November 28, 2008

Mr. Mark Bezilla
Site Vice President
FirstEnergy Nuclear Operating Company
Perry Nuclear Power Plant
P. O. Box 97, 10 Center Road, A-PY-290
Perry, OH 44081-0097

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2008-008

Dear Mr. Bezilla:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine whether personnel at the Perry Nuclear Power Plant willfully failed to provide complete and accurate information to the NRC regarding a General Electric qualification report for a reactor core isolation cooling controller. Based on the evidence developed during the investigation, we did not substantiate the allegation. 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/

Cynthia D. Pederson, Director
Division of Reactor Projects

Docket No. 50-440
License No. NPF-58

Enclosure: OI Synopsis

November 28, 2008

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Site Vice President
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Sincerely,
/RA/
Cynthia D. Pederson, Director
Division of Reactor Projects

Docket No. 50-440
License No. NPF-58

Enclosure: OI Synopsis
bcc w/enclosure: AMS File No. RIII-2008-A-0004
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DATE	11/25/08		11/25/08		11/25/08		11/25/08		11/25/08			

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*For permission to release OI synopsis.
**The 3-week email has expired.

SYNOPSIS

This investigation was initiated on January 14, 2008, by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, to determine whether personnel at the Perry Nuclear Plant (Perry) willfully failed to provide complete and accurate information to the NRC regarding the General Electric Qualification Report.

Based upon the evidence developed, this investigation did not substantiate the allegation that Perry personnel willfully failed to provide complete and accurate information to the NRC regarding the General Electric Qualification Report.