

June 7, 2001

EA-01-028

Mr. Oliver D. Kingsley, President  
and Chief Nuclear Officer  
Exelon Nuclear  
Exelon Generation Company, LLC  
1400 Opus Place, Suite 500  
Downers Grove, IL 60515

SUBJECT: CLINTON POWER STATION -- NOTICE OF VIOLATION  
(OFFICE OF INVESTIGATIONS REPORT NO. 3-2000-012)

Dear Mr. Kingsley:

This will acknowledge receipt of the May 4, 2001 response to our letter dated April 6, 2001, transmitting a Notice of Violation (Notice) associated with a violation of 10 CFR 50.7, "Employee Protection," at the Clinton Power Station. As described in our letter, we determined from our investigation that the adverse employment actions taken against an instructor in the Clinton Station Nuclear Training Department resulted, in part, from the instructor's protected activity. While the violation was not contested, the company indicated in the response that the employment action was taken for reasons unrelated to activities protected under 10 CFR 50.7. We reviewed the response and concluded that it did not provide a basis for withdrawing the Notice. Therefore, after consultation with the Director, NRC Office of Enforcement, we concluded that the violation occurred as stated in the Notice. We also reviewed the corrective actions described in the May 4, 2001 letter and have no further questions at this time. Please feel free to contact Wayne Slawinski, Acting Chief, Plant Support Branch, at (630) 829-9820 if there are any questions.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

John A. Grobe, Director  
Division of Reactor Safety

Docket No. 50-461  
License No. NPF-62

See Attached Distribution

cc: J. Heffley, Vice President  
W. Bohlke, Senior Vice President  
Nuclear Services  
J. Cotton, Senior Vice President -  
Operations Support  
M. Pacilio, Plant Manager  
R. Krich, Director - Licensing  
J. Skolds, Chief Operating Officer  
C. Crane, Senior Vice President -  
Mid-West Regional Operating Group  
J. Benjamin, Vice President - Licensing  
And Regulatory Affairs  
H. Stanley, Operations Vice President  
R. Helfrich, Senior Counsel, Nuclear  
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John A. Grobe, Director  
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<sup>1</sup> OE concurrence received on 6/1/01 from Barry Westreich, OE.

cc: J. Heffley, Vice President  
W. Bohlke, Senior Vice President  
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J. Cotton, Senior Vice President -  
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