



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352
June 4, 2010

EA-09-215

Mr. Christopher R. Costanzo
Vice President
NextEra Energy Duane Arnold, LLC
3277 DAEC Road
Palo, IA 52324-9785

SUBJECT: RESULTS OF NRC INVESTIGATION; REPORT NO. 3-2009-016

Dear Mr. Costanzo:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine if a contract employee at the Duane Arnold Energy Center, willfully violated NRC requirements by performing decontamination of reactor vessel head bolts in a manner contrary to procedure. The investigation was initiated on March 2, 2009, and completed on August 18, 2009.

Based on the evidence developed during the investigation, the NRC did not substantiate that a Duane Arnold Energy Center contract employee willfully failed to performing decontamination of reactor vessel head bolts in a manner contrary to procedure. However, a violation of NRC requirements having very low safety significance was identified and is documented in NRC Inspection Report 05000331/2010002, dated May 14, 2010. This report is available from the NRC's Agencywide Documents Access and Management System (ADAMS) at Accession Number ML101340444.

In accordance with Title 10 of the Code of Federal Regulations (10 CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter and your response, if you choose to provide one, will be available electronically for public inspection in the NRC Public Document Room or from 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 by Kenneth G. O'Brien Acting for/

Anne T. Boland, Director
Division of Reactor Safety

Docket No. 50-331
License No. DPR-49

cc: Distribution via Listserv

C. Costanzo

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Letter to Christopher R. Costanzo from Anne T. Boland dated June 4, 2010

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