

March 15, 2006

Mr. Eric Epstein
Chairman, TMI - Alert, INC
4100 Hillsdale Road
Harrisburg, PA 17112

Dear Mr. Epstein:

I am responding to your letters dated January 25, 2006, to the Peach Bottom Senior Resident Inspector, and February 15, 2006, to Mr. Gregory C. Cwalina, an NRC Senior Allegation Coordinator. Your letters asked several questions related to two instances in which Peach Bottom contract workers falsified inspection and test records. The most recent case involved the falsification of fire watches at Peach Bottom and the other case dates back to 2001 and involved the falsification of maintenance tests on emergency notification sirens for the Peach Bottom and Limerick nuclear plants.

We do not believe these two cases are related nor do we have evidence to suggest there is a pervasive problem with document falsification at Peach Bottom. The contractors and individuals in each case were completely independent. We take issues regarding the falsification of NRC-required records very seriously. Consistent with our process for substantiated willful violations (wrong doing), both of the cases were referred to the U.S. Department of Justice by the NRC Office of Investigations; however, the 2001 siren issue was declined for prosecution.

An NRC Notice of Violation, dated October 23, 2001, was issued to Exelon Nuclear for the 2001 siren issue. A copy of this document is enclosed for your information. The slides that Exelon used during the related NRC enforcement conference, describe Exelon's corrective actions taken as a result of this situation. They are also enclosed for your information. Both documents are also available through the NRC's document system (ADAMS) (Accession Numbers ML012960548 and ML012840024).

Regarding the fire watch falsification, although the NRC has not completed all actions related to this issue, Exelon has entered the issue into its corrective action program and is responsible for implementing appropriate corrective actions. Exelon has also performed an extent of condition review regarding falsification of firewatch records and found no other instances.

The NRC considers public involvement in our activities to be a cornerstone of strong, effective, and fair regulation of the nuclear industry. I can assure you that the NRC continues to focus on its primary mission, protection of public health and safety, common defense, security, and the

E. Epstein

environment. We appreciate and share your interest in fostering safe operation of the nuclear power plants in the Commonwealth of Pennsylvania. If you have any additional questions or concerns, please contact me at (610) 337-5186.

Sincerely,

/RA/

James M. Trapp, Chief
Projects Branch 4
Division of Reactor Projects

Enclosures: As Stated

Mr. Eric Epstein
 Chairman, TMI - Alert, INC
 4100 Hillsdale Road
 Harrisburg, PA 17112

Dear Mr. Epstein:

I am responding to your letters dated January 25, 2006, to the Peach Bottom Senior Resident Inspector, and February 15, 2006, to Mr. Gregory C. Cwalina, an NRC Senior Allegation Coordinator. Your letters asked several questions related to two instances in which Peach Bottom contract workers falsified inspection and test records. The most recent case involved the falsification of fire watches at Peach Bottom and the other case dates back to 2001 and involved the falsification of maintenance tests on emergency notification sirens for the Peach Bottom and Limerick nuclear plants.

We do not believe these two cases are related nor do we have evidence to suggest there is a pervasive problem with document falsification at Peach Bottom. The contractors and individuals in each case were completely independent. We take issues regarding the falsification of NRC-required records very seriously. Consistent with our process for substantiated willful violations (wrong doing), both of the cases were referred to the U.S. Department of Justice by the NRC Office of Investigations; however, the 2001 siren issue was declined for prosecution.

An NRC Notice of Violation, dated October 23, 2001, was issued to Exelon Nuclear for the 2001 siren issue. A copy of this document is enclosed for your information. The slides that Exelon used during the related NRC enforcement conference, describe Exelon's corrective actions taken as a result of this situation. They are also enclosed for your information. Both documents are also available through the NRC's document system (ADAMS) (Accession Numbers ML012960548 and ML012840024).

Regarding the fire watch falsification, although the NRC has not completed all actions related to this issue, Exelon has entered the issue into its corrective action program and is responsible for implementing appropriate corrective actions. Exelon has also performed an extent of condition review regarding falsification of firewatch records and found no other instances.

The NRC considers public involvement in our activities to be a cornerstone of strong, effective, and fair regulation of the nuclear industry. I can assure you that the NRC continues to focus on its primary mission, protection of public health and safety, common defense, security, and the environment. We appreciate and share your interest in fostering safe operation of the nuclear power plants in the Commonwealth of Pennsylvania. If you have any additional questions or concerns, please contact me at (610) 337-5186.

Sincerely,

/RA/

James M. Trapp, Chief
 Projects Branch 4
 Division of Reactor Projects

Enclosures: As Stated

DOCUMENT NAME: E:\Filenet\ML060740069.wpd

SISP Review Complete: JMT (Reviewer's Initials)

After declaring this document "An Official Agency Record" it **will/will not** be released to the Public.

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" = No copy

OFFICE	RI/DRP		RI/DRP		RI/ORA	
NAME	ABurritt/JMT		JTrapp		RBarkley	
DATE	03/15/06		03/15/06		03/13/06	
OFFICE	RI/DRP		RI/DRP		RI/ORA	
NAME	DScrenci		KFarrar		BHolian	
DATE	02/16/06		02/16/06		03/10/06	
OFFICE	RI/DRP					
NAME	EWilson					
DATE	03/09/06					