



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931**

October 1, 2001

Carolina Power and Light Company
ATTN: Mr. C. S. Hinnant
Chief Nuclear Officer
Mail Stop PEB-16
410 S. Wilmington Street
Raleigh, NC 27601

SUBJECT: DEPARTMENT OF LABOR (DOL) CASE NO. 1184167 (NRC OFFICE OF INVESTIGATIONS REPORT NO. 2- 2000-027)

Dear Mr. Hinnant:

This refers to our letter of April 5, 2001, in which we forwarded to you the results of the NRC's Office of Investigations (OI) Case No. 2-2000-027. This investigation involved the allegation that a former corporate Security Project Support Analyst had been discriminated against by Carolina Power and Light Company (CPL) because he had engaged in protected activity. OI concluded that there was not sufficient evidence developed during the investigation to substantiate discrimination. The synopsis to the OI report was enclosed with that letter.

At the time, the individual alleging discrimination also had a case pending before the DOL Occupational Safety and Health Administration (OSHA), and we advised CPL that the NRC would withhold its judgement on the matter pending a decision by DOL. On June 28, 2001, we received information from DOL indicating that OSHA did not verify that discrimination was a factor in the actions comprising the complaint.

Given the DOL and OI investigation conclusions, and the fact that the individual has not appealed the OSHA decision, the NRC plans no further action regarding this case. If you should have any questions regarding this letter, please feel free to contact me at 404-562-4421.

In accordance with 10CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

/RA

Anne T. Boland
Enforcement Officer

Docket Nos.: 50-400, 50-325, 50-324, and 50-261
License Nos.: NPF-63, DPR-71, DPR-62, and DPR-23

CPL

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