

August 28, 2003

Mr. L. William Pearce  
Site Vice President  
FirstEnergy Nuclear Operating Company  
Beaver Valley Power Station  
Post Office Box 4  
Shippingport, Pennsylvania 15077

RI-2001-A-0046

Dear Mr. Pearce:

The Region I Field Office of the NRC Office of Investigations (OI) initiated an investigation on April 24, 2001, (Case No. 1-2001-014) to determine if an Instant Senior Reactor Operator (SRO) candidate had been discriminated against by FirstEnergy Nuclear Operating Company (FENOC) for engaging in protected activities. Based on the evidence developed during this investigation, OI did not substantiate that FENOC discriminated against the Instant SRO candidate for engaging in protected activities. We established that the Instant SRO candidate did engage in protected activity by raising concerns about the ability to complete On-the-Job Training/Task Performance Evaluation (OJT/TPE) requirements. However, we were unable to establish that the individual's employment was terminated as a result of raising the concern about OJT/TPE. A copy of the synopsis of OI Report 1-2001-014 is enclosed for your information.

Please note that final NRC 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.

Also, in accordance with 10 CFR 2.790 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 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).

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Mr. L. William Pearce

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Should you have any questions regarding this letter, please feel free to contact Mr. P. Eselgroth of my staff at (610) 337-5234.

Sincerely,

/RA/

Brian E. Holian for

A. Randolph Blough, Director  
Division of Reactor Projects

Enclosure:  
As Stated

Mr. L. William Pearce

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**ENCLOSURE**

**RI-2001-A-0046**

The Region I Field Office of the NRC Office of Investigations (OI) initiated an investigation (Case No. 1-2001-014) to determine if an Instant Senior Reactor Operator (ISRO) candidate had been discriminated against by FirstEnergy Nuclear Operating Company (FENOC) for engaging in protected activities.

Based on the evidence developed during this investigation, OI did not substantiate that FENOC discriminated against the ISRO for engaging in protected activities.