

May 7, 1997

DCS  
PDR

EA 96-498

Mr. Hugh Madden  
Vice President of Operations  
Koppel Steel Corporation  
Post Office Box 750  
Beaver Falls, Pennsylvania 15010

Dear Mr. Madden,

This will acknowledge receipt of your letter dated April 18, 1997 and your payment of \$8,000 for the civil penalty proposed by NRC in a letter dated March 19, 1997. In your response to the Notice of Violation (NOV) you denied the alleged violation and maintain that the reason for the employment termination on June 14, 1996 was that your employee misrepresented to an NRC inspector, during an inspection of your facility, that the employee was not the Radiation Safety Officer (RSO) when you maintain he was the RSO. You also maintained that the fact that the RSO had provided the NRC inspector with information, which in part resulted in a Notice of Violation to Koppel Steel for violations of NRC requirements, was not taken into account in your determination to discharge this employee.

Your position was examined fully at the Predecisional Enforcement Conference on February 19, 1997. Based on the NRC's investigation, and the results of this conference, the NRC still determined that Koppel Steel Corporation discriminated against the former RSO because this employee provided certain information to an NRC inspector during an inspection of your facility. After careful review of your April 18, 1997 response to the NOV, the NRC concludes that the violation occurred for the reasons stated in the March 19, 1997 letter addressed to you.

In light of the payment of the penalty, NRC does not intend to further consider this action. We consider it closed.

In addition, your response describes actions taken to ensure that your employees feel free to raise safety issues without fear of harassment, intimidation, or discrimination. These actions include training recently conducted in March, 1997 and the issuance of a memorandum to all of your employees reminding them of their right to raise safety and compliance concerns without fear of retaliation. These corrective steps to avoid future violations will be examined during future inspections.

Sincerely,

**Original S.**  
**James Lieberman**

James Lieberman, Director  
Office of Enforcement

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