



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

May 8, 1986

MEMORANDUM FOR: Thomas E. Murley, Regional Administrator
Region I

FROM:  Ben B. Hayes, Director
Office of Investigations

SUBJECT: PEACH BOTTOM ATOMIC POWER STATION (PBAPS): ALLEGED
THREATS TO EMPLOYEES TO PREVENT DISCLOSURE OF POSSIBLE
OVEREXPOSURE TO NRC (1-85-019)

Enclosed is a Report of Investigation concerning the captioned subject. The investigation sought to determine if the employment of a Bartlett Nuclear Inc. (BNI), contract Senior Health Physicist (HP) was terminated at the PBAPS as a result of his engaging in a protected activity. A second objective of this investigation was to determine if the BNI HP was "blackballed" following his termination from PBAPS when he attempted to gain employment at another nuclear facility.

The investigation disclosed that the BNI HP did have legitimate radiological concerns stemming from an incident which took place in the PBAPS, Unit 3, recombiner offgas tunnel on March 1, 1985. Testimonial and documentary evidence indicates that: the licensee's investigation into the matter was inadequate; it was common knowledge that the BNI HP had contemplated taking his concerns to the NRC due to his dissatisfaction with the licensee's investigation; the licensee had contemplated and even directed that the BNI HP be laid off prior to the incident being reported to the NRC by a source (CONFIDENTIALITY GRANTED); following the NRC inspection into the matter, licensee management and supervisory personnel wrongly assumed that the BNI technician had contacted the NRC; the BNI technician's employment was subsequently terminated at the direction of the licensee for excessive use of sick days; his termination was selective in that it was contrary to past and current reduction-in-force methods; but for his protected activity, the BNI HP's employment at PBAPS would not have been terminated.

There was insufficient evidence developed to substantiate the latter allegation that the BNI HP was "blackballed" in his attempts to gain employment at other NRC licensed nuclear facilities.

This Report closes OI's investigation of this matter. Neither this memorandum nor this Report may be released outside the NRC without permission of the Director, OI. Internal NRC access and dissemination should be on a need and right-to-know basis.

Enclosure:
As stated

cc w/encl:
V. Stello, EDO (3)
✓ C. White, OI:RI

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