

From: Robinson, Antione - OSHA
Sent: Wednesday, January 16, 2019 11:38 AM
To: Fehlman, Lauren - OSHA
Subject: RE: TVA / Wetzel, 4-1760-19-025
Attachments: Respondent Amended Notification TVA Wetzel.pdf; DOE.NRC Amended Notification TVA Wetzel.pdf; Complainant Amended Notification Wetzel.pdf

[Here you go.](#)

From: Fehlman, Lauren - OSHA <LFehlman@DOL.GOV>
Sent: Tuesday, January 15, 2019 6:22 PM
To: Robinson, Antione - OSHA <Robinson.Antione@dol.gov>
Subject: RE: TVA / Wetzel, 4-1760-19-025

Tah dah!

From: Robinson, Antione - OSHA <Robinson.Antione@dol.gov>
Sent: Tuesday, January 15, 2019 3:36 PM
To: Fehlman, Lauren - OSHA <LFehlman@DOL.GOV>
Subject: RE: TVA / Wetzel, 4-1760-19-025

[Are you going to do new letters for the amended complaint?](#)

From: Fehlman, Lauren - OSHA <LFehlman@DOL.GOV>
Sent: Monday, January 14, 2019 3:10 PM
To: Robinson, Antione - OSHA <Robinson.Antione@dol.gov>
Subject: FW: TVA / Wetzel, 4-1760-19-025

[TVA just terminated the Complainant](#)

From: Alan Kabat <kabat@bernabeipllc.com>
Sent: Monday, January 14, 2019 2:53 PM
To: Fehlman, Lauren - OSHA <LFehlman@DOL.GOV>
Subject: TVA / Wetzel, 4-1760-19-025

Ms. Fehlman,

The attached amendment to the OSHA complaint is also being sent to you (and to TVA) by regular mail.

Sincerely,

Alan

Alan R. Kabat
Bernabei & Kabat, PLLC
1400 - 16th Street, N.W., Suite 500
Washington, D.C. 20036-2223
tel. (202) 745-1942 (ext. 242)
fax (202) 745-2627
email: Kabat@BernabeiPLLC.com

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Hearing Identifier: JShea_IA_NonPublic
Email Number: 816

Mail Envelope Properties (SN6PR09MB26210FA83A08B262D5B071079F820)

Subject: RE: TVA / Wetzel, 4-1760-19-025
Sent Date: 1/16/2019 11:38:21 AM
Received Date: 1/16/2019 11:39:48 AM
From: Robinson, Antione - OSHA

Created By: Bryan.Robinson@nrc.gov

Recipients:
"Fehlman, Lauren - OSHA" <>
Tracking Status: None

Post Office: SN6PR09MB2621.namprd09.prod.outlook.com

Files	Size	Date & Time
MESSAGE	2695	1/16/2019 11:39:48 AM
Respondent Amended Notification TVA Wetzel.pdf		191073
DOE.NRC Amended Notification TVA Wetzel.pdf		72355
Complainant Amended Notification Wetzel.pdf		132387

Options
Priority: Normal
Return Notification: No
Reply Requested: No
Sensitivity: Normal
Expiration Date:



January 15, 2019

Sherry Quirk, Esq., Executive VP/General Counsel
Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902

Re: Tennessee Valley Authority/Wetzel/4-1760-19-025

Ms. Quirk:

We hereby serve you notice that an amendment to the complaint filed by Ms. Beth Wetzel (Complainant) has been received by this office alleging a retaliatory termination in violation of the whistleblower provisions of Section 211 of the Energy Reorganization Act (ERA), 42 U.S.C. §5851 and regulation, 29 CFR Part 24. Upon request, a printed copy of these materials will be mailed to you.

We would appreciate receiving from you **within 20 days** a written account of the facts and a statement of your position with respect to the allegation that you have retaliated against Ms. Wetzel in violation of the Act. Please note that a full and complete initial response, supported by appropriate documentation, may help to achieve early resolution of this matter. Voluntary adjustment of complaints can be effected by way of a settlement agreement at any time.

We request that any future documents that you submit to OSHA, you also send a copy to the Complainant at the address below:

Beth Wetzel
c/o Alan Kabat, Esq.
Bernabei & Kabat, PLLC
1400 16th Street, NW, Suite 500
Washington, DC 20036-2223

If the information provided contains private, personally identifiable information about individuals other than Complainant, such information, where appropriate, should be redacted before disclosure. OSHA may contact the party directly for the unredacted copy, if necessary.

Please note that OSHA will disclose to the parties in this case any information relevant to the resolution of the case, because evidence submitted by the parties must be tested and the opposing party provided the opportunity to fully respond. If information provided contains personal, identifiable information about individuals other than Complainant, such information, where appropriate, will be redacted before disclosure.

