

December 18, 2000

RI-99-A-0116

Mr. Theodore Sullivan
Vice President - Operations
Entergy Nuclear Northeast
James A. FitzPatrick Nuclear Power Plant
Post Office Box 41
Lycoming, New York 13093

Dear Mr. Sullivan:

On October 21, 1999, the NRC Office of Investigations (OI) initiated an investigation to determine whether an Administrative Coordinator (AC) at the James A. FitzPatrick Nuclear Power Plant (JAFNPP), New York Power Authority (NYPA), Lycoming, New York, was discriminated against for having raised safety issues, to include a disagreement with management over results of a root cause analysis. The potential retaliation involved attendance related actions and the denial of a merit pay increase. Based on the evidence developed during this investigation, OI did not substantiate the AC's claim that NYPA management discriminated against the AC by issuing counseling letters related to attendance/tardiness, or denying the AC a merit pay increase. The OI investigation, documented in OI Report No.1-1999-034A, was completed on September 28, 2000. A copy of the synopsis of the OI report is enclosed.

Please note that final NRC documents, including the final OI report, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records (copy enclosed).

Should you have any questions regarding this letter, please feel free to contact Mr. Glenn Meyer, of my staff, at (610) 337-5211.

Sincerely,

/RA/

A. Randolph Blough, Director
Division of Reactor Projects

Enclosures:

1. Synopsis of the OI Report 1-1999-034A
2. 10 CFR 9.23, Requests for Records

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