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Nuclear
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February 11, 2008

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
11555 Rockville Pike
Rockville, MD 20852

Braidwood Station, Units 1 and 2
Facility Operating License Nos. NPF-72 and NPF-77
NRC Docket Nos. STN 50-456 and STN 50-457

Byron Station, Units 1 and 2
Facility Operating License Nos. NPF-37 and NPF-66
NRC Docket Nos. STN 50-454 and STN 50-455

Clinton Power Station, Unit 1
Facility Operating License No. NPF-62
NRC Docket No. 50-461

Dresden Nuclear Power Station, Units 2 and 3
Renewed Facility Operating License Nos. DPR-19 and DPR-25
NRC Docket Nos. 50-237 and 50-249

LaSalle County Station, Units 1 and 2
Facility Operating License Nos. NPF-11 and NPF-18
NRC Docket Nos. STN 50-373 and STN 50-374

Limerick Generating Station, Units 1 and 2
Facility Operating License Nos. NPF-39 and NPF-85
NRC Docket Nos. 50-352 and 50-353

Oyster Creek Nuclear Generating Station
Facility Operating License No. DPR-16
NRC Docket No. 50-219

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Peach Bottom Atomic Power Station, Units 2 and 3
Renewed Facility Operating License Nos. DPR-44 and DPR-56
NRC Docket Nos. 50-277 and 50-278

Quad Cities Nuclear Power Station, Units 1 and 2
Renewed Facility Operating License Nos. DPR-29 and DPR-30
NRC Docket Nos. 50-254 and 50-265

Three Mile Island Nuclear Station, Unit 1
Facility Operating License No. DPR-50
NRC Docket No. 50-289

Subject: Exelon Generation Company, LLC/AmerGen Energy Company, LLC, 60-Day Response to NRC Bulletin 2007-01, "Security Officer Attentiveness"

Reference: NRC Bulletin 2007-01, "Security Officer Attentiveness," dated December 12, 2007

On December 12, 2007, the NRC issued NRC Bulletin 2007-01, "Security Officer Attentiveness," (Reference). The Bulletin requested that all holders of operating licenses submit a written response within 60 days in accordance with 10 CFR 50.54, "Conditions of licenses," paragraph (f). The Bulletin requested information to determine the status of licensee programs regarding the adequate and consistent implementation of their security programs in light of recent security-based incidents at certain sites.

The Enclosure to this letter provides the Exelon Generation Company, LLC (Exelon)/AmerGen Energy Company, LLC (AmerGen) 60-day response to the requested information.

The information contained in Attachment 2 to the Enclosure was provided by a third party and is beyond the control of Exelon/AmerGen. The accuracy and completeness of this information has not been validated by Exelon/AmerGen.

There are no regulatory commitments contained in this letter. Should you have any questions concerning this letter, please contact Mr. David Robillard at (610) 765-5952.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 11th day of February 2008.

Respectfully,

Charles G. Pardee
Chief Nuclear Officer
Exelon Generation Company, LLC
AmerGen Energy Company, LLC

Enclosure: 60-Day Response to NRC Bulletin 2007-01 - Braidwood Station, Byron Station, Clinton Power Station, Dresden Nuclear Power Station, LaSalle County Station, Limerick Generating Station, Oyster Creek Nuclear Generating Station, Peach Bottom Atomic Power Station, Quad Cities Nuclear Power Station, and Three Mile Island Nuclear Station, Unit 1.

cc: Regional Administrator - NRC Region I
Regional Administrator - NRC Region III
NRC Senior Resident Inspector - Braidwood Station
NRC Senior Resident Inspector - Byron Station
NRC Senior Resident Inspector - Clinton Power Station
NRC Senior Resident Inspector - Dresden Nuclear Power Station
NRC Senior Resident Inspector - LaSalle County Station
NRC Senior Resident Inspector - Limerick Generating Station
NRC Senior Resident Inspector - Oyster Creek Nuclear Generating Station
NRC Senior Resident Inspector - Peach Bottom Atomic Power Station
NRC Senior Resident Inspector - Quad Cities Nuclear Power Station
NRC Senior Resident Inspector - Three Mile Island Nuclear Station, Unit 1
NRC Project Manager, NRR - Braidwood Station
NRC Project Manager, NRR - Byron Station
NRC Project Manager, NRR - Clinton Power Station
NRC Project Manager, NRR - Dresden Nuclear Power Station
NRC Project Manager, NRR - LaSalle County Station
NRC Project Manager, NRR - Limerick Generating Station
NRC Project Manager, NRR - Oyster Creek Nuclear Generating Station
NRC Project Manager, NRR - Peach Bottom Atomic Power Station
NRC Project Manager, NRR - Quad Cities Nuclear Power Station
NRC Project Manager, NRR - Three Mile Island Nuclear Station, Unit 1
TMI File No. 08011
Illinois Emergency Management Agency - Division of Nuclear Safety
Director, Bureau of Radiation Protection - Pennsylvania Department of Environmental Resources
Director, Bureau of Nuclear Engineering - New Jersey Department of Environmental Protection
Chairman, Board of County Commissioners of Dauphin County, PA
Chairman, Board of Supervisors of Londonderry Township, PA
Mayor of Lacey Township, Forked River, NJ
R. I. McLean, State of Maryland
R. R. Janati, Commonwealth of Pennsylvania

Enclosure

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

QUESTION 1

How do you identify, report and document human performance issues involving inattentiveness, especially complicity among licensee security personnel including security contractors and subcontractors? Include a description of actions staff and supervisors take to prevent, identify and correct instances of security personnel inattentiveness, especially complicity, and address how employee concerns related to security personnel inattentiveness and complicity are addressed.

Examples of the types of information to include when providing your response to Question (1) are:

a. ***Describe the means used to maintain the attentiveness and vigilance of your security personnel such as through the effective use of job/post rotations: communication checks (audio/visual) audio stimuli; (e.g., radio), and other attentiveness stimuli for security posts where appropriate, based on the nature of the duties.***

b. ***Describe how you ensure that environmental conditions such as temperature, humidity, lighting, and noise levels do not degrade attentiveness or vigilance.***

c. ***Describe how you monitor the attentiveness and vigilance of security personnel, such as through behavioral observation by supervisors/managers, behavioral observation by peers, and video surveillance.***

RESPONSE

Exelon Generation Company, LLC (Exelon)/AmerGen Energy Company, LLC (AmerGen) recognize the importance of a safety conscious work environment (SCWE) where individuals feel free to raise safety concerns and feel confident that those concerns will be promptly reviewed and resolved with a priority appropriate to their significance.

Exelon/AmerGen is committed to maintaining an environment where individuals' concerns and issues about safety are immediately recognized and addressed. Exelon/AmerGen expects everyone to identify and resolve issues in order to maintain the safe and efficient operation of our facilities. Exelon/AmerGen values an environment in which the raising of issues or expressing alternate points of view is encouraged and sought out. Equally important, when issues are raised, Exelon/AmerGen must take the right actions, and demonstrate that we are taking the right actions. Failure to do so discourages people from raising issues.

Exelon/AmerGen provides initial training on the importance of a SCWE in Nuclear General Employee Training (NGET). The importance is reinforced through annual NGET re-training and communications from executive management.

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Individuals are encouraged and expected to promptly report concerns and issues to supervision for resolution under one or more existing Exelon/AmerGen programs. The Access Authorization, Behavioral Observation Program (BOP), and Fitness-for-Duty programs identify requirements and conditions that are to be reported. The Corrective Action Program (CAP) and Employee Concerns Program (ECP) are the primary methods to document and address identified issues. Alternatively, the individual may report concerns directly to the Nuclear Regulatory Commission (NRC).

The BOP is designed to make all employees with unescorted access aware of their responsibilities to recognize individual behavior, which if left unattended, could lead to acts detrimental to public health and safety. A key objective of the program is the recognition of behavior that is adverse to safety and security of the facility, including an unusual interest in or predisposition towards security, and/or involvement in operations activities outside the normal work activities scope.

All personnel with unescorted access receive initial BOP training and annual BOP testing. Employees monitor the behavior of other personnel with unescorted access. BOP monitoring is most effective when conducted by the employees' immediate supervision or co-workers because these individuals have frequent interaction and will recognize changes in behavior. All personnel are expected to identify and report acts detrimental to public health and safety including security officer inattentiveness. Individuals are encouraged to promptly report BOP observations to supervision for resolution under one or more existing programs. These programs include: Access Authorization and Fitness-for-Duty, and Human Resources policies. CAP and ECP are the primary methods to document and address identified issues. Alternatively, the individual may report concerns directly to the NRC.

On a monthly basis, supervision/management verifies that individuals with unescorted access have not been outside the monitoring requirements of the BOP for greater than 30 days. Individuals are required to report arrests and other issues that may impair their fitness-for-duty. An annual review is performed and documented by supervision, which typically includes behavior deviations reported to, or observed by, the supervisor. The supervisory review is evaluated by an Access Authorization program-reviewing official to determine if additional action is required concerning the individual's trustworthiness, reliability, and fitness-for-duty.

Monitoring for both SCWE and BOP is accomplished through periodic assessment of the other reporting programs noted above. Exelon/AmerGen periodically assesses effectiveness of these programs through self-assessments, Nuclear Oversight observations and audits, Nuclear Safety Review Board reviews, SCWE surveys, and CAP health reports. Additionally, independent reviews are conducted by the Institute of Nuclear Power Operations (INPO), the NRC, and industry peer review teams.

