

June 17, 2005

Mr. L. William Pearce  
Site Vice President  
FirstEnergy Nuclear Operating Company  
Beaver Valley Power Station  
Post Office Box 4  
Shippingport, Pennsylvania 15077

RI-2003-A-0095

Subject: NRC Office of Investigations Case No. 1-2003-041

Dear Mr. Pearce:

The Region I Field Office of the NRC Office of Investigations (OI) initiated an investigation on July 15, 2003, to determine if an individual intentionally continued in an operations surveillance test procedure in March 2003 knowing that certain measuring and test equipment (M&TE) to be used for the test was not calibrated. Testimony indicated that the individual was not aware of a procedural requirement to use calibrated M&TE for the test-in-question when it was performed. While a manager cognizant of the activity testified that the individual led the manager to believe that the M&TE was calibrated and approached the manager to sign a prerequisite step in the test procedure indicating so, the individual denied that this interaction occurred. There was no documentary evidence to suggest that the individual was responsible for getting prerequisite steps signed in the test procedure, nor was there evidence to resolve the conflicting commentary from the individual and the manager. As a result, OI concluded that while uncalibrated M&TE was used during the performance of an operations surveillance test in March 2003, in violation of the controlling site procedure, evidence did not support a finding that the individual deliberately violated the procedure.

Please note that final NRC documents, such as the OI report described above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records, a copy of which is attached for your information.

Also, 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). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

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Mr. L. William Pearce

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Should you have any questions regarding this letter, please feel free to contact Mr. R. Bellamy of my staff at (610) 337-5200.

Sincerely,

/RA/

Brian E. Holian, Director  
Division of Reactor Projects

Enclosure:  
10 CFR 9.23, Requests for Records

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ADAMS (Docket Nos. 50-334; 50-412)

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