Attention is called to your right and the right of any party to be represented by counsel or other representative in this matter. In the event you choose to have a representative appear on your behalf, please have your representative complete the Designation of Representative form enclosed

and forward it promptly. All communications and submissions should be made to the investigator assigned below. Your cooperation with this office is invited so that all facts of the case may be considered.

Lauren Fehlman, Regional Investigator
U.S. Department of Labor – OSHA
2296 Henderson Mill Road NE, Suite 200
Atlanta, GA 30345
Telephone: (404) 772-8046
Fax: (770) 493-7725
Fehlman.lauren@dol.gov

Sincerely,

A handwritten signature in blue ink, appearing to read 'Antione Robinson', with a long horizontal flourish extending to the right.

Antione Robinson
Assistant Regional Administrator

Enclosures: Copy of Complaint
Designation of Representative

U.S. Department of Labor

Occupational Safety and Health Administration
Atlanta Regional Office
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW, Room 6T50
Atlanta, Georgia 30303



January 15, 2019

NRC.Allegation@nrc.gov
officeofenforcement@hq.does.gov

RE: Tennessee Valley Authority/Wetzel/4-1760-19-025
Section 211 of the Energy Reorganization Act

Sir or Madam:

Enclosed for your information, please find a copy of an amended complaint of retaliation filed under the Energy Reorganization Act, 42 U.S.C. §5851. An investigation of the allegation is currently being conducted by this office.

If I can be of further assistance to you, please do not hesitate to contact me at 678-237-0445.

Sincerely,

A handwritten signature in blue ink, appearing to read "Antione Robinson", with a long horizontal flourish extending to the right.

Antione Robinson
Assistant Regional Administrator

U.S. Department of Labor

Occupational Safety and Health Administration
Atlanta Regional Office
Sam Nunn Atlanta Federal Center
61 Forsyth Street, SW, Room 6T50
Atlanta, Georgia 30303



January 15, 2019

Ms. Beth Wetzel
c/o Alan Kabat, Esq.
Bernabei & Kabat, PLLC
1400 16th Street, NW, Suite 500
Washington, DC 20036-2223

Re: Tennessee Valley Authority/Wetzel/4-1760-19-025

Ms. Wetzel:

This letter acknowledges receipt of your amended complaint of retaliation under the whistleblower provisions of Section 211 of the Energy Reorganization Act, 42 U.S.C. §5851 which you filed on January 14, 2019. Please save any evidence bearing on your complaint, such as notes, minutes, letters, or check stubs, etc., and have them ready when the investigator named below meets with you. It will be helpful for you to write down a brief factual account of what happened and to prepare a list of the names, addresses, and telephone numbers of potential witnesses, together with a brief summary of what each witness should know. The investigator will be contacting you in the near future.

We request that any future documents that you submit to OSHA, you also send a copy to the Respondent at the address below:

Tennessee Valley Authority
400 West Summit Hill Drive
Knoxville, TN 37902

If the information provided contains private, personally identifiable information about individuals other than you, such information, where appropriate, should be redacted before disclosure. OSHA may contact the party directly for the unredacted copy, if necessary.

We are also notifying the party named in the complaint about the filing of the complaint and that we are conducting an investigation into your allegations. We are providing the named party with a copy of your complaint and information concerning the Occupational Safety and Health Administration's responsibilities under the law. You may obtain a copy of the pertinent statute, Section 211 of the Energy Reorganization Act and regulation, 29 CFR Part 24, at <http://www.whistleblowers.gov>. Upon request, a printed copy of these materials will be mailed to you.

OSHA will provide to you (or to your legal counsel if you are represented by counsel, or to your authorized representative) a copy of all of the respondent's submissions to OSHA that are responsive to your whistleblower complaint. In addition, OSHA will disclose to the parties in this case any other information relevant to the resolution of the case, because evidence submitted by the parties must be tested and the opposing party provided the opportunity to fully respond. If

information provided contains personal, identifiable information about individuals other than you, such information, where appropriate, will be redacted before disclosure.

Attention is called to your right and the right of any party to be represented by counsel or other representative in this matter. In the event you choose to have a representative appear on your behalf, please complete the Designation of Representative form enclosed and forward it promptly.

You are expected to cooperate in the investigation of your complaint and failure to do so may cause your complaint to be dismissed.

All submissions and correspondence, including changes to your address or telephone number should be made to following investigator:

Lauren Fehlman, Regional Investigator
U.S. Department of Labor – OSHA
2296 Henderson Mill Road NE, Suite 200
Atlanta, GA 30345
Telephone: (404) 772-8046
Fax: (770) 493-7725
Fehlman.lauren@dol.gov

Sincerely,

A handwritten signature in blue ink, appearing to read 'ARobinson', with a long horizontal stroke extending to the right.

Antione Robinson
Assistant Regional Administrator

Enclosure: Designation of Representative