Other methods used to identify security performance issues include:

- Routine shift briefing fitness-for-duty affirmation
- Self identification
- Peer and general employee observations
- Security management and supervisory observations
- Non-security management and supervisory observations

- Communication checks
- Technology aids (e.g., cameras, security door logs)
- Facility design (e.g., environmental conditions, lighting, noise)
- Exit interviews

Methods used to report security performance issues include:

- CAP
- Direct contact with security management and/or supervision
- Contact with plant non-security management and/or supervisory personnel
- Safeguards Event Log
- Contact with Nuclear Oversight personnel
- Contact with Licensee and/or Contractor ECP personnel
- Access Authorization/Fitness-for-Duty program
- Contact with the Ethics Hotline
- Contact NRC Resident Inspectors/Hotline
- Direct to Human Resources Organization

Processes for documenting and addressing security officer inattentiveness and complicity normally include a review by management, conducting an investigation, identification and tracking of corrective actions, and effectiveness of corrective action reviews.

Methods used to document and address security performance issues include:

- CAP (Investigation)
- Self-Assessment reports
- Safeguards Event Log
- ECP Log
- NRC Allegation program
- NRC Hotline
- Fundamentals Management System observations, coaching, reinforcement, and documentation

Exelon/AmerGen requires successful completion of NGET prior to granting unescorted access authorization. NGET includes management expectations with respect to the Exelon Code of Conduct, which states:

> *Each of us is accountable for following the law, complying with Exelon and business unit policies and procedures, and striving to live up to our own values as well as those of Exelon. Committing an illegal or unethical act as an Exelon employee, agent, or contractor is never justifiable. Failure to comply with the Exelon Code of Conduct will result in disciplinary action, up to and including termination of employment.*

NGET also provides information on individual responsibilities and sanctions with respect to Title 10 of the Code of Federal Regulations, Part 50.5, "Deliberate Misconduct." Examples of behaviors that violate 10 CFR 50.5 are provided in the training material.

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Exelon/AmerGen uses a variety of methods to prevent (p), identify (i), and correct (c) incidences of security personnel inattentiveness and complicity to ensure that security personnel can perform their assigned duties and responsibilities, maintain continuous communication with the Central Alarm Station (CAS)/Secondary Alarm Station (SAS), and are immediately available to respond at all times.

- Security shift management/supervision conducts routine random security post checks twice per shift. (p,i,c)
- Security post rotations are completed at an interval of about every hour for posts where there is a high risk for inattentiveness and at all other posts about every two hours. Security supervision is rotated among different supervisory positions at a nominal rate of once every six hours. (p)
- CAS/SAS operators conduct communication/status checks with security personnel by radio and/or phone on a frequency not to exceed a nominal hourly rate during periods of high activity (e.g., day shift or outage) and a nominal 30-minute rate during periods of low activity (e.g., night shift or weekends). Frequency may be increased for higher risk posts or during periods of increased threat as warranted. (p,i,c)
- Security officers are expected to conduct peer checks and provide post relief or breaks to security personnel when needed. (p,i,c)
- Security personnel are authorized to utilize attentiveness aids such as company supplied radio/compact disc (CD) players, computers, training videos, board and card games, company provided televisions set to approved station channels, personal reading material (e.g., newspapers, magazines, books) and printed games (e.g., crosswords), on certain posts where these aids will not detract from their primary responsibilities, provided they are not objectionable to others. (p)
- Security supervisors conduct a pre-job briefing at each shift rotation and observe oncoming shift personnel for signs of fatigue and provide each individual the opportunity to self-declare fatigue, with no adverse impact, if they feel that they would be in danger of becoming less than alert during their shift. (p,i,c)
- Security personnel receive SCWE training. (p,i)
- Security personnel receive BOP training. (p,i)
- Security management has conducted a post assessment of each security post and facility to determine if conditions could negatively impact attentiveness or vigilance and determine appropriate mitigation measures. (p,c)
- Security overtime is managed within the existing work hour requirements. (p)
- Techniques that emphasize the importance of adequate rest, diet, exercise, consumption of caffeine, and other issues in maintaining good health and alertness while on duty to reduce the potential for inattentiveness are identified in security procedures. (p)
- Site management has established expectations for integration of other site organizations into the oversight of the security organization. (p,i,c)

The following actions have been taken and/or programs/procedures have been developed or revised since the recent inattentiveness incidences and issuance of Safeguards Advisory SA-07-06. Expected completion dates are indicated in parenthesis for actions not complete:

- Exelon terminated The Wackenhut Corporation (TWC) contract for providing the security force personnel at Peach Bottom Atomic Power Station (PBAPS).

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

- Members of the security force team on which the inattentiveness at PBAPS occurred had their site access placed on administrative hold, pending the completion of an investigation.
- The PBAPS Site Vice President and Plant Manager conducted meetings with the remaining PBAPS security force personnel reinforcing their expectations regarding raising concerns and resolving issues, as well as the mechanisms available to personnel for communicating concerns.
- Access to the staging area where the inattentiveness incidents took place at PBAPS was modified to allow for improved management oversight.
- Staging areas at all Exelon/AmerGen operating reactor sites were evaluated and necessary changes were made to improve management oversight in those areas.
- A CAP root cause evaluation was conducted at PBAPS; corrective actions were identified and initiated.
- Post rotation assignments at PBAPS and all Exelon/AmerGen operating reactor sites were reviewed and revised as needed to ensure that security force personnel will not be assigned to a single post/staging area for the entire shift.
- Enhanced attentiveness stimuli were authorized for use in staging areas at all Exelon/AmerGen operating reactor sites to improve the ability of security force personnel to remain attentive.
- Indoctrination sessions were conducted with returning PBAPS security force members to reinforce expectations regarding the BOP and a healthy SCWE.
- A new Exelon company/division was established to manage the security organization at PBAPS.
- Communications were developed and implemented to reinforce the balance of PBAPS station staff on expectations regarding reporting of issues.
- Environmental conditions were improved in the staging area at PBAPS.
- Refresher training to reinforce expectations regarding the BOP and a healthy SCWE, including specific examples of issues that were not appropriately raised, was provided to the security organization personnel at all Exelon/AmerGen operating reactor sites.
- Face-to-face interviews were conducted with security force supervisors at all Exelon/AmerGen operating reactor facilities to reinforce expectations related to inattentiveness and actions to take if someone is found in an inattentive state, and to solicit feedback on challenges to maintaining attentiveness and raising issues.
- Training was conducted with security force supervisors at all Exelon/AmerGen operating reactor facilities regarding their responsibilities for maintaining SCWE.
- A SCWE survey of the PBAPS security organization was conducted using a resource external to Exelon.
- A self-assessment focusing on SCWE was conducted of the PBAPS security organization with the assistance of resources external to Exelon.
- Exelon has informed TWC that the contract for providing the security force personnel at the remaining Exelon/AmerGen reactor sites will be terminated in 2008.
- Exelon revised the Training and Reference Material (T&RM) for "Security Team Management Review Meeting" to include attentiveness as a standing agenda item for the performance discussion during the meeting.

- Criteria were established and an evaluation was conducted of security staging areas across the Exelon/AmerGen fleet to identify areas for installation of Closed Circuit Television (CCTV), monitored in one or both Security Control Centers. These criteria included supervisory presence, visibility, accessibility of the area, and routine plant traffic patterns.
- CCTV cameras have been installed in security staging areas at PBAPS and Three Mile Island Nuclear Station, Unit 1.
- CCTV cameras are planned for security staging areas at Limerick Generating Station (09/08) and Clinton Power Station (09/08).
- Exelon/AmerGen has assigned a corporate manager to participate in the Nuclear Energy Institute (NEI) Security Standards Taskforce.
- Exelon/AmerGen will review the NEI Security Standards Taskforce shift briefing paper, "Attentiveness to Duty and Reporting Requirements and Security Post Evaluation Guidance," against actions already taken and initiate actions as appropriate (02/08).

QUESTION 2

How do you ensure that all employees and contractors report security concerns and any perceived security conditions that reduce the safety or security of a licensee facility? How do you ensure that staff is aware that there is no retaliation for self-reporting of inattentiveness or complicity or for reporting others?

RESPONSE

Employees and contractors with unescorted access authorization are required to adhere to site policies and procedures. They are required to report any adverse condition to quality and safety including any perceived security conditions that reduce the safety or security of a licensee facility. Exelon/AmerGen has initiated the actions described in the response to Question (1) to ensure that all personnel are cognizant of the requirement to report these concerns. Exelon/AmerGen utilizes the SCWE policy, ECP, CAP, Access Authorization program, BOP, Fitness-for-Duty program, and Employee Issues Advisory Committee to establish expectations, responsibilities, processes, methods for reporting and correcting concerns, and/or monitoring program effectiveness.

Attachments 1 through 9 listed below provide a brief description of the program methods used to monitor effectiveness, and the results of the most recent performance effectiveness reviews, if performed. Identified areas for improvement are entered into CAP.

Attachment 1 Exelon/AmerGen Safety Conscious Work Environment (SCWE)
Attachment 2 Wackenhut Nuclear Services Safety Conscious Work Environment (SCWE)
Attachment 3 Exelon/AmerGen Employee Concerns Program (ECP)
Attachment 4 Exelon/AmerGen Corrective Action Program (CAP)
Attachment 5 Exelon/AmerGen Access Authorization Program
Attachment 6 Exelon/AmerGen Behavioral Observation Program (BOP)
Attachment 7 Exelon/AmerGen Fitness-for-Duty (FFD) Program
Attachment 8 Exelon/AmerGen Access Authorization/FFD/BOP Self-Assessments
Attachment 9 Employee Issues Advisory Committee (EIAC)

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

It is Exelon/AmerGen policy that retaliation of any kind for reporting of any concern, including a security issue, will not be tolerated. This policy is communicated to personnel in initial and refresher SCWE communications and training. A memorandum to employees concerning Exelon/AmerGen's commitment to a safety conscious work environment, dated November 27, 2007, included the following statement from the Chief Nuclear Officer: "I want to assure you that Exelon Nuclear will not tolerate any retaliation against individuals that raise issues."

