



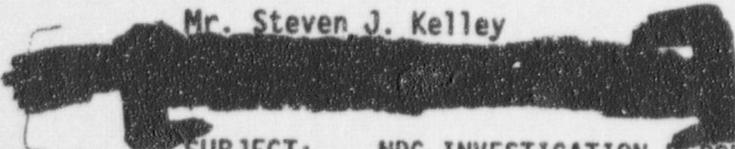
UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

August 5, 1997

IA 97-062

Mr. Steven J. Kelley

 *efb*
SUBJECT: NRC INVESTIGATION REPORT 1-96-033

Dear Mr. Kelley:

This refers to the NRC investigation conducted at the Limerick Generating Station, Limerick, Pennsylvania, documenting that you falsified fire protection surveillances while in your former position as a fire protection technical assistant at Limerick. Based on the investigation, the NRC Office of Investigations (OI) reviewed the PECO Energy Company (PECO) internal investigation that found that you deliberately failed to do certain tests, yet falsified the related documentation; and you failed to enter a specific area necessary to complete a fire suppression water system spray and sprinkler visual inspection for which you had signed documentation indicating that the visual inspection had been successfully completed. You admitted your role in the falsification to PECO security. As a result, in part, of your actions, the NRC has issued a civil penalty to PECO on this date (enclosed).

The NRC has decided not to take enforcement action against you because of your position within the company, your cooperation with the investigation, and your apparent forthright testimony. While formal enforcement action is not being taken against you, you should be aware that the NRC regulations allow the issuance of civil sanctions to be taken directly against unlicensed persons who, through their deliberate misconduct, cause a licensee to be in violation of NRC requirements. Deliberate misconduct includes an intentional act or omission that the person knows constitutes a violation of a requirement, procedure or training instruction. An order may also be issued to an individual to prevent his or her engaging in licensed activities at all NRC licensed facilities. A violation of this regulation as set forth in 10 CFR 50.5, "Deliberate Misconduct", may also lead to criminal prosecution. Similar failures in the future could lead to formal NRC enforcement action against you.

You are not required to respond to this letter. However, if you choose to provide a response, please provide it to me within 30 days at U.S. Nuclear Regulatory Commission, Region I, U.S. Nuclear Regulatory Commission, 475 Allendale Road, King of Prussia, Pennsylvania 19406.

This letter, and your response to this letter, if you choose to submit one, are not being placed in the NRC Public Document Room (PDR) at this time. However, they are official agency records and are subject to public release under the Freedom of Information Act (FOIA) if an appropriate request is

Information in this record was declassified
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Date of declassification: 11/16/06

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