



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

June 29, 2011

Mr. Paul A. Harden  
Site Vice President  
FirstEnergy Nuclear Operating Company  
Beaver Valley Power Station  
P. O. Box 4, Route 168  
Shippingport, PA 15077-0004

RI-2010-A-0047

Subject: NRC Office of Investigations Case No. 1-2010-051

Dear Mr. Harden:

The Region I Field Office, NRC Office of Investigations (OI) initiated an investigation (Case No. 1-2010-051) on August 9, 2010, to determine whether a QA assessor at the Beaver Valley Power Station was subjected to a hostile work environment and discriminatory acts for raising safety concerns. Based upon testimonial and documentary evidence developed during the investigation, the NRC did not substantiate that the assessor was discriminated against and subjected to a hostile work environment for raising safety concerns.

Specifically, OI found no credible evidence that the assessor's performance appraisal was negatively affected for writing two condition reports. In addition, OI found that the assessor was not prevented from taking other positions, but that his/her transfer was hindered by the limited number of open positions for which he/she was qualified and by the availability of a replacement for the QA assessor's position.

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.

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). No response to this letter is required. Should you have any questions regarding this letter, please contact Dr. R. Bellamy of my staff at (610) 337-5200.

Sincerely,

/RA/

Darrell J. Roberts, Director  
Division of Reactor Projects

Enclosure: As Stated

Distribution:

- R. Zimmerman, OE
- R1Allegation Resource
- D. Roberts, DRP
- R. Bellamy, DRP
- S. Barber, DRP
- D. Werkheiser, DRP
- D. Screnci, PAO

SUNSI Review Complete: SB (Reviewer's Initials)

DOCUMENT NAME: G:\ORA\ALLEG\LICENSEE\20100047lic.docx

After declaring this document "An Official Agency Record" it **will** be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	DRP:RPB6	RI:OI	RI:RC	ORA:SAC	DRP:DD
NAME	R Bellamy <i>SB for</i>	E Wilson	K Farrar	R Urban	D Roberts <i>JWC for</i>
DATE	06/21/2011	06/22/2011	06/23/2011	06/24/2011	06/29/2011

**OFFICIAL RECORD COPY**