QUESTION 3

How do you ensure that managers and supervisors provide oversight of BOP adherence to ensure there is no complicity to circumvent the program or failure to report wrong doing or careless disregard of the regulations?

RESPONSE

Exelon/AmerGen provides initial training on the importance of SCWE and BOP programs in NGET. The importance is reinforced through continuing training and communications from executive management.

Exelon/AmerGen recently provided SCWE refresher training to managers and supervisors. Managers and supervisors were tasked with providing the same information and reinforcement to employees in their respective work groups. A Supervisory Brief was issued on November 27, 2007, and a memorandum, "Our Commitment to a Safety Conscious Work Environment," was issued by the Chief Nuclear Officer to employees on the same day.

Exelon/AmerGen oversight of SCWE and BOP programs is provided by review of Safety Culture/SCWE surveys, CAP trending, performance of CAP analysis and evaluations, ECP monitoring, performance of self-assessments, supervisor and management field observations, Nuclear Oversight field observations, and the Human Resources Employee Issues Advisory Committee monitoring.

Additionally, supervisory engagement in the SCWE and BOP programs is evidenced by management-directed for-cause drug and alcohol testing, post event testing, near miss testing, psychological evaluations, Employee Assistance Program (EAP) referrals, and Medical Review Officer (MRO) evaluations.

Contractor Oversight

Exelon/AmerGen T&RM AD-AA-2001, "Management and Oversight of Supplemental Workforce," provides guidance for accomplishing effective oversight of contracted services at Exelon/AmerGen nuclear facilities.

Exelon/AmerGen's primary goal is that work performed by the supplemental workforce is executed per contract document requirements, in accordance with applicable Exelon/AmerGen procedures, within the planned budget and schedule, and meets Exelon/AmerGen standards and expectations.

This document provides guidance on: (1) how to address routine contract/supplemental workforce situations, (2) the scope of work, and (3) the supplemental workforce's site knowledge and understanding of processes, when applying these guidelines.

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

The T&RM identifies the responsibilities of key Exelon/AmerGen and supplemental workforce management personnel listed below.

Responsibilities of the Task Manager related to BOP and SCWE include:

- Serving as a single point of contact directly responsible for overseeing the work activities being performed by the supplemental workforce.
- Preparing for task management role by ensuring clear understanding of the scope, schedule, and applicable processes and work documents for the job.
- Ensuring work documents are available for contractor use to accomplish the work properly and ensuring contractor compliance.
- Clearly communicating and ensuring that the contractor adheres to Exelon Nuclear applicable policies, procedures, standards and expectations.
- Ensuring the contract workforce receives appropriate in-processing, site orientation, briefings, out-processing, etc., as required.
- Reinforcing safety expectations and monitoring the safety performance of the supplemental workers. Providing on-the-spot correction for any safety infractions that are observed.
- Ensuring issues are captured in CAP as they occur and performing observations as required. Capturing performance data in supplier Fundamentals Management System (FMS).
- Observing, evaluating and documenting the contractor's performance within supplier FMS.

Responsibilities of the supplemental workforce supervisor related to BOP and SCWE include:

- Ensuring the contract workforce performs work according to Exelon requirements, processes, and performance standards and according to contract agreements and existing labor agreements. Providing direct and in-field supervision for work as it is performed. Providing a direct link to the work for the Task Manager.
- Ensuring complete in-processing of supplemental workforce and orientation to the site.
- Understanding Exelon expectations and job specific plans (e.g., Foreign Material Exclusion (FME), Job Hazards Analysis (JHA), As-Low-As-Reasonably-Achievable (ALARA), etc.) and communicating and implementing the plans with the supplemental workforce.
- Facilitating the resolution of supplemental workforce labor issues and worker concerns.
- Initiating reports of adverse conditions via Exelon/AmerGen's CAP.

Exelon/AmerGen procedure SY-AA-101-105, "Evaluation of Contract Security Services," provides additional guidance specific to security contract personnel, including:

- Guidance to qualify and evaluate potential security contract vendors for security work at nuclear stations.
- Expectations regarding reinforcing desired behaviors to optimize individual performance in accordance with established standards.
- Supplementing "Management Observations" discussed in the self-assessment process.

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

Corporate Nuclear Security personnel provide governance and oversight of the implementation of the security program at Exelon/AmerGen facilities. The Director of Nuclear Security is the Corporate Functional Area Manager (CFAM) for Nuclear Security.

The Nuclear Security CFAM conducts routine (nominally weekly) CFAM fleet conference calls. Exelon and security contractor management from each Exelon/AmerGen station and corporate Nuclear Security management attend the calls. Station personnel provide a report that includes performance issues identified and entered into CAP. Exelon/AmerGen and contractor management evaluate these issues to identify best practices and performance trends that require a formal CAP evaluation (i.e., root cause, common cause, apparent cause).

The Exelon/AmerGen Security Peer Group, chaired by the CFAM, meets quarterly to assess performance and recommend actions and/or changes to the program. Station Exelon/AmerGen and contractor security supervisors and corporate Nuclear Security management are members of the peer group.

At the site level, Exelon/AmerGen and contractor management interface on a daily basis to ensure effective implementation of the security program. Contractor supervisory personnel may attend routine station meetings as needed to support effective plant operations. These meetings include the station Plan of the Day (POD), and work planning and execution meetings.

QUESTION 4

What are the results of any self-assessments performed within the last 2 years associated with the items above? Specifically, what do you do to assess the effectiveness of your employee access authorization program?

a. Provide a summary of each assessment that details the objective and the identified results of each assessment.

b. Summarize any program changes and enhancements, follow-up activities and other actions you have taken as a result of each self assessment.

RESPONSE

Exelon/AmerGen uses a number of methods to monitor performance and assess the effectiveness of measures described in the response to Question (1). Four corporate self-assessments on the Access Authorization, Fitness-for-Duty and/or BOP were conducted during the last two years. The objectives, findings, program changes, enhancements or other actions taken as a result of these self-assessments are summarized in Attachment 8 of this document. Individual stations establish a schedule and perform self-assessments throughout the year to support effective plant operations.

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

QUESTION 5
How do you assess the effectiveness of your oversight of contractors and subcontractors?

RESPONSE
It is understood that the intent of this question is focused on licensee oversight of adherence to BOP requirements with regard to reporting security officer inattentiveness by all contractors granted unescorted access authorization.

Exelon/AmerGen does not differentiate between licensee employees and contractors or subcontractors in implementation of access authorization, fitness-for-duty, behavior observation, or SCWE.

Exelon/AmerGen requires that all contractors and subcontractors granted unescorted access authorization adhere to site policies and procedures including the requirement to report security officer inattentiveness.

Exelon/AmerGen assesses the effectiveness of its oversight of contractors and subcontractors by CAP trending, performance of CAP analysis and evaluations, performance of self-assessments, supervisor and management field observations, and Nuclear Oversight field observations.

Contractor Oversight
Exelon/AmerGen T&RM AD-AA-2001, "Management and Oversight of Supplemental Workforce," provides guidance for accomplishing effective oversight of contracted services at Exelon/AmerGen nuclear facilities.

Exelon/AmerGen's primary goal is that work performed by supplemental workforce is executed per contract document requirements, in accordance with applicable Exelon/AmerGen procedures, within the planned budget and schedule, and meets Exelon Nuclear standards and expectations.

This document provides guidance on: (1) how to address routine contract/supplemental workforce situations, (2) the scope of work, and (3) the supplemental workforce's site knowledge and understanding of processes, when applying these guidelines.

The T&RM identifies the responsibilities of key Exelon/AmerGen and supplemental workforce management personnel listed below.

Responsibilities of the Task Manager include:

- Serving as single point of contact directly responsible for overseeing the work activities being performed by the supplemental workforce.
- Preparing for task management role by ensuring clear understanding of the scope, schedule, and applicable processes and work documents for the job.
- Ensuring work documents are available for contractor use to accomplish the work properly and ensuring contractor compliance. For example, this may include items such as Safety Plans, ALARA Plans, FME Plans, JHAs, Work Instructions, Risk Plans, etc.

- Clearly communicating and ensuring the contractor adheres to Exelon Nuclear applicable policies, procedures, standards and expectations. This includes any work specific requirements as outlined in discipline specific processes and procedures.
- Ensuring the contract workforce receives appropriate in-processing, site orientation, briefings, out-processing, etc., as required.
- Ensuring work is completed on schedule and scope is completed successfully as outlined in appropriate work documents. Assisting contractor supervision in identifying work risks and mitigating them.
- Reinforcing safety expectations and monitoring the safety performance of the supplemental workers. Providing on-the-spot correction for any safety infractions that are observed.
- Ensuring issues are captured in CAP as they occur and performing observations as required. Capturing performance data in supplier FMS.
- Ensuring appropriate work close-out activities are completed in a timely manner.
- Ensuring development of a detailed organization chart including titles and names of all individuals assigned to the project.
- Ensuring development of a list of contacts for resources (equipment and/or individuals) that are needed to support the project.
- Ensuring development of a detailed schedule for all activities including resources and durations by task.
- Ensuring development of mobilization curves (load boards) and histograms to compare resource needs to actual personnel availability.
- Ensuring work packages are reviewed/walked down and any holds are released prior to execution.
- Ensuring any procedurally required checklists/walkdowns are completed.
- Ensuring materials are on-site or identified on the site's material exception list.
- Ensuring development of any procedurally required plans (i.e., high risk, human performance, FME, Safety, Rigging, ALARA).
- Observing, evaluating and documenting the contractor's performance within supplier FMS.

