

June 2, 2006

Mr. Christopher M. Crane
President and CNO
Exelon Nuclear
Exelon Generation Company, LLC
200 Exelon Way
Kennett Square, PA 19348

RI-2005-A-0043

SUBJECT: NRC OFFICE OF INVESTIGATIONS CASE NO. 1-2005-014

Dear Mr. Crane:

On April 15, 2005, the Region I Field Office of the NRC Office of Investigations (OI) initiated an investigation (Case No. 1-2005-014) to determine if Limerick Generating Station employees deliberately violated technical specification requirements during Unit 2 fuel movement activities on March 12, 2005. Documentary and testimonial evidence developed by OI supported that the Limerick employees did not willfully violate the requirements in Technical Specification (TS) 3.9.2.

Specifically, OI determined that the employees failed to recognize that associated requirements were not appropriately satisfied prior to commencing fuel movement activities, in part due to the lack of clarity in an alarm response procedure for the loss of audible alarms that the operators were using at the time, and also in part due to an erroneous conclusion that a dedicated operator was sufficient compensation for the resultant inoperable alarm function for the required Source Range Monitoring (SRM) instruments. When this information was provided to site management, fuel movements were immediately stopped until the SRM instrumentation requirements were met. Although the NRC concluded that Limerick employees did not willfully violate technical specification requirements, a violation of TS 3.9.2 occurred as documented in NRC Integrated Inspection Report 05000353/2006002;05000353/2006002, dated May 1, 2006.

Please note that final NRC investigation 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 enclosed for your information.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter 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. Christopher Crane

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Should you have any questions regarding this letter, please feel free to contact Mr. James Trapp of my staff at (610) 337-5186.

Sincerely,

/RA/

Brian E. Holian, Director
Division of Reactor Projects

Enclosure: 10 CFR 9.23, Requests for Records

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