

United States Court of Appeals For the First Circuit

No. 07-2614

RAMACHANDRAN SEEETHARAMAN,

Petitioner,

v.

UNITED STATES DEPARTMENT OF LABOR,

Respondent.

Before

Lynch, Chief Judge,
Torruella and Boudin, Circuit Judges.

JUDGMENT

Entered: September 22, 2008

We have reviewed each of petitioner's issues on appeal and we are compelled to reject them. Petitioner has provided no justification for substituting his view of the facts for the facts as found by Administrative Law Judge Daniel Sutton in his thorough, detailed, and clear Recommended Decision and Order, which is supported by substantial evidence in the transcript of the hearing. The Recommended Decision was adopted by the Administrative Review Board in its affirmance of the conclusion that petitioner had not proven a violation of the employee protection provisions of any environmental statute. We further reject petitioner's contention that the agency misapplied the law in any fashion, either as to procedure or as to substance.

In light of our conclusion, we dismiss all outstanding motions regarding intervention by Stone & Webster as moot.

The petition for review is denied.

By the Court:

/s/ Richard Cushing Donovan, Clerk.

CC:

Dunlop, Janet R.

Edmond, Ellen R.

Evans, Uchenna

Murphy, Paul Joseph

Seetharaman, Ramachandran