Responsibilities of the supplemental workforce supervisor include:

- Ensuring the contract workforce performs work according to Exelon requirements, processes, and performance standards and according to contract agreements and existing labor agreements. Providing direct and in-field supervision for work as it is performed. Providing a direct link to the work for the Task Manager.
- Ensuring a contract is in place before beginning work.
- Ensuring appropriate and qualified personnel are selected to perform the specific work and providing a list of qualifications upon request.
- Ensuring complete in-processing of supplemental work force and orientation to the site.
- Understanding Exelon expectations and job specific plans (e.g., FME, JHA, ALARA, etc.) and communicating and implementing the plans with the supplemental workforce.
- Reviewing work packages to ensure the ability to complete the work and performing job walk-downs as appropriate.

- Performing appropriate pre-job briefs and ensuring appropriate Radiation Protection briefs are completed for the work they are supervising; ensuring a complete understanding of the work and the Exelon requirements before beginning work.
- Verifying Clearance Orders before beginning any work.
- Ensuring work is executed according to Exelon's Work Control Process; ensuring safe and timely completion of the contracted/assigned work; raising issues or concerns as they occur for timely resolution.
- Facilitating the resolution of supplemental workforce labor issues and worker concerns.
- Initiating reports of adverse conditions via Exelon/AmerGen's CAP.
- Creating & communicating performance/progress reports and measures and helping to generate "lessons learned."
- Supporting and/or completing job completion and close-out activities as assigned by the Task Manager.

Exelon/AmerGen Security procedure SY-AA-101-105, "Evaluation of Contract Security Services," provides additional guidance specific to security contract personnel including:

- Guidance to qualify and evaluate potential security contract vendors for security work at nuclear stations.
- Expectations regarding reinforcing desired behaviors to optimize individual performance in accordance with established standards.
- Supplementing "Management Observations" discussed in the self-assessment process.

Corporate Nuclear Security personnel provide governance and oversight of the implementation of the security program at Exelon/AmerGen facilities. The Director of Nuclear Security is the CFAM for Nuclear Security.

The Nuclear Security CFAM conducts routine (nominally weekly) CFAM fleet conference calls. Exelon/AmerGen and security contractor management from each Exelon/AmerGen station and corporate Nuclear Security management attend the calls. Station personnel provide a report, which includes information concerning performance issues identified and entered into the CAP. Exelon/AmerGen and contractor management evaluate these issues to identify best practices and performance trends that require a formal CAP evaluation (i.e., root cause, common cause, apparent cause).

The Exelon/AmerGen Security Peer Group, chaired by the CFAM, meets quarterly to assess performance and recommend actions and/or changes to the program. Station Exelon/AmerGen and contractor security and corporate management are members of the peer group.

At the site level, Exelon/AmerGen and contractor security management interface on a daily basis to ensure effective implementation of the security program. Contractor supervisory personnel may attend routine station meetings as needed to support effective plant operations. These meetings include the station POD and daily work planning and execution meetings.

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ATTACHMENT 1
EXELON/AMERGEN
SAFETY CONSCIOUS WORK ENVIRONMENT (SCWE)

DESCRIPTION

Exelon/AmerGen has a formal policy (i.e., EI-AA-1, "Safety Conscious Work Environment") concerning Safety Conscious Work Environment (SCWE). The policy contains an overall policy statement, as well as policy intent, applicability, and implementation guidance.

POLICY STATEMENT

The safe and efficient operation of Exelon Nuclear's facilities requires a safety conscious work environment (SCWE). The key attributes, or pillars, of a SCWE include:

- Employee and supplemental personnel willingness to raise concerns without hesitation or fear of reprisal;
- Effective implementation of policies and procedures for issue resolution;
- Effective alternative mechanisms for resolving issues;
- Effective means to prevent, detect, and address retaliation.

All employees and supplemental personnel are encouraged to raise issues through their management, CAP, ECP, or the NRC without fear of reprisal. Harassment, intimidation, retaliation, or discrimination by any person including supervisors, co-workers, suppliers, or vendors against employees or supplemental personnel who raise safety or quality concerns or issues, or express differing views, are not tolerated. Employees or supplemental personnel who violate this policy are subject to disciplinary action up to and including termination of employment. Such conduct may also be in violation of state or federal laws.

POLICY INTENT

- Ensure that all employees and supplemental personnel understand that it is their obligation to promptly identify issues so that they can be resolved in a timely manner.
- Ensure that all employees and supplemental personnel can freely raise issues without the fear of reprisal.
- Ensure that employees and supplemental personnel are strongly encouraged to resolve concerns through management first.
- Ensure that employees and supplemental personnel contribute to maintaining a safety conscious work environment by reporting safety and quality concerns and assisting in their resolution.
- Ensure that supervisors fulfill their obligations by creating a work environment that is supportive of problem identification such as by listening to concerns, taking necessary actions, and providing feedback to employees.

APPLICABILITY

All Exelon Nuclear and supplemental personnel

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IMPLEMENTATION

This policy shall be implemented by establishing and maintaining:

- Procedures through which employees and supplemental personnel report any regulatory non-compliance or issues that may affect the health and safety of employees or the general public including issues pertaining to the design, operation, safety, maintenance, security, emergency preparedness, management and/or construction of the company facilities. Employees shall be free to use any of the following methods to report issues:
    - Their immediate supervisor or management chain;
    - The Corrective Action Program;
    - The Employee Concerns Program (ECP);
    - The NRC or other appropriate state or federal entity.
- Procedures that prohibit harassment, intimidation, retaliation or discrimination against employees or supplemental personnel who raise issues.
- Procedures that ensure an effective CAP is maintained.
- Procedures that recognize some concerns may not be resolved using the normal management chain of command. Accordingly, the ECP will independently manage the investigation and resolution of such issues to ensure that issues are effectively resolved. The ECP will provide an alternative avenue for the resolution of differing professional opinions related to the safe operation of company facilities.
- An ECP that will assist the organization in monitoring the safety consciousness of the work environment through program observations.

EXELON NUCLEAR POLICY/PROCEDURE REFERENCES

EI-AA-1, "Safety Conscious Work Environment"
HR-AC-15, "Non-Discrimination/Harassment Free Work Environment"
LE-AC-2, "Ethics, Legal and Regulatory Compliance"
HR-AA-17, "Protected Activities and Selection Processes"
EI-AA-101, "Employee Concerns Program"
EI-AA-100-1003, "Employee Issues Advisory Committee Notification"
LS-AA-120, "Issue Identification and Screening Process"
LS-AA-125, "Corrective Action Program (CAP) Procedure"

SCWE COMMUNICATIONS AND TRAINING

Exelon/AmerGen's commitment to SCWE is initially communicated to all personnel with unescorted access authorization in Nuclear General Employee Training (NGET). Exelon/AmerGen reinforces the commitment and importance of SCWE on a continuing basis using the Supervisory Brief process, by providing SCWE refresher training, and directly to employees in memorandums issued by the Chief Nuclear Officer.

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Exelon/AmerGen recently provided SCWE refresher training to managers and supervisors. Managers and supervisors were tasked with providing the same information and reinforcement to employees in their respective work groups. A Supervisory Brief was issued on November 27, 2007, and a memorandum on "Our Commitment to a Safety Conscious Work Environment" was issued by the Chief Nuclear Officer to employees on the same day.

SCWE MONITORING

Safety culture surveys are conducted as a planned activity within the Exelon/AmerGen INPO preparation process. The surveys provide data that is utilized along with other data and evaluated against INPO Performance Objectives and Criteria. This is done on a nominal two-year frequency at each site and the corporate offices. The following table provides information on when the most recent survey was conducted by each site and whether Nuclear Security personnel were included in the survey population.

SITE	DATE OF MOST RECENT SURVEY	SECURITY PARTICIPATION
Braidwood	12/06	Yes
Byron	10/06	No
Clinton	09/07	No
Dresden	07/07	No
LaSalle	11/06	No
Limerick	01/06	No
Oyster Creek	06/06	No
Peach Bottom*	12/06	Yes
Quad Cities	12/07	Yes
Three Mile Island	04/06	No

* Peach Bottom Security conducted a SCWE survey in November 2007 as a result of the security officer inattentiveness event. The results of the survey indicate that a healthy SCWE exists within the Security organization. The survey respondents indicated that they would inform supervision or document a nuclear safety issue or concern. Also, most respondents indicated that they would elevate an issue up the management chain if they were not satisfied with their supervision's response. The survey results also indicate that the Security organization views the ECP as an acceptable alternative path to raise and pursue resolution of potential nuclear safety issues or concerns.

Wackenhut Nuclear Services (WNS) monitors effectiveness of SCWE using score cards that are completed by a number of individuals at each site monthly. See Attachment 2 for additional information concerning the WNS SCWE monitoring process and results.

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ATTACHMENT 1

SCWE RESULTS

Station management performs an evaluation of survey responses to identify any adverse trend or performance that requires corrective action. The following table provides the overall results of the most recent SCWE surveys conducted at the sites.

SITE	RESULTS OF THE MOST RECENT SURVEY
Braidwood	No significant actions required
Byron	No significant actions required
Clinton	No significant actions required
Dresden	No significant actions required
LaSalle	No significant actions required
Limerick	No significant actions required
Oyster Creek	No significant actions required
Peach Bottom	No significant actions required
Quad Cities	No significant actions required
Three Mile Island	No significant actions required

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ATTACHMENT 2
WACKENHUT NUCLEAR SERVICES
SAFETY CONSCIOUS WORK ENVIRONMENT (SCWE)

DESCRIPTION

Wackenhut Nuclear Services (WNS) has a formal policy concerning the cultivation of, and continued support of, a Safety Conscious Work Environment (SCWE), individual employee responsibilities, and the monitoring of site work cultures that affect SCWE.

