

From: JShealA-Hearing Resource
Sent: Monday, February 15, 2021 7:45 PM
To: JShealA-HearingNPEm Resource
Subject: MCBREARTY Letter 042020 rev2
Attachments: ML21039A108_Redacted.pdf

From: JShealA-Hearing Resource
Sent: Sunday, February 14, 2021 5:50 PM
To: JShealA-HearingNPEm Resource <JShealA-HearingNPEm.Resource@nrc.gov>
Subject: <A E>

Hearing Identifier: JShea_IA_NonPublic
Email Number: 1259

Mail Envelope Properties (1fac3ac673b84f268150536d09dce79b)

Subject: MCBREARTY Letter 042020 rev2
Sent Date: 2/15/2021 7:44:42 PM
Received Date: 2/15/2021 7:44:43 PM
From: JShealA-Hearing Resource

Created By: JShealA-Hearing.Resource@nrc.gov

Recipients:
"JShealA-HearingNPEm Resource" <JShealA-HearingNPEm.Resource@nrc.gov>
Tracking Status: None

Post Office: HQPWMSMRS02.nrc.gov

Files	Size	Date & Time
MESSAGE	183	2/15/2021 7:44:43 PM
ML21039A108_Redacted.pdf	237780	

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

From: Wilson, George
Sent: Tuesday, April 21, 2020 12:43 PM
To: Hasan, Nasreen
Cc: Thompson, Catherine; Solorio, Dave; Gifford, Ian; Kirkwood, Sara
Subject: MCBREARTY Letter 042020 rev2.pdf
Attachments: MCBREARTY Letter 042020 rev2.pdf

Hearing Identifier: JShea_IA_NonPublic
Email Number: 112

Mail Envelope Properties (MN2PR09MB387156DB0F3694FD6DB4C180E6D50)

Subject: MCBREARTY Letter 042020 rev2.pdf
Sent Date: 4/21/2020 12:42:44 PM
Received Date: 4/21/2020 12:42:44 PM
From: Wilson, George

Created By: George.Wilson@nrc.gov

Recipients:

"Thompson, Catherine" <Catherine.Thompson@nrc.gov>

Tracking Status: None

"Solorio, Dave" <Dave.Solorio@nrc.gov>

Tracking Status: None

"Gifford, Ian" <Ian.Gifford@nrc.gov>

Tracking Status: None

"Kirkwood, Sara" <Sara.Kirkwood@nrc.gov>

Tracking Status: None

"Hasan, Nasreen" <Nasreen.Hasan@nrc.gov>

Tracking Status: None

Post Office: MN2PR09MB3871.namprd09.prod.outlook.com

Files	Size	Date & Time
MESSAGE	0	4/21/2020 12:42:44 PM
MCBREARTY Letter 042020 rev2.pdf		323872

Options

Priority: Normal

Return Notification: No

Reply Requested: No

Sensitivity: Normal

Expiration Date:



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

April 21, 2020

EA-2020-006



IA-2020-009




Mr. Michael McBrearty
[ADDRESS REMOVED]


SUBJECT: PREDECISIONAL ENFORCEMENT CONFERENCES

Dear Mr. McBrearty:

This is to confirm that the following closed, transcribed, predecisional enforcement conferences (PECs) are being scheduled to discuss apparent violations of the U.S. Nuclear Regulatory Commission (NRC) regulations prohibiting employment discrimination, Title 10 of the *Code of Federal Regulations* (10 CFR), section 50.7, "Employee Protection," and deliberate misconduct, 10 CFR 50.5, "Deliberate Misconduct." Due to the ongoing COVID-19 pandemic, you will be informed when these PECs are scheduled and provided with additional details. We understand that you plan to participate via video teleconference.

1. Ms. Erin Henderson
2. 
3. Tennessee Valley Authority (TVA)


The NRC's Enforcement Policy permits you, as the employee who was the subject of the alleged discrimination, the opportunity to participate in these conferences as an observer. If you choose, after observing the presentations, you may make a presentation to address why you believe discrimination occurred, and you may state your views regarding the presentations by Ms. Henderson, , and TVA. We request that your presentation be no more than 30 minutes. Ms. Henderson, , and TVA will then be afforded an opportunity to respond to your presentation, and the NRC staff may also ask you some clarifying questions. Ms. Henderson, , and TVA will not be allowed to present information or make comments during your presentation. Similarly, you may not make comments during their presentations, or any subsequent rebuttal to your presentation that they may choose to make.

The purpose of the PEC is not to investigate or question your position on the alleged discrimination, and in no case will the NRC staff permit you or Ms. Henderson, , or TVA to cross-examine or question each other. The NRC Office of Enforcement has authority to ensure that the meeting is conducted in a fair and impartial manner and to end the conference or limit participation should it be deemed necessary. The process and procedures for this conference will be further explained at the beginning of the conference.

The redacted Report of Investigation (ROI) 2-2018-033 will be sent separately via Federal Express (FedEx). The NRC has not made a final decision regarding the apparent violation; therefore, the NRC will not make the ROI available to the general public at this time, and we request that you also refrain from doing so.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will not be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Document Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Sincerely,

**George A.
Wilson**  Digitally signed by
George A. Wilson
Date: 2020.04.21
12:42:05 -04'00'

George A. Wilson, Director
Office of Enforcement

SUBJECT: PREDECISIONAL ENFORCEMENT CONFERENCES
DATED: 4/21/2020

DISTRIBUTION:
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ADAMS Accession No.: ML20106F204

via email*

OFFICE	OE/CRB	OE/CRB:BC	OGC	OE:D
NAME	CThompson*	DSolorio*	SKirkwood*	GWilson
DATE	4/16/2020	4/21/2020	4/16/2020	4/21/2020

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