

March 4, 1992

GPC 92-ERA-038  
HL4P ~~92-ERA-038~~

Oscar DeMiranda  
Senior Allegation Coordinator  
Nuclear Regulatory Commission  
Region II  
101 Marietta St., NW 82900  
Atlanta, Georgia 30323

Dear Mr. DeMiranda:

This letter serves as a follow-up to our telephone conversation of 03-02-92 at which time I advised the Nuclear Regulatory Commission (NRC), of discriminatory conduct in violation of NRC requirements implemented in 10 C.F.R. 50.7, by the Houston Lighting and Power Company (licensee).

On 02-28-92, Nuclear Support Services, Inc. (NSS), confirmed an employment offer to me as a Senior I&C Technician at the A.W. Vogtle Nuclear Plant 1, in Waynesboro, Georgia. See enclosed NSS letter dated 02-28-92.

On 03-02-92, I reported for work at 06:30 hrs. at the Vogtle Nuclear station. I was given a Fitness for Duty exam which consisted of drug screening and alcohol testing. I then completed psychological testing and was sent to Augusta, Georgia for a physical exam.

Approximately half way through my physical exam, I was summoned to the telephone. I was informed by [redacted] a NSS site employee, that there was a glitch in my background investigation. I asked [redacted] what the glitch was and he stated that he didn't know. I asked [redacted] who at NSS would know about the glitch. [redacted] stated that [redacted] the [redacted] would call me right back.

[redacted] informed me that there was a glitch in my background investigation and that he informed the doctor to discontinue my physical examination. I asked [redacted] what the glitch was. [redacted] stated that a manager at the South Texas Project (STP), said you were a security risk. I asked for the name of the STP manager who made the comment but

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[REDACTED] stated that I would have to speak with [REDACTED] a NSS manager, about that.

I returned to my hotel room and shortly thereafter received a telephone call from [REDACTED] stated that the glitch in my background investigation had been resolved and that I should return to the doctor's office to complete my physical exam.

I told [REDACTED] that I had packed but that I would un-pack and return to the doctor's office to complete my physical. About fifteen minutes later, [REDACTED] called again and stated that there was another glitch in my background investigation. [REDACTED] told me not to return to the doctor's office. I asked [REDACTED] what the glitch in my background investigation was. [REDACTED] told me to contact [REDACTED]

I contacted [REDACTED] and asked him about the glitch in my background investigation. [REDACTED] stated that NSS halted my background investigation because a developed reference, a supervisor at STP, stated that you were a security risk. The STP supervisor also stated that he had a problem with your work performance. I asked [REDACTED] for the name of the STP supervisor. [REDACTED] stated that [REDACTED] a [REDACTED] would not allow the release of the STP supervisor's name.

I informed [REDACTED] that it appeared to me that STP, NSS and the Vogtle Nuclear station were blacklisting me from working in the nuclear industry through illegal conduct in violation of 42 U.S.C. 5851. I asked [REDACTED] why NSS halted my background investigation. [REDACTED] stated NSS halted my background investigation because of the comments received from the STP supervisor.

I informed [REDACTED] that I had been granted unescorted access at the Palo Verde nuclear station working as an I&C Technician during the Unit 2 refueling outage. I informed [REDACTED] that my work performance was excellent and, in fact, [REDACTED] a Palo Verde supervisor, specifically requested a copy of my resume and stated that he would personally bring me back to work the next Unit 2 refueling outage.

I informed [REDACTED] that I contacted the NRC to request an investigation of the blacklisting conduct by STP, NSS and the Vogtle station. I also informed [REDACTED] that I intended to

Nuclear Regulatory Commission  
Page 3 of 3

file a complaint with the United States Department of Labor (DOL), to initiate an investigation into the blacklisting conduct.

[REDACTED] became very excited and stated that NSS would continue my background investigation and contact the references which were listed on my employment application. I informed [REDACTED] that since I was no longer on the payroll of NSS, I would call him when I returned home to Florida. The telephone conversation ended.

Mr. DeMiranda, I consider this blacklisting matter to be a violation of NRC requirements implemented through 10 C.F.R. 50.7. I request that the NRC initiate swift actions to cause an immediate investigation into this matter.

The cooperation of the NRC in addressing this very serious matter is both anticipated and appreciated. If I can be of any assistance to the NRC in the investigation of this matter, please don't hesitate to contact me.

Respectfully submitted,  
[REDACTED]

cc: James Taylor  
Executive Director for Operation  
U.S. Nuclear Regulatory Commission  
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