

September 6, 2006

Mr. James H. Lash
Site Vice President
FirstEnergy Nuclear Operating Company
Beaver Valley Power Station
Post Office Box 4
Shippingport, PA 15077

RI-2005-A-0086

Subject: NRC Office of Investigations Case 1-2005-035

Dear Mr. Lash:

The Region I Field Office of the NRC Office of Investigations (OI), initiated an investigation on August 31, 2005, to determine if a former contractor (MPR Associates) engineer working on commercial grade dedication of voltage regulators for the emergency diesel generators at the Beaver Valley Power Station was discriminated against for raising safety concerns. Specifically, the former engineer alleged that he/she was terminated in October 2004 because of raising concerns related to the analysis and operator training presentation materials used for new voltage regulators on the emergency diesel generators at Beaver Valley.

Testimonial and documentary evidence show that the engineer was not discriminated against for raising safety concerns. Rather, OI determined that MPR's decision was based on the engineer's performance and "a cultural mismatch." Specifically, the engineer was hard to work with, he/she did not accept feedback from team members and senior staff, and his/her authoritative style was counter to the MPR roundtable style where issues were open to discussion. MPR utilizes a very open culture in which personnel have to be willing to be challenged and accepting of feedback. MPR believed that due to the engineer's work background, he/she was uncomfortable with accepting feedback, which MPR stated led to an intolerable situation. MPR's actions were a result of an internal review of the engineer's performance that determined he/she was not able to work well with other MPR staff. OI further determined that MPR staff interviewed during the course of its investigation were adamant that raising concerns and technical disagreements are a regular occurrence at MPR and is encouraged.

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.

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Also, in accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter and its enclosure 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).

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

Sincerely,

/RA/

Brian E. Holian, Director
Division of Reactor Projects

Enclosure:
10 CFR 9.23, Request for Records

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SUNSI Review completed RRB (reviewer's initials)

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