

October 11, 2006

Mr. William Levis
Senior Vice President and Chief Nuclear Officer
PSEG Nuclear, LLC - N09
P. O. Box 236
Hancocks Bridge, NJ 08038

RI-2005-A-0011

Subject: NRC Office of Investigations Case 1-2005-013

Dear Mr. Levis:

The Region I Field Office, NRC Office of Investigations (OI), initiated an investigation on April 15, 2005, to determine if a former manager was discriminated against as a result of raising safety concerns. Specifically, the former manager believed that he/she was reassigned to a position of lesser management responsibility in January 2005, after raising concerns about equipment reliability, the effectiveness of the preventive maintenance program, and the performance of his/her direct supervision.

Although OI determined that the former manager had engaged in protected activities during employment, the investigation determined that he/she was not discriminated against for raising safety concerns. Based on documentary and testimonial evidence, OI did not develop any evidence that this reassignment was for other than legitimate business reasons. PSEG and Exelon considered this reassignment based on the manager's experience level and value to the organization.

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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No response to this letter is required. Should you have any questions regarding this letter, please contact Mr. M. Gray of my staff at (610) 337-5209.

Sincerely,

/RA/

Brian E. Holian, Director
Division of Reactor Projects

Enclosure: 10 CFR 9.23, Request for Records

Distribution:

C. Carpenter, OE
R. Urban, SAC
ADAMS (Docket Nos. 50-272 and 50-311)
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