

December 12, 2007

Mr. Alex Balboa
1996 Waverly Drive
Bel Air, MD 21015-1100

Dear Mr. Balboa:

This letter is in response to your e-mail to the NRC allegation website on November 10, 2007, regarding an article in *The Examiner* on November 7, 2007. The article described a followup inspection that occurred at Peach Bottom Atomic Power Station (Peach Bottom). You asked that NRC take actions to thoroughly address the problem.

The NRC was first made aware of the existence of the videos, by WCBS-TV (New York City), on September 10, 2007. While the validity and nature of the inattentiveness was not yet known, the NRC immediately began enhanced inspection oversight of security at Peach Bottom and verbally referred the information to Exelon management for investigation the same day. The NRC had the opportunity to first view the videos on September 19, 2007, which depicted multiple security officers inattentive to duty on four separate occasions in the stations's ready room between March and August 2007. In response to reviewing these videos and NRC knowledge of Exelon's investigation details, it was determined on September 19, 2007, that an Augmented Inspection Team (AIT) was warranted. A charter was developed on September 20, 2007. The NRC conducted the AIT from September 21 - 28, 2007, to collect, analyze, and document factual information and evidence sufficient to determine the causes, conditions, and circumstances pertaining to the event. A public exit meeting was conducted on October 9, 2007, in the vicinity of Peach Bottom, during which the inspection issues were discussed and the NRC responded to numerous questions from the public. The results of the AIT were documented in an inspection report issued on November 5, 2007. That report is available in the Publicly Available Records Section (PARS) of the NRC's document system (ADAMS), accessible from the NRC web site at <http://www.nrc.gov/reading-rm/adams.html>, under Accession Number ML073090061.

In addition, the NRC issued a Confirmatory Action Letter (CAL) on October 19, 2007, confirming commitments made by Exelon for correcting the problem. The Confirmatory Action letter is also available in PARS, under Accession Number ML072920283.

As noted in the article, NRC inspectors were conducting additional inspections during the period November 5 - 9, 2007. The purpose of the additional inspections was to review and characterize the results of the AIT in the NRC's Reactor Oversight Program. That team conducted a public exit on December 3, 2007, in Delta, Pennsylvania. During the exit meeting, the NRC stated that a greater-than-green performance deficiency was identified in that multiple officers were inattentive on multiple occasions and the behavioral observation program was ineffective in identifying the problem. While the performance deficiency did adversely impact the site security plan, it did not cause a significant degradation of overall security due to the multiple layers and defense-in-depth nature of the Peach Bottom security program.

The NRC continues to examine the issues of inattentive security officers at Peach Bottom. The NRC has the authority to administer oaths and affirmations or to issue subpoenas to require any individual to appear and testify, or appear and produce documents or evidence to assist in the evaluation. To date, the NRC staff has exercised its authority to administer oaths to several individuals with pertinent information and will continue to do so as necessary.

In an effort to prevent similar incidents and to re-emphasize licensee roles and responsibilities in this area, the NRC issued a security advisory to all reactor licensees nationwide on September 27, 2007. The security advisory re-emphasized NRC requirements regarding security officers' attentiveness while on duty, and is available in PARS under ML072690328.

The NRC's Executive Director for Operations (EDO) approved a Deviation Memorandum on November 28, 2007, authorizing additional security inspection effort at Peach Bottom, above and beyond that normally authorized by the Reactor Oversight Process. The Deviation Memorandum is available in PARS under Accession Number ML073320344.

Furthermore, NRC resident inspector oversight of the security forces at all nuclear power plants has been enhanced through additional random checks and unannounced drop-ins at security posts, including weekend and backshift hours. The NRC continues to monitor security force performance at all sites.

I want to assure you that security at nuclear power plants is of the utmost importance to the NRC and that the ongoing review of the issues at Peach Bottom will be thorough and comprehensive. The NRC has initiated actions to address the security force issues at Peach Bottom. We continue to monitor Exelon's corrective actions, and we will be conducting additional inspections in the future prior to closing the CAL.

I trust that this is responsive to your concern. If you have any additional concerns regarding Peach Bottom, please contact me at (610) 337-5120.

Sincerely,

/RA/

Paul G. Krohn, Chief
Projects Branch 4
Division of Reactor Projects

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Paul G. Krohn, Chief
Projects Branch 4

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