



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, IL 60532-4352

November 20, 2013

Mr. Michael J. Pacilio
Senior Vice President, Exelon Generation Co., LLC
President and Chief Nuclear Officer, Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2013-006

Dear Mr. Pacilio:

This refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC) Office of Investigations (OI) to determine whether a Component Optimization Engineer at the Byron Station was discriminated against for raising safety concerns. Based on the evidence developed during the investigation, we did not substantiate the allegation. The synopsis from the OI Report of Investigation is enclosed.

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 you choose to provide one, 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

M. Pacilio

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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/

Eric Duncan, Chief
Branch 3
Division of Reactor Projects

Docket Nos. 50-454 and 50-455
License Nos. NPF-37 and NPF-66

Enclosure:
OI Synopsis

cc w/encl:
Associate General Counsel, Exelon
Director, Licensing and Regulatory Affairs, Exelon
Shawn M. Hughes, U.S. Department of Labor
Sandy Shepherd, Clifford & Garde, LLP

M. Pacilio

-2-

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bcc w/encl: AMS File No. RIII-2012-A-0047

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* For permission to release OI synopsis. ** The 3-week email has expired.

OI SYNOPSIS

This investigation was initiated on December 13, 2012, by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, to determine whether a Component Optimization Engineer at the Byron Station was discriminated against for raising safety concerns.

Based upon the evidence, this investigation did not substantiate the allegation that a Component Optimization Engineer was discriminated against for raising safety concerns.