

December 21, 2005

Mr. Mark B. Bezilla
Vice President-Nuclear, Davis-Besse
FirstEnergy Nuclear Operating Company
Davis-Besse Nuclear Power Station
5501 North State Route 2
Oak Harbor, OH 43449-9760

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 3-2005-013

Dear Mr. Bezilla:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine if a Davis-Besse security officer was discriminated against for raising safety concerns. This allegation was brought to our attention on November 18, 2004. Based on the evidence developed during the investigation, OI did not substantiate the allegation. The OI report synopsis is enclosed.

If you have any questions or comments regarding this matter, please contact James Heller or Paul Pelke of the NRC Region III staff at telephone number (630) 829-9500.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, it's 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). The NRC's document system is 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 report, 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 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/

Cynthia D. Pederson, Director
Division of Reactor Safety

Docket No. 50-346
License No. NPF-3

Enclosure: OI Report Synopsis

cc w/enclosure: AMS File No. RIII-2004-A-0132

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*For permission to release OI synopsis.

**It has been 3 weeks since issuance of the OI Report 3-week e-mail.

SYNOPSIS

This investigation was initiated on April 11, 2005, by the U.S. Nuclear Regulatory Commission, Office of Investigations, Region III, to determine if a Security Guard at the Davis-Besse Nuclear Power Plant was discriminated against for raising safety concerns.

Based upon the evidence developed, this investigation did not substantiate the allegation that a Security Guard was discriminated against for raising safety concerns.