



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

August 31, 2015

Mr. Robert Malley, Vice President of Operational Excellence  
C&D Technologies, Inc.  
1400 Union Meeting Road  
Blue Bell, PA 19422

SUBJECT: NRC OFFICE OF INVESTIGATIONS REPORT NO. 1-2014-021

Dear Mr. Malley:

This letter refers to an investigation conducted by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI) to determine if C&D Technologies (a) deliberately failed to enter deviations in their Part 21 process and make required notifications to the NRC in accordance with 10 CFR Part 21; (b) deliberately failed to prepare and submit an interim report for an identified deviation potentially associated with a significant safety hazard (SSH); (c) deliberately failed to evaluate deviations and comply with associated SSHs documented in 4 customer complaints (i.e., 2012-00163 at Clinton Nuclear Station; 2012-00007 at V.C. Summer Plant; 2013-00040 at Monticello Plant; and 2013-00113 at Salem Plant), and (d) deliberately provided incomplete and/or inaccurate information to customers in Certificates of Conformance 99901385/2014-201-02 and 99901385/2014-201-03. Based on the evidence developed during the OI investigation, the NRC could not substantiate that wrongdoing occurred. However, enforcement actions associated with the failures to comply with 10 CFR Part 21 identified above will be processed and tracked through the NRC's enforcement process.

Please note that the complete OI investigation report, including supporting documentation, 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, "Requests for Records." The instructions for making a request of information under the FOIA are accessible at <http://www.nrc.gov/reading-rm/foia/foia-privacy.html>.

In accordance with Title 10 of the Code of Federal Regulations (10 CFR) 2.390 of the NRC's "Rules of Practice," a copy of this letter, and your response, if any, will be available electronically for public inspection in the NRC Public Document Room or from the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

If you have any questions or comments regarding this matter, please contact Mr. Sean Meighan, Allegations Coordinator of NRC's Office of Nuclear Reactor Regulation, toll free at (800) 368-5642.

Sincerely,

**(RA by M. C. Cheok)**

Michael C. Cheok, Director  
Division of Construction Inspection  
and Operational Programs

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