



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION II
245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

February 22, 2011

EA-10-251

Mr. Regis T. Repko
Vice President
Duke Energy Carolinas, LLC
McGuire Nuclear Station
MG01VP/12700 Hagers Ferry Road
Huntersville, NC 28078

**SUBJECT: MCGUIRE NUCLEAR STATION - RESULTS OF NRC OFFICE OF
INVESTIGATIONS REPORT 2-2010-034**

Dear Mr. Repko:

This refers to the investigation completed on November 9, 2010, by the Nuclear Regulatory Commission's (NRC) Office of Investigations (OI). The purpose of this investigation was to determine whether a former Lead Radiation Protection (RP) Technician, Duke Energy (Duke), willfully falsified a dose rate survey and if three Contract RP Technicians, Bartlett Nuclear, assigned to McGuire Nuclear Station (McGuire), were aware of the falsification and failed to report the violation. NRC review determined that one individual deliberately falsified a dose rate survey and a Weekly Outage Performance Sheet.

Based on the staff's review of the facts and circumstances in this case, the NRC has determined that a Severity Level IV violation of Technical Specification 5.4.1.a and Duke Health Physics Procedure HP/2/B/1006/024, Revision 11, occurred when Duke failed to complete a daily dose rate survey of the 1202 area on October 7, 2006, and a former Lead RP Technician deliberately falsified the survey record on October 10, 2006. However, because the violation was identified and reported to the NRC, it involved the acts of an individual in a non-supervisory position, it was an isolated act of this individual without management involvement, and you took appropriate corrective action, the violation is being treated as a non-cited violation in accordance with Section 2.3.2 of the NRC's Enforcement Policy. The violation will be included in the upcoming Quarterly Integrated Inspection Report 05000369,370/2011002.

DEC

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In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. You are not required to respond to this letter. However, should you choose to respond, to the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the Public without redaction.

Sincerely,

/RA/

Jonathan H. Bartley, Chief
Reactor Projects Branch 1
Division of Reactor Projects

Docket Nos.: 50-369, 50-370
License Nos.: NPF-9, NPF-17

cc: (See page 3)

DEC

2

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DEC

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Letter to Regis T. Repko from Jonathan H. Bartley dated

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INVESTIGATIONS REPORT 2-2010-034

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