



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET, SW, SUITE 23T85
ATLANTA, GEORGIA 30303-8931

July 5, 2006

Mr. Jefferey Walburn
1204 Riverside Drive
Greenup, KY 41144

SUBJECT: ALLEGATION REPORT RII-2006-A-0048

Dear Mr. Walburn:

This refers to your letter to Jay Henson of our staff, dated April 26, 2006, in response to our request for additional information, regarding your concerns with the withholding of information about radiation exposure to plant workers at the Portsmouth Gaseous Diffusion Plant. Our request for additional information was in a letter to you dated April 19, 2006.

We have reviewed the report issued by the Department of Energy's Inspector General that documented the results of its investigation of your concerns and have determined that the concerns do not fall under our regulatory jurisdiction. Therefore, unless we receive additional information that suggests that our conclusions should be altered, we plan no further action on this matter.

Thank you for notifying us of your concerns. We feel that our actions in this matter have been responsive to the concerns. We take our safety responsibilities to the public very seriously and will continue to do so within the bounds of our lawful authority.

Should you have any questions, or if I can be of further assistance in this matter, please call me toll-free at 1-800-577-8510, extension 24700, during the office hours of 7:30 a.m. to 4:15 p.m.

Sincerely,

A handwritten signature in cursive script that reads "Douglas M. Collins".

Douglas M. Collins, Director
Division of Fuel Facility Inspection

CERTIFIED MAIL NUMBER 7006 0100 0006 1398 4263
RETURN RECEIPT REQUESTED



Department of Energy

Washington, DC 20585

September 14, 1998

The Honorable Ted Strickland
U. S. House of Representatives
Washington, D.C. 20515-3506

Dear Congressman Strickland:

Your letter of August 14, 1998, addressed to John C. Angell, Assistant Secretary, U. S. Department of Energy, on behalf of your constituent, Jeffrey Walburn, has been referred to the Office of Inspector General (OIG) for response. Mr. Walburn has expressed concerns about a July 1994 industrial incident at the Portsmouth Gaseous Diffusion Plant (PGDP) in which he was involved.

The OIG previously had received information regarding this matter directly from Mr. Walburn and had referred it to the General Counsel at the U. S. Enrichment Corporation (USEC), which operates PGDP. Pursuant to Title 42, United States Code, Section 2297, the uranium enrichment functions were transferred from the Department of Energy to the USEC, an independent government corporation. Therefore, we are sending your correspondence to the USEC General Counsel for appropriate action and are requesting that he respond directly to you.

Please let me know if I may be of further assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Greg Friedman", is written over the typed name.

Gregory H. Friedman
Acting Inspector General



Printed with soy ink on recycled paper



OCAW

OIL, CHEMICAL & ATOMIC WORKERS INTL UNION, AFL-CIO

See page 41

See who she advised.

KESTON LOCAL
3-689, OCAW
P.O. Box 467
KESTON, OH 45661
614-239-2405

**TO: SANDY FOUT
PRODUCTION SUPPORT MANAGER
LOCKHEED MARTIN**

**FROM: HERMAN POTTER
SAFETY REPRESENTATIVE
O.C.A.W. LOCAL 3-689**

DATE: FEBRUARY 23, 1996

**THIS IS TO RESPECTFULLY REQUEST ALL DOCUMENTS
RELATED TO THE INVESTIGATION REGARDING THE ALLEGED
MISMANAGEMENT, OF PORTSMOUTH'S "DOSIMETRY
PROGRAM."**

**THIS SHOULD INCLUDE MINUTES OF CRITIQUES, AND
INTERVIEWS OF ALL INVOLVED.**

**YOUR COOPERATION IN THIS MATTER, WILL ASSIST IN
RESTORING SOME CREDIBILITY IN THIS PROGRAM.**

**CC: Bill Reep
Dale Allen
Roger McDermott
Dan Minter**

United Plant Guard Workers of America (UPGWA)

Local 66

P.O. Box 1020, Piketon, Ohio 45661



Sandy Fout
Production Support Manager
Lockheed Martin Mail Stop 2210

February 27, 1996

Dear Ms. Fout,

The United Plant Guards Worker's of America (UPGWA) Local 66 respectfully request all documents related to the investigation regarding the alleged mismanagement, of Portsmouth's "Dosimetry Program."

The documents should include minutes of critiques and the interviews from initial knowledge till closure of this case. This should include any additional information or new procedures dealing with this case in the future.

Your cooperation in this matter will assist in restoring the credibility in this program.

Sincerely,

Tom Douglas
President
UPGWA Local 66

CC: Dale Allen
Dan Hupp
Gary Hairston
Roger McDermott
Dan Minter
Bill Reep
file

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United Plant Guard Workers of America (UPGWA)

Local 66

P.O. Box 1020, Piketon, Ohio 45661



Sandy Fout, Manager
Production Support Organization

In reference to your fax dated March 29, 1996 marked #POEF-X38030-96-012. UPGWA will be willing to participate on the joint committee. We would like Tom Douglas, Jon Gahm, John Haberthy, and myself included.

We would also like to have any information that pertains to the dosimetry program that affect UPGWA bargaining unit personnel.

