

March 16, 2001

RI-1999-A-0091

Mr. John H. Mueller
Chief Nuclear Officer
Niagara Mohawk Power Corporation
Nine Mile Point Nuclear Station
Operations Building, 2nd Floor
P.O. Box 63
Lycoming, NY 13093

Dear Mr. Mueller:

The NRC Office of Investigations (OI) initiated an investigation on September 1, 1999, to determine whether an Electrical Designer (ED), Nine Mile Point 2 (NMP2), Niagara Mohawk Power Corporation (NMPC), Scriba, New York, was discriminated against because he has had to go above line supervision to get safety concerns addressed. The ED specifically cited a May 1999 training issue as the basis for subsequent retaliatory actions. Based on the evidence developed during this investigation, OI did not substantiate the ED's claim that NMPC management discriminated against him by attempting to get him to see a psychiatrist, temporarily removing his unescorted site access badge, and lowering his performance evaluation between January 1999 and October 1999. The OI investigation, documented in OI Report No.1-1999-023, was completed on August 31, 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 Ms. Michele Evans, of my staff, at (610) 337-5224.

Sincerely,

/RA/

A. Randolph Blough, Director
Division of Reactor Projects

Enclosures:

1. Synopsis of the OI Report 1-1999-023
2. 10 CFR 9.23, Requests for Records

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SYNOPSIS

On September 1, 1999, the Office of Investigations (OI), Region I (RI), initiated this investigation to determine whether an Electrical Designer (ED), Nine Mile Point, Unit 2 (NMP2), Niagara Mohawk Power Corporation (NMPC), Scriba, New York, was discriminated against because he/she has had to go above line supervision to get safety concerns addressed. The ED specifically cited a May 1999 training issue as the basis for subsequent retaliatory actions.

Based on the evidence developed during this investigation, OI did not substantiate the ED's claim that NMPC management discriminated against him/her by attempting to get him/her to see a psychiatrist, temporarily removing his/her unescorted site access badge, and lowering his/her performance evaluation between January 1999 and October 1999.

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