19, 1996

MEMORANDUM TO: L. J. Callan, Regional Administrator
Region IV

William T. Russell, Director
Office of Nuclear Reactor Regulation

Jack R. Goldberg, Deputy Assistant General
Counsel for Enforcement
Office of the General Counsel

FROM: *Joseph R. Gray*
Joseph R. Gray, Deputy Director
Office of Enforcement

SUBJECT: OI REPORT 4-95-016; RE: ALLEGED DISCRIMINATION AT RIVER BEND

The above captioned OI report involves alleged discrimination at River Bend. OI did not substantiate the allegation, nor did the Department of Labor conclude that discrimination had occurred with respect to the complaint the alleged filed with DOL in this matter. The alleged appealed the DOL's initial decision in this matter to the Administrative Law Judge and the ALJ dismissed the case as having been filed in an untimely manner. On the basis of the OI findings and the results of the DOL process thusfar, it appears that enforcement action is not appropriate in this case. OE will monitor the DOL process and keep the staff informed of the final decision of the Secretary of Labor (SOL); a decision can be made at a later date as to the need for enforcement action based on the SOL decision.

I do not intend to request an OGC analysis of this report. We will consider the matter closed insofar as the OI investigation is concerned unless we receive a different view within three weeks of the date of this memorandum. Please contact Dick Rosano of my staff with any comments.

cc: J. Milhoan, DEDR
R. Zimmerman, NRR
G. Caputo, OI
G. Sanborn, RIV

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