Chick Lawson,
UPGWA Safety Representative

Lockheed Martin Utility Services, Inc.
Portsmouth Gaseous Diffusion Plant
P.O. Box 628 Piketon, Ohio 45661
Telephone 614-897-2331

LOCKHEED MARTIN 

March 29, 1996
POEF-X38030-96-012

Chick Lawson
United Plant Guard Workers of America
Local 66
Post Office Box 1020
Piketon, Ohio 45661

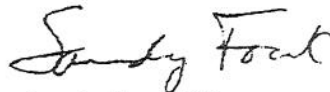
Dear Chick:

Dosimetry Program

In reference to your phone call last week while I was gone, I understand your continuing concern over the dosimetry program. I want to assure you that we are not withholding information on the program. I cannot turn over the total investigation due to the personal nature of the information contained in it.

I invite the UPGWA to participate in a joint committee to routinely review the dosimetry program. I have extended the same offer to OCAW. Ron Smith and I will be willing to work with you to establish and train such a committee.

Sincerely,



Sandy Fout, Manager
Production Support Organization

SLF:slh

cc: Dale Allen
Tom Douglas
Dan Hupp
Gary Hairston
Roger McDermott
Dan Minter
Bill Reep
D/030 - RC



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

March 6, 2000

Jeff Walbum
1204 Riverside Drive
Greenup, KY 41144

SUBJECT: ALLEGATION NO. RIII-00-A-0033

Dear Mr. Walbum:

This letter refers to your conversation with David Hartland, Resident Inspector, on February 7, 2000, in which you expressed concerns related to activities at the Portsmouth Gaseous Diffusion Plant. You were concerned about the safety conscious work environment at the site, an alleged cover up of an incident in which you were exposed to chemicals, and the potential that you would be terminated based on conflicts with management. Enclosure 1 to this letter describes your concerns and our review of the concerns.

We determined that concern 1 and 2 are not within NRC jurisdiction. The agency with jurisdiction is the Department of Energy (DOE). We forwarded these concerns to the DOE. If you have further questions related to these concerns, please contact the DOE at:

US Department of Energy
ATTN: George Benedict
200 Administration Road
PO Box 2001
Oak Ridge, TN 37831

Your third concern related to the potential for you to be terminated based on prior conflicts with management. We closed this concern after our review of the information that you submitted. The enclosure to this letter explains our review and basis for closure.

Enclosure 2 to this letter is the NRC brochure, "Reporting Safety Concerns to the NRC." The brochure contains information that you may find helpful in understanding our process for review of safety concerns. It includes an important discussion of the NRC's identity protection procedures and limitations. (Please read pages 5-7.) As stated in the brochure, you are not considered a confidential source unless an explicit request of confidentiality has been formally granted in writing.

The information regarding protecting your identity was discussed with you on February 7, 2000. You indicated that you did object to having your identity released, and you did object to having the concerns referred to the licensee.

You indicated that you may become the subject of employment discrimination in the future. If you become the victim of employment discrimination, you have **180** days from the date of the alleged discriminatory act or the date you received any written notice of an adverse personnel

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Leonard Poage/Daily Times

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of working with children,"
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estigation. Senate Bill 187
ld ensure that the informa-

See BILL on A10

DOE investigating allegations of dosimetry tampering

WASHINGTON (AP) — The government is investigating complaints of falsified radiation exposure records at nuclear bomb factories, the Energy Department's top safety official said.

"We have heard concerns across the DOE complex of inadequate dosimetry or falsified dosimetry," said David Michaels, assistant energy secretary for environment, safety and health.

"We have heard those allegations and we're pursuing them."

Michaels made his comments Wednesday after Jeffrey Walburn, an injured weapons plant guard, told Senate Governmental Affairs Committee members not to believe anything they read about exposure levels.

"The records are not accurate or believable," said Walburn, who works at the Portsmouth Gaseous Diffusion Plant in Piketon, Ohio. "They can make your dosimetry (radiation measurement) a tailor-made reading of what they want it to reveal."

At Portsmouth, Walburn said, some dosimetry readings were changed to zero in the official records and others were tampered with to produce false readings by averaging the measurements from workers in a highly contaminated area with those of workers at more remote parts of the complex.

Former uranium plant worker Ann Orick, of Knoxville, Tenn., showed senators a copy of medical report her husband, a co-worker, had received after

a 1973 accident at the Oak Ridge Gaseous Diffusion Plant in Tennessee.

The handwritten document has two wide blackouts, where the government redacted the red and white powder with which he came in contact.



VOINOVICH

Orick said her family was frustrated that they couldn't find out what the substance was. "I bet we can," replied Committee chairman Fred Thompson, R-Tenn., igniting an ovation from what had been a hushed audience.

"How can they treat him properly if they don't know what they're dealing with?" Thompson said.

"We need to do something about that," he told Michaels.

Records of worker exposure at plants like Oak Ridge and Portsmouth could become more of an issue in the months ahead as the Clinton administration and Congress wrestle with demands that the government compensate everyone who wasn't given protective gear or informed of the hazards before they touched or breathed in hazardous substances.

Sen. George Voinovich, R-Ohio, urged speedy action. "The longer we wait the worse it gets," he said. "A lot of people need some medical care (and)

See DOE on A10