Department of Energy
Washington, DC 20585

NOV - 9 2010

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[redacted]
Counsel for Mark D. Siciliano
1000 Riverwalk Dr. #200
Idaho Falls, ID 83405
[redacted]

[redacted]
Battelle Energy Alliance, LLC
P.O. Box 1625
2525 North Fremont Ave.
Idaho Falls, ID 83415
[redacted]

[redacted]
Seattle, WA 98104
[redacted]

Re: Case No. TBH-0098
Case No. TBZ-0098

Dear [redacted]:

Enclosed is a copy of my Decision issued in connection with the whistleblower complaint filed by Mark D. Siciliano against Battelle Energy Alliance, LLC (Battelle), under the Department of Energy's Contractor Employee Protection Program and its governing regulations set forth at 10 C.F.R. Part 708 (Part 708 Complaint). As the enclosed Decision indicates, I have determined that Battelle's Motion to Dismiss, Case No. TBZ-0098, should be granted, and that Mr. Siciliano's Part 708 Complaint, Case No. TBH-0098, should be dismissed.

Either party may appeal this Initial Agency Decision by filing a notice of appeal with the Director of the Office of Hearings and Appeals by the 15th day after receipt of this

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Decision. If you have any questions about this letter, please contact me at [redacted]

Sincerely,

[redacted]
H-0098
Office of Hearings and Appeals

Enclosure

cc: Jan Ogilvie
Employee Concerns Program Manager
Idaho Operations Office
1955 Freemont Ave.
Idaho Falls, ID 83415