

January 25, 2007

Mr. Christopher M. Crane
President and Chief Nuclear Officer
Exelon Nuclear
Exelon Generation Company, LLC
200 Exelon Way, KSA 3-E
Kennett Square, PA 19348

RI-2006-A-0103

Subject: NRC Office of Investigations Case No. 1-2006-043

Dear Mr. Crane:

The Region I Field Office, NRC Office of Investigations (OI), initiated an investigation (Case No. 1-2006-043) on July 6, 2006, to determine whether a Wackenhut contract security officer at Peach Bottom willfully failed to conduct firewatch rounds and falsified the associated records in April 2002. Based on the evidence developed during this investigation, OI confirmed that a security officer failed to conduct the firewatch and initialed the log as if it had been conducted. However, OI concluded that the security officer did not willfully or intentionally violate requirements.

OI found that on April 2, 2002, a security officer did not appropriately conduct a firewatch, but indicated that it was complete on a firewatch log sheet. Testimonial and documentary evidence show that the security officer believed that the firewatch would be completed by another security officer during that individual's regularly scheduled security tour of the same area. However, the tour frequency by the second security officer was every four hours, which did not meet the firewatch frequency of once every hour. OI reviewed documents and received testimony indicating that the cause of the missed fire watch tour was due to mis-communication and a lack of experience by the security officer assigned to conduct the firewatch. OI found that only a single firewatch was missed in 2002, and that you immediately identified and corrected the condition. However, the NRC determined that the failure to conduct this firewatch was a minor violation of NRC requirements, but in accordance with the NRC Enforcement Policy, this violation of minor significance was not subject to enforcement action.

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).

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Christopher M. Crane

2

RI-2006-A-0103

Should you have any questions regarding this letter, please contact Mr. Mel Gray of my staff at (610) 337-5209.

Sincerely,

/RA/

David C. Lew, Director
Division of Reactor Projects

Enclosure: 10 CFR 9.23, Request for Records

Distribution:

C. Carpenter, OE

R. Urban, SAC

ADAMS (Docket Nos. 50-277 and 50-278)

D. Screnci, PAO

Region I Docket Room (w/concurrences)

SUNSI Review Complete: MKG (Reviewer's Initials)

After declaring this document "An Official Agency Record" it will be released to the Public.

DOCUMENT NAME: C:\FileNet\ML070320033.wpd

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	DRP:RPB4	RI:OI	ORA:RC	ORA:SAC	DRP:DD
NAME	MGray	EWilson	KFarrar	RUrban	DLew
DATE	1/11/07	1/12/07	1/12/07	1/16/07	1/23/07

OFFICIAL RECORD COPY