

April 5, 2010

Mr. David A. Heacock  
President and Chief Nuclear Officer  
Dominion Resources  
5000 Dominion Boulevard  
Glen Allen, VA 23060-6711

RI-2009-A-0019

Subject: NRC Office of Investigations Case No. 1-2009-022

Dear Mr. Heacock:

The Region I Field Office, NRC Office of Investigations (OI), initiated an investigation (Case No. 1-2009-022) on April 3, 2009, to determine if Radiation Protection management at the Millstone Nuclear Power Station willfully violated the Corrective Action Program (CAP) by not permitting a subordinate to initiate a condition report (CR) after corrective actions from a previous CR were found not completed. Based on documentary and testimonial evidence gathered by OI, the NRC was unable to substantiate that a violation associated with this matter occurred.

OI determined that the subordinate was assigned to perform an informal, focused, self-assessment of CR-07-01352. OI found that if an effectiveness review is used to evaluate an issue, it could lead to generation of a CR, but if an informal self-assessment is used to evaluate an issue, it may not lead to generation of a CR. The subordinate's management both testified to OI that the results from the self-assessment did not warrant the generation of a new CR, and that they had never told the subordinate that he/she could not generate a CR. Additionally, the subordinate was unsure of whether management said not to generate a new CR as a result of his/her findings.

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.

Also, 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). Should you have any questions regarding this letter, please contact Mr. Donald Jackson of my staff at (610) 337-5306.

Sincerely,

**/RA by James W. Clifford Acting For/**

David C. Lew, Director  
Division of Reactor Projects

Enclosure: As Stated

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