

January 27, 2004

Mr. Gary Van Middlesworth
Acting Site-Vice President
Point Beach Nuclear Plant
Nuclear Management Company, LLC
6610 Nuclear Road
Two Rivers, WI 54241-9516

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO.3-2003-005

Dear Mr. Van Middlesworth:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Region III (RIII), Office of Investigations (OI) to determine if a former contract employee in the Engineering Procurement Department at the Point Beach Nuclear Power plant was discriminated against for raising issues about violations of quality assurance procedures during materials shipment. In addition, the NRC RIII OI investigated whether willful violations of the quality assurance procedures for materials shipments occurred. Based on the evidence developed during the investigation, we did not substantiate these issues. 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 OI 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. The instructions for making a request for information under the FOIA are accessible at <http://www.gov/reading-rm/foia/foia-request.html>.

Sincerely,

/RA/

Cynthia D. Pederson, Director
Division of Reactor Safety

Docket Nos. 50-266; 50-301
License Nos. DPR-24; DPR-27

Enclosure: OI Synopsis

cc w/enclosure: AMS File No. RIII-2003-A-0026

*SEE PREVIOUS CONCURRENCE

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**For permission to release OI synopsis.

SYNOPSIS

This investigation was initiated by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, on March 10, 2003, to determine if a former contract employee in the Engineering Procurement Department for the Nuclear Management Company at the Point Beach Nuclear Power Station (Point Beach) was discriminated against for raising quality assurance (QA) concerns. In addition, the issues surrounding the QA concerns were investigated for willful violations of procedural requirements.

Based upon the evidence developed, this investigation did not substantiate that a former contract employee in the Engineering Procurement Department at Point Beach was discriminated against for raising QA concerns. Additionally, based upon the evidence developed, this investigation did not substantiate any willful violations of procedural requirements.