



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION III
801 WARRENVILLE ROAD
LISLE, ILLINOIS 60532-4351

April 21, 1998

EA 97-458

John Gibbons
Attorney at Law
Alteimer and Gray
10 South Wacker Drive, 36th Floor
Chicago, IL 60631

Subject: James E. Van Ella & Associates

Dear Mr. Gibbons:

This is in response to your letter to Mr. Bruce Berson, Regional Counsel, dated January 26, 1998, regarding the potential falsification of background investigation reports Van Ella & Associates performed for Commonwealth Edison. The NRC staff has carefully reviewed your letter and attachments in conjunction with the information the NRC had previously obtained regarding this matter.

The NRC noted the statement in your letter that Van Ella & Associates no longer performs work in the nuclear industry and has no plans on ever doing so again. Based on the information you provided on behalf of Van Ella & Associates, the NRC concluded that enforcement action against the company and its employees will not be pursued at this time. Therefore, this matter is considered closed.

Should Van Ella & Associates become involved in nuclear activities in the future, we may want to revisit this decision. Accordingly, you are requested, pursuant to 10 CFR 2.204, to inform the Director, Office of Enforcement, at the address listed below, if and when Van Ella & Associates decides to become involved in performing work in the nuclear industry. This request will expire on January 1, 2001.

If you have any questions please contact James Lieberman, Director, Office of Enforcement, U. S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, MD 20852-2738.

Sincerely,

A. Bill Beach
Regional Administrator

cc: Roy Lane, Nuclear Security
James E. Van Ella
PDR
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