

May 17, 2011

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

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2010-031

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 contractor personnel at the Duane Arnold Energy Center willfully failed to perform fire watch requirements. Based on the evidence developed during the investigation, OI did not substantiate the allegation. The synopsis from the OI report of investigation is enclosed. One Green finding involving a non-cited violation for the failure to conduct fire watch patrols in accordance with procedures was documented in NRC Inspection Report No. 05000331/2011002 dated May 11, 2011.

If you have any questions or comments regarding this matter, please contact an NRC Region III Office Allegation Coordinator by calling (800) 522-3025. The NRC Region III Office Allegation Coordinators are Jim Heller, Paul Pelke, Magdalena Gryglak, and Sarah Bakhsh.

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, its enclosure, and your response, if any, will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (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 reports, 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

C. Costanzo

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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/

Steven West, Director
Division of Reactor Projects

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

Enclosure:
Synopsis of OI Report No. 3-2010-031

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Sincerely,

/RA/

Steven West, Director
Division of Reactor Projects

Docket No. 50-331
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Enclosure:
Synopsis of OI Report No. 3-2010-031

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OFFICIAL RECORD COPY

**For permission to release OI synopsis.

***The 3-week email has expired.

SYNOPSIS

This investigation was initiated on July 2, 2010, by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, to determine if contractor personnel at the Duane Arnold Energy Center (DAEC) willfully failed to perform fire watch requirements.

Based upon the evidence developed, this investigation did not substantiate the allegation that contractor personnel at DAEC willfully failed to perform fire watch requirements.