

May 25, 2005

Mr. Mark Peifer
Site Vice-President
Duane Arnold Energy Center
Nuclear Management Company, LLC
3277 DAEC Road
Palo, IA 52324

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2004-017

Dear Mr. Peifer:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) at the Duane Arnold Energy Center to determine if a radiation survey map was deliberately deleted from a computer database; and if a health physics technician was discriminated against for raising safety issues. Based on the evidence developed during the investigation, we did not substantiate the 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 Paul Pelke of the NRC Region III staff at telephone number (630) 829-9500.

In accordance with 10 CFR 2.390 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), 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.nrc.gov/reading-rm/foia/foia-request.html>.

Sincerely,

/RA by Roy Caniano Acting for/

Cynthia D. Pederson, Director
Division of Reactor Safety

Docket No. 50-331
License No. DPR-49

Enclosure: OI Synopsis

cc w/enclosure: AMS File No. RIII-2004-A-0034

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**For permission to release OI synopsis.

SYNOPSIS

This investigation was initiated on June 22, 2004, by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, to determine if a radiation survey was deliberately deleted from the Radiological Department Tracking System and if a health physics technician was discriminated against for raising radiation protection concerns at the Duane Arnold Energy Center (Allegation RIII-2004-A-0034).

Based upon the evidence developed, this investigation did not substantiate the allegation that a radiation survey was deliberately deleted from the Radiological Department Tracking System, and also did not substantiate the allegation that a health physics technician was discriminated against for raising radiation protection concerns.

Case No. 3-2004-017