The following principals are embraced by Wackenhut Nuclear Services and support a continued strong nuclear safety culture:

- Everyone is personally responsible for Nuclear Safety.
- Leaders demonstrate commitment to Safety.
- Trust permeates the organization.
- Decision-making reflects Safety first.
- Nuclear technology is recognized as special and unique.
- A questioning attitude is cultivated.
- Organizational learning is embraced.
- Nuclear Safety undergoes constant examination.

To support the principals of a strong Nuclear Safety Culture, it is expected that all WNS employees exhibit specific attributes and behaviors that ensure all concerns and issues are brought forward and appropriately addressed.

WNS corporate provides the support, guidance and direction to ensure that a strong Nuclear Safety Culture exits within our site security organizations.

WNS corporate and site personnel support all client initiatives to ensure that a strong Nuclear Safety Culture exists and is promoted throughout the Security Organization.

A SCWE procedure outlines the policy, responsibilities, expectations, training, and monitoring.

REFERENCES

WNS 118.0, "Safety Conscious Work Environment"
WNS 112, "Exit Interview Policy"
WNS 113, "Safe-2-Say Program"
WNS 114, "Open Door Policy"
WNS Lesson Plan LP-034, "Safety Conscious Work Environment"
US NRC RIS# 2005-18, "Guidance for Establishing and Maintaining a Safety Conscious Work Environment"
Institute of Nuclear Power Operations (INPO) 2004, "Principals for a Strong Nuclear Safety Culture"
Winston and Strawn, "Understanding SCWE – A Handbook on Safety Conscious Work Environment"
Conner and Winters, LLP, "Safety Conscious Work Environment, The Practical Guide for Leaders," 2007/2008 Edition

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ATTACHMENT 2

MONITORING

Monitoring the effectiveness of the WNS SCWE policy is a continuous process. There are processes in place for individual officers to provide their input and responses into a WNS portal based SCWE score card form that requires answers through a normal curve distribution.

The WNS Director of Quality Assurance (QA), Safety and SCWE conducts a monthly score card of five to ten security officers randomly selected from each of the nuclear facilities. The score card is composed of no less than five and no more than ten questions [refer to the example below]. The questions include those that effectively measure SCWE knowledge, Safety Culture and/or job satisfaction levels. The process of distributing and collecting the score card results is as follows:

1. The Director, QA randomly selects 5 to 10 employee names from each of the nuclear site rosters.
2. The Director, QA emails to the Project Manager of each site, the names of officers selected for the score card.
3. Attached to the email is a score card form for each officer to complete – during work hours – which requires answers to be checked off by the employee through a normal curve distribution. The score card form also has instructions on the expectations for its return to the Director of QA.
4. The Project Manager is instructed to print out the score card form and provide the score card form, along with a plain unmarked envelope, to the selected officers. The officers complete the score card during work hours, place the completed score card in the unmarked envelope, seal the envelope, and return it to the Project Manager or a designee.
5. The completed score card forms, and the envelopes in which the forms are sealed, are not to have any names attached which would associate the employee with the forms. The sealed envelopes are placed in a larger envelope by the Project Manager, and mailed to the office of the Director, QA.
6. Upon receipt of the completed score cards from each nuclear site, the Director, QA enters the results of the score cards into specific, divisional designated formats that track the responses monthly.
7. Adverse trends or response curves that indicate significant or chronic problems are immediately reported by the Director, QA to the Senior Director, Processes.
8. The Senior Director, upon review of the data, notifies the WNS President.
9. The corporate response to the negative curves may result in the assignment of a Safe-2-Say investigator to the affected site, and a visit by the Director of Operations responsible for that site. The visit shall result in immediate corrective actions to improve any noted negative conditions.

The WNS Process Group maintains, through the WNS Portal, various charting and measurement tools to track, trend and communicate the effectiveness of the division SCWE program. Data points may include, but are not limited to:

- Number of persons receiving SCWE training;
- Number of Safe-to-Say complaints and resulting investigations;
- Results of SCWE scorecards;
  - Number of "Open Door" policy concerns received.
  - Number of "Open Door" policy concerns closed.
  - Number of work improvement suggestions received.

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ATTACHMENT 2

- Number of work improvement suggestions implemented.
- Number of shift supervisor tours and Project Manager tours.
- Number of concerns discovered during shift supervisor tours and Project Manager tours.

Scorecard Example:

SCWE Statements	Strongly Agree 1	Agree 2	Neutral 3	Disagree 4	Strongly Disagree 5
1. I understand what a Safety Conscious Work Environment is.	☐	☐	☐	☐	☐
2. I feel free to raise concerns and issues without fear of retaliation.	☐	☐	☐	☐	☐
3. I am aware of all the ways that I can report SCWE issues.	☐	☐	☐	☐	☐
4. I have open communication and trust with my shift supervisors.	☐	☐	☐	☐	☐
5. I am aware of, and use the site Corrective Action Program (CAP).	☐	☐	☐	☐	☐

RESULTS

Percent positive (Agree/Strongly Agree) responses:

Site	WNS 4th Quarter 2007 SCWE% Roll-Up
Braidwood	82%
Byron	87%
Clinton	90%
Dresden	85%
LaSalle	92%
Limerick	83%
Oyster Creek	86%
Peach Bottom	No data available in report, Peach Bottom transitioned to Exelon Security 11/01/07
Quad Cities	87%
Three Mile Island	84%

Survey response numbers, percentages, and any written comments from the score cards are provided to the WNS site Project Manager (PM) and Director of Operations. The Director and PM determine what actions are appropriate and share the data with the client representative.

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ATTACHMENT 3
EXELON/AMERGEN
EMPLOYEE CONCERNS PROGRAM (ECP)

DESCRIPTION

The purpose of ECP is to provide alternate confidential avenues that are available for all individuals (contractors and employees) to report concerns when traditional methods have been ineffective. Specific to this program are Nuclear Safety and Quality (NS/Q) concerns, or concerns associated with Harassment, Intimidation, Retaliation, or Discrimination (HIRD) against individuals involved in identifying or reporting nuclear safety/quality issues or other protected activities.

The ECP procedure (i.e., EI-AA-101), along with approved T&RM, provides direction for implementing the ECP to capture and investigate concerns, and to report conclusions to the appropriate levels of management.

The Exelon/AmerGen ECP is patterned similarly to NEI 97-05, "Nuclear Power Plant Personnel-Employee Concerns Program - Process Tools In A Safety Conscious Work Environment."

MONITORING

The ECP is monitored for effectiveness in several ways. The corporate Employee Concerns Investigators (ECIs) are responsible for governance and oversight of the program. In this role they monitor all cases as they progress and ensure other aspects of the program, such as communication and outreach, meet expectations. The ECIs visit the sites regularly, talk with site personnel, and review pulsing and other site data that provides SCWE insights.

Each facility has two Nuclear Oversight personnel who fill ancillary roles as ECP representatives. The ECP representatives meet with randomly selected site personnel (pulsings) to get a sense of the group SCWE as well as individual awareness of the ECP. The ECP representatives are also expected to meet with every on-site work group (tailgates) annually to specifically discuss the ECP, how to initiate an ECP contact, and to answer any questions or concerns related to ECP. Additionally, exiting personnel, both Exelon/AmerGen and contractor, are given an opportunity to speak with ECP during their exit interview. Every month, ECP information from across the Exelon/AmerGen fleet is discussed on an ECP peer challenge call. ECP activity is also discussed as part of the monthly Employee Issues Advisory Committee (EIAC) meeting in preparation for publishing a monthly report of employee-related activities to Exelon/AmerGen executives. Additionally, ECP data is trended on a quarterly basis and reported to senior management at the sites.

Finally, the ECP conducts periodic self-assessments of performance. External industry subject matter experts are used to ensure that a critical, independent evaluation is performed. Corrective actions are assigned to resolve issues, as appropriate.

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ATTACHMENT 3

RESULTS

During the 2007 ECP self-assessment, performed during the third quarter, three deficiencies and ten recommendations were identified. Procedure EI-AA-101-1001, "Employee Concerns Program Process," was revised to address these issues.

A vendor provided ECP personnel with two days of training on effective investigation techniques to improve their abilities to investigate concerns. In addition, ECP is in the process of enhancing ECP training to improve the ability to identify human performance and cultural issues that may impact organizational performance (12/08).

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ATTACHMENT 4
EXELON/AMERGEN
CORRECTIVE ACTION PROGRAM (CAP)

DESCRIPTION

The purpose of the Exelon/AmerGen CAP is to promote continuous improvement through organizational learning and provide direction on the resolution and documentation of issues/concerns. The CAP procedures encompass investigation, corrective action determination, investigation report review and approval, action tracking, and issue analysis. The identification and initial screening of issues/concerns is performed in accordance with LS-AA-120, "Issue Identification and Screening Process."

The CAP procedure (i.e., LS-AA-125), along with approved T&RM, provides personnel direction for using CAP to investigate and take appropriate corrective actions to address undesirable conditions.

The Exelon/AmerGen CAP implements the requirements of the Quality Assurance Topical Report (QATR). Specifically, at the direction of site management, Significant Conditions Adverse to Quality and Conditions Adverse to Quality are resolved through direct action, the implementation of Corrective Actions to Prevent Recurrence (CAPRs), and Corrective Actions (CAs). The Work Management and Engineering Change processes are part of the Exelon/AmerGen Corrective Action Process and therefore are utilized to correct identified conditions, as appropriate.

