

October 23, 2003

Mr. Roy A. Anderson  
Chief Nuclear Officer and President  
PSEG Nuclear LLC - N09  
P. O. Box 236  
Hancocks Bridge, New Jersey 08038

RI-2002-A-0137

Dear Mr. Anderson:

The Region I Field Office of NRC Office of Investigations (OI) initiated an investigation (OI Case #1-2002-042) on November 13, 2002, to determine whether a contract maintenance technician was discriminated against by Day and Zimmermann NPS (DZNPS) for having raised concerns regarding potentially faulty bolts used to support cable trays. The investigation disclosed that concerns had been raised about the technician's attendance record and work performance before his/her engagement in protected activity. As a result, the testimonial and documentary evidence gathered during the investigation showed that DZNPS had valid, non-discriminatory reasons, primarily related to work performance and attendance, to take steps to terminate the technician's employment. As such, OI did not substantiate that the technician was discriminated against by DZNPS for having engaged in protected activity.

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

Also, 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).

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

Sincerely,

/RA/

A. Randolph Blough, Director  
Division of Reactor Projects

Enclosure:  
As Stated

**CERTIFIED MAIL**  
**RETURN RECEIPT REQUESTED**

Mr. Roy A. Anderson

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