



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

July 19, 2010

Mr. Michael Pacilio
Senior Vice President, Exelon Generation Company, LLC
President and Chief Nuclear Officer (CNO), Exelon Nuclear
4300 Winfield Rd
Warrenville, IL 60555

RI-2009-A-0020

Subject: NRC Office of Investigations Case No. 1-2010-011

Dear Mr. Pacilio:

The Region I Field Office, NRC Office of Investigations (OI), initiated an investigation (Case No. 1-2010-011) on December 7, 2009, to determine whether employees at the Limerick Generating Station discriminated against a Radiation Protection Technician (RPT) as a result of raising safety concerns. Based on information developed during an abbreviated investigation, the NRC concluded that there was insufficient evidence to conclude that the RPT was subject to discrimination by Limerick employees as a result of raising safety concerns. Specifically, the NRC's conclusion was based on the RPT no longer wishing to pursue an investigation and the limited amount of investigatory information which had been collected at that time.

In addition, the NRC also noted that a DOL Administrative Law Judge issued a Recommended Decision and Order Approving Settlement Agreement and Order of Dismissal with Prejudice. In this documentation, a Joint Motion for Approval of Settlement Agreement, Dismissal with Prejudice, and Confidential Treatment of Settlement Agreement was approved. Since no appeals were filed by either party within 10 days, this Recommended Decision and Order automatically became the Final Order.

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. Paul Krohn of my staff at (610) 337-5120.

Sincerely,

/RA/

James W. Clifford, Acting Director
Division of Reactor Projects

Enclosure: As Stated

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ML102010086**SUNSI Review Complete: PGK (Reviewer's Initials)**

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