REFERENCES

10 CFR 50, Appendix B, Criteria XVI, "Corrective Action"
LS-AA-125, "Corrective Action Program Procedure"
LS-AA-120, "Issue Identification and Screening Process"
LS-AA-125-1001, "Root Cause Analysis Manual"
LS-AA-125-1002, "Common Cause Analysis Manual"
LS-AA-125-1003, "Apparent Cause Evaluation Manual"
LS-AA-125-1004, "Effectiveness Review Manual"
LS-AA-125-1005, "Coding and Trending Manual"
LS-AA-126, "Self-Assessment Program"
LS-AA-127, "PassPort Action Tracking Management Procedure"
Exelon Reportability Reference Manual
OP-AA-108-115, "Operability Determinations"
OP-AA-106-101-1001, "Event Response Guidelines"
NO-AA-10, "Quality Assurance Topical Report (QATR)"
LS-AA-115, "Operating Experience Procedure"
ER-AA-600, "Risk Management"
ER-AA-600-1011, "Risk Management Program"

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Life of an Issue in CAP

- Individual identifies an issue/concern.
- Issue report (IR) generated in CAP (Individual may enter into CAP electronically or provide a hard copy form to any supervisor to enter into CAP).
- Work Group supervisor review is optional and is only performed when requested by the originator.
- Station Ownership Committee (SOC) reviews the IR to verify appropriate information is provided and recommended actions are appropriate, and recommends ownership, significance level, and evaluation type.
- Management Review Committee (MRC) performs a final review to verify that minimum required information is included and action assignments to correct the issue are appropriate, and approves the significance level and evaluation type.
- Feedback is provided to the initiator once the IR is reviewed by the MRC, thanking the initiator for identifying the issue and providing a link to review how it was dispositioned.
- Assigned work group (owner) CAP Coordinator (CAPCO) monitors effective implementation of the CAP process for the organization, along with management oversight.
- Identified actions are completed and documented in the IR.
- Once all assignments are complete, CAPCO and management reviews/verifies quality of assignment closure and takes the IR to complete.

CORRECTIVE ACTION PROGRAM MONITORING

Each Exelon/AmerGen nuclear facility is rated both quantitatively and qualitatively based on the combination of CAP, Self-Assessments, Benchmarking, Operating Experience (OPEX), Effectiveness Performance Indicators, on-going assessments, and corporate oversight of the learning processes implementation. The sites are placed into a separate category of high, medium, and low risk, as well as relative ranking, based on effective implementation of learning processes and ability to improve performance to prevent future events. Rankings are based on corporate oversight of metrics, observations, external areas of concerns, and long-term trends. The long-term trends are based on sustained performance, major issues, implementation behaviors, and overall strength.

The following performance indicators are used to evaluate the overall CAP rating at each station:

- **IDENTIFICATION**
  - Site Engagement Ratio
  - Number of Common Cause Analyses originated
  - Self Identification Ratio - Level 1, 2, 3 IRs
  - Self-Identification Ratio - Level 4 and 5 IRs
  - Number of Issues originated
  - Percentage of IRs sent for Follow-up

- **ANALYSIS**
  - Number of ineffective Effectiveness Reviews
  - Root Cause Analysis rejection rate
  - Average Time to Perform Root Cause Analysis

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 4

- Common Cause Analysis rejection rate
- Apparent Cause Evaluation rejection rate
- Percentage of IRs sent for evaluation/investigation
- Number of Work Group Evaluations closed to No Action Taken

- **TIMELINESS**
  - Average Age of Open Level 1 and 2 IRs - Class A
  - Average Age of Open Level 1 and 2 IRs - Class B
  - Number of overdue priority IRs
  - Overdue assignments (Corrective Actions (CAs))
  - Median age of open non-outage CAs
  - Number of non-outage CA assignments >365 days
  - Oldest non-outage CA assignments
  - Total number of Corrective Actions to Prevent Recurrence (CAPRs)
  - Number of open CAs

Information regarding the most recent station ratings is available to the NRC at the stations.

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ATTACHMENT 5
EXELON/AMERGEN
ACCESS AUTHORIZATION PROGRAM

DESCRIPTION

The Exelon/AmerGen Access Authorization program identifies the requirements and process for granting and maintaining Unescorted Access (UA) to Exelon/AmerGen Power Stations and Decommissioned Reactors (with spent fuel in the spent fuel pool) and Independent Spent Fuel Storage Installation facilities. The program is designed to provide high assurance that individuals granted Unescorted Access Authorization (UAA) are trustworthy and reliable, and do not constitute an unreasonable risk to the health and safety of the public, including a potential to commit radiological sabotage.

Exelon/AmerGen may grant UAA to an individual following the satisfactory completion of the Exelon/AmerGen Access Authorization program elements.

The program elements include:

- Employment/Unemployment History
- Credit Check
- Criminal History
- Drug and Alcohol Testing
- True Identity
- Character and Reputation
- Psychological Assessment

EVALUATION CRITERIA FOR UNESCORTED ACCESS

The Exelon/AmerGen Reviewing Official shall determine if an individual can be granted UAA/UA. Safeguards Procedure SY-AA-103-507, "Review Criteria for Unescorted Access Authorization," provides guidance for making a determination of trustworthiness and reliability.

UAA/UA may be granted if the Reviewing Official determines that an accumulation of information gathered supports a positive finding of trustworthiness and reliability.

If UAA cannot be determined due to missing, incomplete or unresolved information, the individual will be placed on temporary hold until the issue is resolved.

If it is determined that an individual cannot be authorized UAA due to a trustworthy and reliability issue, then UA will not be granted and the individual will be denied.

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 5

REFERENCES

NEI 03-01, "Nuclear Power Plant Access Authorization Program"
SY-AA-103-504, "Review of Background Investigation and Unescorted Access Denial Appeal Process"
SY-AA-103-507, "Review Criteria for Unescorted Access Authorization"
SY-AA-103-509, "Records and Protection of Personal Information"
10 CFR 73.56, "Personnel access authorization requirements for nuclear power plants"
10 CFR 73.57, "Requirements for criminal history checks of individuals granted unescorted access to a nuclear power facility or access to Safeguards Information by power reactor licensees"
10 CFR 26, "Fitness For Duty Programs"
NRC Compensatory Measures Order, Access Authorization, dated January 7, 2003

ACCESS AUTHORIZATION PROGRAM MONITORING

Audits are required to be conducted of Exelon/AmerGen's and contractor/vendor UAA programs and specified sub-contractors. A member of the audit team shall be a person knowledgeable and practiced in access authorization to validate that overall program performance is meeting the objective of screening applicants to provide reasonable assurance that there are no security deficiencies that might allow other than trustworthy and reliable people unescorted access to the station.

Audits are nominally conducted at an interval of every two years. Personnel not responsible for UAA/UA program decision-making are required to conduct an audit that covers the full scope of the Access Authorization program. The audit team must include a person who is knowledgeable and practiced in access authorization.

Audits performed by other licensees may be relied upon for acceptance of results and associated evaluation, provided the scope of the audit meets the regulations. Licensees relying on audit results must obtain and review a copy of the audit report including findings and corrective actions.

Self-Assessments
Exelon/AmerGen has conducted four corporate self-assessments on the Access Authorization and Fitness-for-Duty programs to include adherence to the BOP process within the last two years. Self-assessment plans, findings, and actions identified to address improvement opportunities are entered into CAP. Attachment 8 provides a summary of assessment results and actions taken or planned as a result of these assessments.

Corporate Oversight
Exelon/AmerGen has a Corporate Program Manager responsible for the governance and oversight and ensuring proper implementation of the Access Authorization program. The corporate Nuclear Security organization includes staff members that are Access Authorization Reviewing Officials. Each nuclear station has a staff that is responsible for the implementation of this program. The nuclear station staff is responsible for processing and gathering of data through the Personnel History Questionnaire for individuals requesting unescorted access for their station. Corporate Nuclear Security also assists with this function. This data is then used by Corporate Nuclear Security to conduct background investigations and evaluate the

information in totality to approve unescorted access authorization. Once authorized, the station's Access Authorization personnel may then grant unescorted access. At no time can one individual conduct all aspects of the Access Authorization program elements.

ACCESS AUTHORIZATION PROGRAM PERFORMANCE

The requirements for unescorted access are monitored at each Exelon/AmerGen nuclear site on a daily basis to ensure that individuals continue to meet the requirements for unescorted access and maintain trustworthiness and reliability. In addition, the Exelon/AmerGen program is inspected by the NRC, audited by Exelon/AmerGen's Nuclear Oversight department, and the Security department conducts periodic self-assessments. These inspections, audits and self-assessments have concluded that Exelon/AmerGen's Access Authorization program meets the intent of 10 CFR 73.56 and 10 CFR 73.57 and management expectations.

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 6
EXELON/AMERGEN
BEHAVIORAL OBSERVATION PROGRAM (BOP)

DESCRIPTION

This program provides information and guidance for all individuals who are required to participate in a Behavioral Observation Program (BOP). The BOP is the primary means for determining continued trustworthiness and reliability of individuals with Unescorted Access Authorization (UAA). The objective of the BOP is to detect illegal drug use, alcohol/legal drug abuse and other behaviors such as fatigue and physical or mental illness that may constitute an unreasonable risk to the health and safety of the public, including a potential threat to commit radiological sabotage.

This program is applicable to all individuals with UAA and all individuals granted unescorted access (UA) to Exelon/AmerGen Power Stations and Decommissioned Reactors (with spent fuel in the spent fuel pool) and Independent Spent Fuel Storage Installation facilities, to licensee, vendor, or contractor personnel required to physically report to a facility's Technical Support Center (TSC) or Emergency Operations Facility (EOF) in accordance with Exelon/AmerGen Emergency Plans and Procedures and all individuals responsible for administration of the Access Authorization program activities and Fitness-for-Duty testing program activities.

After an individual's emotional stability, reliability, and trustworthiness have been determined, and the individual has UAA or has been granted UA to Exelon/AmerGen's nuclear power stations or assigned responsibility for administration of the Fitness-for-Duty or Access Authorization program activities, his/her behavior must be observed and evaluated on a frequency not to exceed 30 days.

The BOP includes behavioral observation training, arrest reporting program, and annual supervisory reviews. To maintain UAA/UA an individual must be covered under a BOP.

