

September 26, 2001

Mr. Oliver D. Kingsley, President
Exelon Nuclear
Exelon Generation Company, LLC
ATTN: Regulatory Services
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2000-034

Dear Mr. Kingsley:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine if a training instructor at the Byron Nuclear Power Plant was disciplined because the instructor raised safety concerns. Based on the evidence developed during the investigation, we did not substantiate that the instructor was deliberately discriminated against for raising safety concerns. The synopsis from the OI report of investigation is enclosed.

If you have any questions or comments regarding this matter, please contact James Heller or Andrea Kock of the NRC Region III staff at telephone numbers 1-800-522-3025 or (630) 829-9500.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response, if any, 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 Nos. 50-454; 50-455
License Nos. DPR-29; DPR-30

Enclosure: OI Synopsis

cc w/enclosure: AMS File No. RIII-00-A-0137

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** for permission to release the OI synopsis

SYNOPSIS

This investigation was initiated on August 21, 2000, by the U.S. Nuclear Regulatory Commission, Office of Investigations (OI), Region III, (RIII), to determine if a training instructor was discriminated against in violation of 10 CFR 50.7 at the Byron Nuclear Station (Byron) for raising training concerns.

Based upon the evidence developed during this investigation, OI:RIII could not substantiate the allegation that a training instructor was discriminated against in violation of 10 CFR 50.7 at Byron for raising training concerns.