

OFFICIAL USE ONLY - OI INVESTIGATION INFORMATION



UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INVESTIGATIONS FIELD OFFICE, REGION IV
612 EAST LAMAR BLVD, SUITE 400
ARLINGTON, TEXAS 76011-4125

April 23, 2009

MEMORANDUM TO: Elmo E. Collins, Regional Administrator
Region IV

FROM: Crystal D. Holland, Director ~~✗~~
Office of Investigations Field Office, Region IV

SUBJECT: HUMBOLDT BAY: ASSIST TO STAFF - INTERVIEW OF ALLEGER TO
OBTAIN CLARIFICATION OF ALLEGED DISCRIMINATION FOR
REPORTING SECURITY CONCERNS
(CASE NO. 4-2009-026F/RIV-2009-A-0009)

7c On January 22, 2009, Mike SHANNON, Branch Chief, and James BUCHANAN, Physical Security Inspector, Nuclear Regulatory Commission (NRC), Plant Support Branch (PSB), Division of Reactor Safety (DRS), Region IV (RIV), received an allegation from (b)(7)(C) (b)(7)(C) Humboldt Bay Fuel Storage Facility (Humboldt), Eureka, California. (b)(7)(C) alleged that he had been subjected to discrimination at Humboldt and his employment subsequently (b)(7)(C) for reporting safety concerns.

7c On February 3, 2009, the Allegation Review Board (ARB), RIV, convened to review the concerns reported by (b)(7)(C). The ARB concluded that further clarification of (b)(7)(C) concerns was required before the ARB would issue a recommendation or final determination for further inspection or investigation.

7c On March 2, 2009, the ARB:RIV, reconvened and requested assistance from the Office of Investigations (OI), RIV, with an interview of (b)(7)(C) to obtain clarifying details regarding his alleged discrimination. It was further requested that OI provide a copy of the transcript of interview to the RIV Counsel to evaluate whether (b)(7)(C) testimony articulated a prima facie showing of discrimination.

7c On April 2, 2009, (b)(7)(C) was interviewed by OI:RIV for specific information related to his allegation that he was subjected to discrimination for reporting nuclear safety concerns (Exhibit 1). (b)(7)(C) testified that he believed that he had been subjected to discrimination for raising safety concerns.

information in this record was deleted
in accordance with the Freedom of Information
Act, exemptions
FOIA: ~~1.1, 1.4, 1.5, 1.6, 1.7, 1.8, 1.9, 1.10, 1.11, 1.12, 1.13, 1.14, 1.15, 1.16, 1.17, 1.18, 1.19, 1.20, 1.21, 1.22, 1.23, 1.24, 1.25, 1.26, 1.27, 1.28, 1.29, 1.30, 1.31, 1.32, 1.33, 1.34, 1.35, 1.36, 1.37, 1.38, 1.39, 1.40, 1.41, 1.42, 1.43, 1.44, 1.45, 1.46, 1.47, 1.48, 1.49, 1.50, 1.51, 1.52, 1.53, 1.54, 1.55, 1.56, 1.57, 1.58, 1.59, 1.60, 1.61, 1.62, 1.63, 1.64, 1.65, 1.66, 1.67, 1.68, 1.69, 1.70, 1.71, 1.72, 1.73, 1.74, 1.75, 1.76, 1.77, 1.78, 1.79, 1.80, 1.81, 1.82, 1.83, 1.84, 1.85, 1.86, 1.87, 1.88, 1.89, 1.90, 1.91, 1.92, 1.93, 1.94, 1.95, 1.96, 1.97, 1.98, 1.99, 2.00~~

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E. Collins

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No further action was requested by RIV staff; therefore, this assist to staff is hereby closed. Should any new information develop specific to conduct or actions involving willfulness or wrongdoing, OI: RIV will consider initiating supplementary investigative action as deemed appropriate.

Enclosure: Exhibit 1

cc w/enclosure:
C. Carpenter, OE

cc w/o enclosure:
C. Marco, OGC
E. Leeds, NRR (Attn: G. Cwalina, OAD, NRR)

Distribution:
s/f (4-2009-026F)

c/f

(b)(7)(C) OI:HQ

DOCUMENT: S:\OIFY2009ClosedCases

OFFICE	OI:RIV	OI:RIV	RESOURCES	REVISIONS
NAME	(b)(7)(C)	CHolland		
DATE	04/23/09	04/23/09		

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