



**UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I**

2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

August 13, 2012

Mr. Michael J. Pacilio
Senior Vice President, Exelon Generation Company, LLC
President and Chief Nuclear Officer, Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

RI-2011-A-0073

Subject: NRC Office of Investigations Case Nos. 1-2011-055

Dear Mr. Pacilio:

The Region I Field Office, NRC Office of Investigations (OI), initiated an investigation (Case No. 1-2011-055) on August 26, 2011, to determine whether a contract employee, who previously raised safety concerns, was subject to employment discrimination after applying for a job at Peach Bottom. The contractor claimed that his/her protected activity consisted of previously raising safety concerns while working at another nuclear power plant in 2010. Based on testimonial and documentary evidence developed during the investigation, the NRC was unable to substantiate that the contractor was subject to employment discrimination. Rather, the evidence supported that the contractor was not offered a job because he was not considered to be one of the top candidates.

Please note that final NRC investigation 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 2.390 of the NRC's "Rules of Practice," a copy of this letter 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).

No response to this letter is required. Should you have any questions regarding this letter, please contact Mr. Paul Krohn of my staff at (610) 337-5120.

Sincerely,

/RA/

Darrell J. Roberts, Director
Division of Reactor Projects

Enclosure: As Stated

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