The BOP is conducted by supervisors, management personnel and all who receive BOP training and is intended to "detect individual behavioral changes which, if left unattended, could lead to acts detrimental to the public health and safety."

Licensee employees who are on a leave of absence and/or are not in a BOP for greater than 30 days, shall have their unescorted access suspended and will be required to complete the appropriate Access Authorization and Fitness-for-Duty requirements prior to reinstatement of unescorted access.

Contractor employees, who are on a leave of absence and/or are not in a BOP for greater than 30 days, shall have their UAA/UA terminated.

When it is identified that an individual may be impaired and such impairment could affect the safe operation of the plant or negatively reflect the individual's trustworthiness or reliability, that individual is escorted at all times, while within the protected area.

Although the BOP is the primary method for determining continued trustworthiness and reliability, clinical interviews may be used to provide added assurance.

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ATTACHMENT 6

TRAINING

The BOP training presented in Exelon/AmerGen's Fitness-for-Duty program satisfies both the Access Authorization Rule and the Fitness-for-Duty Rule. This training provides reasonable assurance that individuals have sufficient awareness and sensitivity to detect degradation in performance which may be the result of being under the influence of any substance, legal or illegal, fatigued, physical or mental impairment which in any way may adversely affect their ability to safely and competently perform their duties.

The program also provides techniques related to recognition of behaviors adverse to the safe operation and security of the facility (e.g., unusual interest in or predisposition towards security or operations activities outside the scope of one's normal work assignments, or frequent unexplained absence from work assignments).

The program also includes: recognition that changes in emotional state can happen quickly; typical conditions which trigger behavioral anomalies; the need for early intervention after recognition of changes in behavior which typically indicate changes in emotional state; the recognition of uncharacteristic deviations in collegial interactions; uncharacteristic absences from work or uncharacteristic inattention to detail; suspected alcohol or drug abuse; and the need to report the above conditions to the employee's assigned supervisor or Fitness-for-Duty program manager.

ARREST REPORTING

Any individual who signs a Personal History Questionnaire in order to obtain UAA/UA, but has not been granted UAA/UA, and individuals with UAA/UA who have had any arrests, criminal charges, convictions or proceedings, are required to report this on their first day back to work subsequent to the incident. Any incident involving drugs or alcohol must be reported. If there is any question as to whether an incident is reportable, individuals are to contact their supervisor, department head, and/or Exelon/AmerGen Corporate Nuclear Security for a determination.

Failure to report an arrest, criminal charge, conviction or proceeding could result in unescorted access being denied. In addition to the potential denial of unescorted access, Exelon/AmerGen personnel who fail to report an incident could receive disciplinary action up to and including termination. Exelon/AmerGen Corporate Nuclear Security discusses the arrest, criminal charge, conviction or proceeding with the individual and evaluates the incident for appropriate action. The reporting of an arrest, criminal charge, conviction or proceeding may result in unescorted access being placed on temporary hold pending further review. A decision regarding the status of the individual's unescorted access is made and the employee is advised.

Upon receipt of information of a felony conviction of a licensed operator, Exelon/AmerGen Corporate Nuclear Security notifies Human Resources. Site personnel have 30 days to notify the NRC about the operator's conviction for a felony per the requirements of 10 CFR 55.53(g).

Upon receipt of information of a domestic violence arrest of a member of the Security organization, Exelon/AmerGen Corporate Nuclear Security personnel notify the Security vendor's corporate manager.

ATTACHMENT 6

SUPERVISORY REVIEW

A supervisory review is conducted on a nominal annual basis for each individual in the critical group with UAA/UA, utilizing the Behavior Observation Program – Annual Supervisory Review form in Appendix G, of NEI 03-04, "Guideline for Plant Access Training," or equivalent.

A supervisory review is conducted on a nominal annual basis for all other individuals with UAA/UA maintained for 365 consecutive days. Supervisory reviews are not required for an individual where UAA/UA is terminated prior to the anniversary date of granting UAA/UA. The status of supervisory reviews is not required to be provided to other licensees.

The review is conducted by the individual's immediate supervisor. The review is based on interactions with the individual over the review period, is not intended to be face-to-face or replace daily responsibilities and includes:

- A description of any condition that may have resulted in the employee acting or behaving in an unconventional manner;
- Any circumstances which may indicate the need to refer the employee for additional medical or psychological review; and any information developed over the review period, regarding the behavioral characteristics of the employee supervised. This information typically includes behavioral norm deviations which have been reported to the supervisor through implementation of the BOP, as well as those behavioral norm deviations personally observed by the supervisor.

The supervisory review is evaluated by an Access Authorization program-reviewing official to determine if additional action is required concerning the individual's trustworthiness, reliability, and fitness-for-duty. The completed review is included as part of the licensee's access authorization files.

If the annual supervisory review is not completed by the due date, UAA/UA will be terminated.

REFERENCES

SY-AA-102, "Exelon/AmerGen's Nuclear Fitness For Duty Program"
10CFR 73.56, "Access authorization program for nuclear power plants"
10CFR 26, "Fitness For Duty Program"
10CFR 55.53, "Conditions of licenses"
NRC, Compensatory Measure Order, Access Authorization dated January 7, 2003
NEI 03-01, "Nuclear Power Plant Access Authorization Program"
NEI 03-04, "Guideline for Plant Access Training"

BEHAVIORAL OBSERVATION PROGRAM MONITORING

Self-Assessments
Exelon/AmerGen has conducted four corporate self-assessments on the Access Authorization and Fitness-for-Duty programs, to include adherence to the BOP process, within the last two years. Self-assessment plans, findings, and actions identified to address improvement opportunities are entered into CAP. Attachment 8 provides a summary of assessment results and actions taken or planned as a result of these assessments.

ATTACHMENT 6

Exelon/AmerGen has a Corporate Program Manager responsible for providing governance and oversight and ensuring proper implementation of the BOP across the Exelon/AmerGen fleet. Each nuclear station has a staff that is responsible for the implementation of this program and reporting issues to the Program Manager. The Program Manager monitors performance of the program on a site and corporate level.

BEHAVIORAL OBSERVATION PROGRAM PERFORMANCE

The requirements for Exelon/AmerGen's BOP are monitored at each Exelon/AmerGen site on a daily basis to ensure that individuals continue to meet the requirements for 10 CFR 26 and 10 CFR 73.56. In addition, the Exelon/AmerGen program is inspected by the NRC, audited by Exelon/AmerGen's Nuclear Oversight department, and the Security department conducts periodic self-assessments. These inspections, audits, and self-assessments have concluded that Exelon/AmerGen's BOP meets the requirements of 10 CFR 26 and 10 CFR 73.56 and management expectations.

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 7
EXELON/AMERGEN
FITNESS-FOR-DUTY (FFD) PROGRAM

DESCRIPTION

The intent of this program is to provide reasonable assurance that nuclear power plant personnel are not under the influence of any substance, illegal or legal (e.g., alcohol, prescription and over-the-counter drugs), or mentally or physically impaired (e.g., fatigue and/or illness), which in any way adversely affects their ability to safely and competently perform their duties. Additionally, the Fitness-for-Duty program provides reasonable measures for the early detection of persons who are not fit to perform activities within a nuclear station and to achieve the goal of having a drug-free workplace and a workplace free of the effects of such substances.

This program is applicable to all persons granted or applying for Unescorted Access Authorization (UAA) or Unescorted Access (UA) to protected areas of a nuclear station, Decommissioned Reactors (with spent fuel in the spent fuel pool), Independent Spent Fuel Storage Installation facilities, Exelon/AmerGen processing facilities, and to licensee, vendor, or contractor personnel required to physically report to a facility's Technical Support Center (TSC) or Emergency Operations Facility (EOF) in accordance with Exelon/AmerGen Emergency Plans and Procedures. Additionally, individuals who do not require unescorted access (U/A) but are working within the Owner Controlled Area (OCA), may be subject to the "OCA" Fitness-for-Duty program (SY-AA-102-1001).

TRAINING

Exelon/AmerGen Fitness-for-Duty training must be completed prior to any initial assignment of activities under the scope of this program.

This training includes: personal and public health and safety hazards associated with substance abuse and misuse of alcohol; effects of prescription and over-the-counter drugs and dietary conditions on job performance and on chemical test results; the role of the Medical Review Officer; Employee Assistance Program; methods used to implement the procedure; and the expectations and consequences from the lack of adherence to the procedure.

Persons assigned escort duties are provided appropriate training in techniques for recognizing drugs and indications of the use, sale, or possession of drugs, techniques for recognizing aberrant behavior and the procedures for reporting problems to supervisory or security personnel.

Additionally, training includes:

- Roles and responsibilities for implementation of the program.
- Roles and responsibilities of others, such as Human Resources, Occupational Health Services Personnel and Employee Assistance Program.
- Techniques for recognizing drugs and indications of the use, sale or possession of drugs.
- Behavioral Observation techniques, recognition of fatigue, impairment, or changes in behavior.
- Procedures for initiating appropriate corrective action to include referral of employees for medical assessment.

ATTACHMENT 7

Refresher training must be completed on a nominal 12-month frequency or more frequently where the need is indicated.

CONTRACTORS AND VENDORS

All contractors, vendors and consultants performing activities requiring unescorted access authorization are subject to the Exelon/AmerGen Fitness-for-Duty program.

A contractor or vendor firm working at a nuclear station may be assigned to an Exelon/AmerGen cognizant contact. This contact is responsible for observing the behavior of the highest level contractor or vendor manager assigned at the station. If adverse behavior is noted, the Exelon/AmerGen contact responds in accordance with Fitness-for-Duty program requirements.

CHEMICAL TESTING

Chemical Testing provides a means to deter and detect substance abuse. Testing for drugs and alcohol conforms to 10 CFR 26, Appendix A. Specimens are collected and tested per the testing and collection procedures.

