

April 17, 2008

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS – SECY-08-0028 – REPORT TO
CONGRESS ON ABNORMAL OCCURRENCES: FISCAL YEAR
2007

The Commission has approved the proposed Fiscal Year 2007 Abnormal Occurrence Report to Congress, subject to the changes noted below.

1. The discussion on Peach Bottom should be revised to read as follows:

“EOI-01 Peach Bottom Atomic Power Station: Security Officers Inattentive to Duty

In September 2007, NRC was made aware of the existence of, and later provided with, video evidence of inattentive security officers at the Peach Bottom Atomic Power Station. NRC staff immediately contacted Exelon to confirm that short-term compensatory actions were taken. Shortly afterwards, the NRC dispatched an Augmented Inspection Team (AIT) and a follow-up team to investigate. An AIT is an infrequent reactive inspection conducted for the purpose of event assessment and follow-up actions. The events that led to this inspection began when a Peach Bottom security officer videotaped multiple instances of several security officers inattentive to duty at the station’s former power block “ready rooms.” The ready rooms are locations within the protected area where officers are staged for response functions while not conducting security patrols.

The AIT conducted a public exit meeting on October 9, 2007, and concluded that Exelon’s prompt compensatory measures and immediate actions were appropriate to ensure that Peach Bottom’s continued ability to properly implement the Security Plan. The NRC determined that the inattentive security officers and deficiencies in Exelon’s behavioral observation program, which could have identified and corrected the problem, represent a low-to-moderate significance finding in accordance with the NRC’s reactor oversight program.

The NRC has taken extensive actions to confirm that the Peach Bottom security force remains attentive to its duties, including the issuance of a Confirmatory Action Letter to Exelon to confirm NRC expectations regarding the licensee’s root cause determinations and effective implementation of corrective actions.

SECY NOTE: TO BE MADE PUBLICLY AVAILABLE 5 DAYS AFTER DISPATCH OF THE LETTERS TO CONGRESS.

The NRC has also made security officer attentiveness a priority at other facilities nationwide. NRC resident inspector oversight of the security forces at all nuclear power plants has been enhanced through additional random checks and unannounced inspections at security posts, including inspections on nights and weekends. On September 27, 2007, the NRC issued a security advisory (SA-07-06) to reinforce with facility managers and other security personnel the responsibility for protecting nuclear facilities and to address the importance of remaining attentive while on duty. NRC senior managers conducted conference calls with senior executives from all NRC reactor licensees to discuss the significance of maintaining an attentive security force. The nuclear industry, through the Nuclear Energy Institute, has implemented initiatives regarding inattentive security officers. Finally, through issuance of Bulletin 2007-01, "Security Officer Attentiveness," dated December 12, 2007, the NRC has requested information from power reactor and Category I fuel facilities concerning the specific actions licensees have taken or plan to take to address these issues.

The NRC has received 100 percent of licensee responses to NRC Bulletin 2007-01, "Security Officer Attentiveness." The NRC staff performed an initial review of the industry responses and has concluded that all licensees have provided answers to all questions as required by the bulletin. The NRC staff will likely request additional information from some of the licensees to obtain more details on certain responses."

2. Revise EOI-01 to include related activities from March to September, consistent with recent correspondence with Congressional and public stakeholders, such as the November 28, 2007 response to the Project on Government Oversight.

cc: Chairman Klein
Commissioner Jaczko
Commissioner Lyons
Commissioner Svinicki
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ACNW, ASLBP (via E-Mail)
PDR