



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
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ATLANTA, GEORGIA 30303-8931

April 9, 2009

Paul E. Sullivan
Vice President Operations
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Two Democracy Center
6903 Rockledge Drive
Bethesda, MD 2081

**SUBJECT: PORTSMOUTH GASEOUS DIFFUSION PLANT: ALLEGED SUBMISSION OF
INACCURATE INFORMATION (OFFICE OF INVESTIGATIONS CASE
NUMBER 2-2008-028)**

Dear Mr. Sullivan:

Enclosed for your information is the synopsis of the completed investigative report that documents the results of the review conducted by the Nuclear Regulatory Commission (NRC) Office of Investigations (OI). The investigation was conducted to determine whether Portsmouth management willfully provided inaccurate information to the NRC in response to an NRC request for information dated November 30, 2007.

OI determined there was insufficient evidence to substantiate that Portsmouth management provided inaccurate information to the NRC. We plan no further action with regard to this matter. Should you have any questions concerning this letter, please contact us.

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/NRC/ADAMS/index.html> (the Public Electronic Reading Room).

Sincerely,
/RA/

Jay L. Henson, Chief
Fuel Facility Inspection Branch 2
Division of Fuel Facility Inspection

Docket No. 70-7002
Certificate No. GDP-2

Enclosure: Investigative Synopsis, OI Case
No. 2-2008-028

cc w/encl: (See page 2)

P. Sullivan

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***see previous concurrence**

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SYNOPSIS

This investigation was initiated on February 28, 2008, by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region II (RII), to determine whether Portsmouth Gaseous Diffusion Plant (Portsmouth) management willfully provided inaccurate information to the NRC in response to an NRC Request for Information (RFI), dated November 30, 2007.

Based on the evidence developed during this investigation, OI:RII did not substantiate that Portsmouth management willfully provided inaccurate information to the NRC in response to an NRC Request for Information (RFI), dated November 30, 2007.

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FIELD OFFICE DIRECTOR, OFFICE OF INVESTIGATIONS, REGION II~~