

October 16, 2003

Mr. Robert P. Powers
Executive Vice President and
Chief Nuclear Officer
Nuclear Generation Group
American Electric Power Company
500 Circle Drive
Buchanan, MI 49107

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2002-012

Dear Mr. Powers:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine if a contract insulation foreman had been discriminated against by his employer, Day & Zimmermann, NPS, Inc. (NPS) for engaging in protected activities. Based on the evidence developed during the investigation, we did not substantiate that NPS management discriminated against the individual for engaging in protected activities. The synopsis from the OI report of investigation is enclosed.

If you have any questions or comments regarding this matter, please contact James Heller or Andrea Kock of the NRC Region III staff at telephone number (630) 829-9500.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if any, 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/reading-rm/adams.html> (the Public Electronic Reading Room).

You should 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 pursuant to the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Request for Records.

Sincerely,

/RA/ Roy J. Caniano for

Cynthia D. Pederson, Director
Division of Reactor Safety

Docket Nos. 50-315; 50-316
License Nos. DPR-58; DPR-74

Enclosure: OI Synopsis
cc w/enclosure: AMS File No. RIII-2002-A-0082

*SEE PREVIOUS CONCURRENCE

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DATE	10/10/02		10/14/03		10/15/03		10/15/03		N/A		10/16/03	

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** For permission to release the OI synopsis.

No need for concurrence- B. Berson concurred on closure letter to CI.

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission, Office of Investigations (OI), Region III, on June 3, 2002, to determine if a contract insulation foreman at D.C. Cook Nuclear Power Plant in Bridgman, MI, had been discriminated against by his employer, Day & Zimmermann, NPS, Inc. (NPS) for engaging in protected activities.

Based on evidence developed during this investigation, OI did not substantiate that NPS management discriminated against the contract insulation foreman for engaging in protected activities.