

October 18, 2002

Mr. John L. Skolds, President
Exelon Nuclear
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2001-039

Dear Mr. Skolds:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI), to determine if Exelon's Dresden Nuclear Power Plant discriminated against a Radiation Protection Technician (RPT) who alleged that he was included in the lay-off because of his involvement in the radiological safety and discrimination concerns previously provided to the NRC. Based on the evidence developed during the investigation, OI did not substantiate that discrimination occurred and this matter is considered closed. 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 number (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/reading-rm/adams.html> (the Public Electronic Reading Room).

You should note that final NRC documents, including the final Office of Investigations report, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information pursuant to the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Request for Records.

Sincerely,

/RA/

Cynthia D. Pederson, Director
Division of Reactor Safety

Docket Nos. 50-237; 50-249
License Nos. DPR-19; DPR-25

Enclosure: As stated

FILE NAME: g:/eics/amsltrs/010122.oi.lic.syn.wpd *SEE PREVIOUS CONCURRENCE

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	RIII	N	RIII	N	RIII	N	RIII	N	RIII	N	RIII	N	RIII
NAME	*Sheikh		*Kock		*Riemer		*Paul**		*Clayton**		*Berson		Pederson
DATE	5/16/02		5/17/02		5/22/02		5/23/02		10/15/02		10/16/02		10/18/02

OFFICIAL RECORD COPY

** for release of the OI synopsis

OI SYNOPSIS

This investigation was initiated on September 24, 2001, by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations, Region III, to determine if a Radiation Protection Technician at the Dresden Nuclear Power Station was discriminated against for raising safety concerns to the NRC.

Based upon the evidence developed, this investigation did not substantiate the allegation that a Radiation Protection Technician was discriminated against for raising safety concerns to the NRC.