

AUG 22 2007

MEMORANDUM FOR: Allegation File RI-2007-A-0040  
FROM: Paul Krohn, Chief, Reactor Projects Branch 4, DRP  
THRU: Richard J. Urban, Senior Allegation Coordinator  
SUBJECT: Closure of Allegation File Regarding Peach Bottom

Original signed by: *J. Humeister*  
*JR*

On March 27, 2007, the NRC Resident Inspector's Office at the Peach Bottom Atomic Power Station received an allegation that security guards at Peach Bottom were working excessive overtime, sleeping in the bullet resistant enclosures, and feared retaliation from Exelon if they raised issues. The allegor further stated that Exelon and the NRC knew about the sleeping guards but didn't want to find out. The technical concerns were referred to Exelon, by letter dated April 23, 2007, for evaluation. Exelon responded by letter dated May 30, 2007. DRP Branch 4 and DRS Plant Support Branch 1 have evaluated Exelon's response and found it to be complete, reasonable, and acceptable. Enclosure 1 to this letter restates the concerns and describes the NRC's review and conclusions regarding each concern.

Since the allegor stated that no contact from the NRC was desired, a closeout letter is not appropriate. This allegation is closed.

Enclosure: As stated

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ENCLOSURE 1

RI-2007-A-0040

The NRC has received the following information concerning activities at the Peach Bottom Atomic Power Station. In response to this information, we request that Exelon address the following concerns:

- It has been asserted that security officers at Peach Bottom are sleeping on duty while in the bullet resistant enclosures (BREs), and in other areas, due to fatigue from working excessive overtime and from not being able to adjust to 12 hour shift schedules.
- It has been asserted that security officers are fearful of retaliation from Exelon management if they raise safety concerns.
- It has been asserted that Exelon management is aware that the officers are sleeping on duty but is not taking proper actions to address it.

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The NRC referred these concerns to Exelon for review and resolution. Two Exelon individuals, independent of the concerns, performed the evaluation. A brief summary of the results of Exelon's review, and our conclusions with regard to the review, are provided below.

**Concern 1:**

It was asserted that security officers at Peach Bottom are sleeping on duty while in the bullet resistant enclosures (BREs) and in other areas, due to fatigue from working excessive overtime and from not being able to adjust to 12 hour shift schedules.

**Response to Concern 1:**

Exelon reviewed Security Training and Reference Material (T&RM), shift schedules, corrective Action Program (CAP) records, security procedures, and work hour records for the period January 2006 through April 2007. No instances of individual work hours or group average work hours exceeding the limits in NRC orders were identified. Exelon also determined that the guard force overwhelmingly (97% vote) selected the current shift schedule. No issue reports were located in the CAP that related to overtime or 12 hour shifts. Exelon and Wackenhut management routinely meet with representatives of the security officers and no issues raised in these meetings relating to fatigue or shift schedule.

The T&RM identifies various techniques for maintaining attentiveness including physical preparation for the shift, attentiveness aids, periodic physical activity, and communication with other watchstanders. Supervisors discuss fitness for duty at every shift briefing and ask officers to report any FFD or fatigue issues before assuming the shift. In addition, supervisors are required to visit each stationary post at least twice during a shift, random communication checks are performed with all posts, and ready rooms are provided for officers posted within the plant for the use of officers when not on patrol or responding to alarms. This facilitates multiple officers being together to help maintain alertness. Wackenhut and Exelon supervisors conduct random observations of security officers, with emphasis on BRE towers.

After reviewing the Exelon response, DRS PSB1 contacted Peach Bottom security management to obtain additional information on the conduct and frequency of random communications checks. In addition to scheduled radio checks, random radio checks are conducted with all on duty personnel and are documented. In addition, random command calls are made that require all seated security officers to stand for about two minutes.

The NRC has reviewed Exelon's response and found it to be reasonable with supported conclusions. Therefore, this concern was not substantiated.

**Concern 2:**

It was asserted that security officers are fearful of retaliation from Exelon management if they raise safety concerns.

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**Response to Concern 2:**

The primary method for raising industrial and nuclear safety concerns at Peach Bottom is the Exelon CAP. Exelon reviewed CAP records for the period January 2006 through April 2007. On a quarterly basis, the number of CAP issues generated by security force members indicated no hesitation to raise issues. Third quarter statistics showed a spike to over 300 issues raised by security, which is not unexpected during an outage. Wackenhut and Exelon also operate programs that allow security personnel to raise concerns confidentially. The Exelon Employee Concerns Program routinely perform informal interviews of station personnel, including security force members. These interviews have not identified any Safety Conscious Work Environment issues.

In addition, fifteen security management staff and shift personnel were interviewed in April 2007 in response to a potential impact of an employment decision regarding a former security manager. None of the individuals expressed any fear of raising issues to Exelon or their management. In response to this referral, nine other security officers not previously interviewed in April were questioned; none expressed any fear of raising issues to Exelon or their own management.

The NRC has reviewed Exelon's response and found it to be reasonable with supported conclusions. Therefore, this concern was not substantiated.

**Concern 3:**

It was asserted that Exelon management is aware that the officers are sleeping on duty but is not taking proper actions to address it.

**Response to Concern 3:**

Exelon interviewed five managers likely to encounter security officers during their routine activities to determine if they were aware of any instances of security officers sleeping on duty that were not properly addressed. They all reported that instances of security officers or any other personnel sleeping on duty were taken very seriously, aggressively investigated, and that corrective and disciplinary actions were promptly implemented. In addition, a review of CAP and ECP records determined that there were no instances raised concerning reported inattentiveness not being properly addressed.

The NRC has reviewed Exelon's response and found it to be reasonable with supported conclusions. Therefore, this concern was not substantiated.

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