ALCOHOL TESTING

A Blood Alcohol Concentration (BAC) test result of less than 0.04 is required for unescorted access. If an individual has a BAC of more than 0.02 and less than 0.04, then a behavioral observation will be made to determine fitness. Exelon/AmerGen station management determines if the individual will be requested to leave the property and not allowed to return until after a 24-hour period if the individual currently has unescorted access. If the individual is in-processing for unescorted access, the individual is not allowed to continue to process. A determination is made by Corporate Nuclear Security if the individual will be allowed to process in the future.

The consumption of alcohol is prohibited during any working tour including meal periods, as well as during the five-hour abstinence period immediately preceding the scheduled work period. Supervisors or others performing call-out for unscheduled work will ask if the employee has consumed alcohol within the abstinence period and query the employee on their ability to report to work per the "Call Out for Unscheduled Work" procedure. If alcohol has been consumed, then the supervisor assures a negative alcohol test is documented prior to the employee accessing the protected area. A behavioral observation is also conducted.

It is self-incumbent that each individual who voluntarily comes to work at a time outside of their normal work hours should not have consumed alcohol within the five-hour period prior to coming to work. If alcohol has been consumed, then the individual shall request an alcohol test prior to entering the protected area. If an individual has a BAC of more than 0.02 and less than 0.04, then a behavioral observation will be made to determine fitness. Exelon/AmerGen station management will determine if the individual will be requested to leave the property and not allowed to return until after a 24-hour period.

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 7

REFERENCES

10 CFR 26, "Fitness For Duty Program"
10 CFR 73.56, "Access authorization program for nuclear power plants"
HR-AC-1-5, "Exelon Company Drug and Alcohol Policy"

FITNESS-FOR-DUTY PROGRAM MONITORING

Audits
Each locale subject to this program is audited at least nominally every 12 months. Also, audits are conducted at least nominally every 12 months for those portions of the program implemented by contractors. Exelon/AmerGen may accept audits of contractors conducted by other licensees and need not re-audit the same contractor for the same time period. Each sharing utility maintains a copy of the audit report to include findings, recommendations and corrective actions.

Audits must focus on the effectiveness of the program and be conducted by individuals qualified in the subject(s) being audited, and independent of both Fitness-for-Duty program management and personnel directly responsible for implementation of the Fitness-for-Duty program. The results of the audit, along with recommendations, if any, are documented and reported to senior Exelon/AmerGen and site management.

Self-Assessments
Exelon/AmerGen has conducted four corporate self-assessments on the Access Authorization and Fitness-for-Duty programs, to include adherence to the BOP process, within the last two years. Self-assessment plans, findings, and actions identified to address improvement opportunities are entered into CAP. Attachment 8 provides a summary of assessment results and actions taken or planned as a result of these assessments.

Exelon/AmerGen has a Corporate Program Manager responsible for providing governance and oversight of the Fitness-for-Duty program and ensuring proper implementation of the Fitness-for-Duty program across the Exelon/AmerGen fleet. Each nuclear station has a staff that is responsible for the implementation of this program, including scheduling testing and reporting issues to the Program Manager. The Program Manager monitors performance of the program on a site and corporate level.

FITNESS-FOR-DUTY PROGRAM PERFORMANCE

Exelon/AmerGen has met the annual random testing rate equal to at least 50% of the workforce population requirement each year since the Fitness-for-Duty rule has been in effect and has reported this on a semi-annual basis to the NRC. Exelon/AmerGen monitors the random, for cause and follow-up testing percentages on a monthly basis and reviews the data for any adverse trends for each station within the fleet. 10 CFR 26 also requires Exelon/AmerGen to report any significant Fitness-for-Duty issues within 24 hours. Exelon/AmerGen's Fitness-for-Duty program meets the requirements of 10 CFR 26 and Exelon/AmerGen management expectations.

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 8
EXELON/AMERGEN
ACCESS AUTHORIZATION/FFD/BOP
SELF-ASSESSMENTS

Exelon/AmerGen Corporate Nuclear Security has conducted four self-assessments on the Access Authorization and Fitness-for-Duty programs, to include adherence to the Behavioral Observation Program (BOP) process, within the last two years. Management establishes a schedule and performs self-assessments throughout the year to support effective plant operations. Self-assessment plans, findings, and actions identified to address improvement opportunities are entered into CAP. Information on the self-assessments performed by Corporate Nuclear Security, including Issue Report (IR) numbers, is provided below.

Assessment 1 – Conducted April 2006

Objectives:

1. To verify that the licensee is properly implementing requirements, including 10 CFR 26 and any other applicable NRC requirements, such as an Order or Confirmatory Action Letter, that assure licensee personnel (including contractors and vendors) will perform their tasks in a reliable and trustworthy manner and are not under the influence of any substance or mentally or physically impaired from any cause that may affect their abilities to safely and competently perform their duties.
2. To verify that changes to the licensee's Fitness-for-Duty program, made in the last year: (a) meet commitments to resolve previously identified issues or NRC requirements; and (b) do not adversely affect the performance requirements as prescribed by regulatory requirements and any other applicable NRC requirement, such as an Order or Confirmatory Action Letter.
3. To verify that the licensee is properly implementing requirements, as prescribed by regulatory requirements and any other applicable NRC requirement, to ensure in part, that nuclear facility security force personnel are not assigned to duty while in a fatigued condition that could reduce their alertness or ability to perform functions necessary to identify and promptly respond to plant security threats.
4. To follow up on inspection issues, events, or allegations concerning the licensee Fitness-for-Duty program.

Results:
The assessment concluded that the Exelon/AmerGen Fitness-for-Duty program acceptably implements measures to comply with 10 CFR 26.

The assessment evaluated one specific area of the NRC Inspection Manual: Fitness-for-Duty (IP 71130.08). The assessment identified two deficiencies and one recommendation. The assessment did not identify any issues adversely impacting the safe operation of the facility or the ability to protect the health and safety of the public or site employees.

A review of the Fitness-for-Duty awareness training revealed that two DrugScan contractor individuals did not have current Fitness-for-Duty training per 10 CFR 26 (26.21, 26.22). No collections were performed by either individual during the timeframe when their training was expired.

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 8

Listed below are the program changes, enhancements or other actions that have been taken as a result of the assessment conducted by Exelon/AmerGen.

- The two DrugScan individuals completed Fitness-for-Duty refresher training required by 10 CFR 26, Appendix A, Sections 2.2 and 2.6. Both demonstrated proficiency in the application of the appendix.
- Fitness-for-Duty Awareness Training was successfully completed by the two DrugScan individuals.
- DrugScan management took action to increase ownership and monitoring to ensure their employees meet all training re-qualification requirements. IR 478265 was generated to document these actions.

Assessment 2 – Conducted August 2006

Objectives:

1. Scheduling Reinvestigations
2. Reinvestigations are completed On-Time
3. Quality of Reinvestigations Completed.

Results:
Overall the Access Reinvestigations are being completed accurately and timely in accordance with the NRC Access Order and security procedures. The documents used for the self-assessment were the NRC Access Order, dated 1/7/03, SY-AA-103-500, "Access Authorization Program," SY-AA-103-507, "Review Criteria for Unescorted Access," and SY-AA-103-510, "Critical Group Security Requirements." No significant issues were identified.

The self-assessment identified two recommendations, and two deficiencies. The recommendations included providing communication to the Security Access personnel and personnel requiring unescorted access to the sites. The communications stressed timeliness in either communicating due dates or the reinvestigation process and risk for failing to complete in a timely manner. The deficiencies involve the failure to generate an IR for a critical group individual failing to complete their reinvestigation in a timely manner, and subsequently losing access (IR 521918), and the variances in the reinvestigation packets across the fleet (IR 521374).

The correction of the deficiencies and the implementation of the recommendations identified during the self-assessment were focused on improving the Access Reinvestigations.

Listed below are the program changes, enhancements or other actions that have been taken as a result of the assessment conducted by Exelon/AmerGen.

- Developed and distributed a supervisory brief for all personnel with unescorted access. This brief described the reinvestigation requirements, timetable for completion, and risks for failing to complete by due date. (IR 492528-08)
- Communicated to the Access personnel the need to provide timely reminders to the employees coming due for the reinvestigations. (IR 492528-09)
- The Corporate Program Manager distributed the standard reinvestigation package to each station to improve consistency across the fleet. (IR 521374)
- The requirement of SY-AA-103-510, Section 3.5.5, to complete the reinvestigation by the due date was reinforced with each station. (IR 521918)

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 8

Assessment 3 – Conducted June 2007

Objectives:

1. Ensure the 30-day Review Process is in compliance at Corporate and the standard process is being used.
2. Ensure the 30-day Review Process is in compliance at each site and the standard process is being used.
3. Ensure compliance with NRC requirements.

Results:
A review of the Fleet Behavioral Observation/30 Day Revalidation process was completed. Overall the Access Behavioral Observations/30 Day Revalidations are being completed accurately and timely in accordance with the NRC rules and regulations and security procedures. The documents used for the self-assessment were the NRC Inspection Manual, SY-AA-103-511, "Request for Unescorted Access," SY-AA-103-514, "Badge Fabrication," and the applicable station's Security Plan.

The self-assessment identified nine recommendations and two deficiencies. The recommendations include incorporating a standard process and timeliness, standard forms, procedure revisions and better oversight by the Station Security Analyst. The deficiencies include the failure of one site to use the Integrated Nuclear Security System (INSS) to conduct the reviews (IR 642721), and another site not completing their review in accordance with the procedure and Security Plan (IR 644223).

The correction of the deficiencies and the implementation of the recommendations identified during this self-assessment will further improve the Behavioral Observation/30 Day Revalidation Process.

Listed below are the program changes, enhancements or other actions that have been taken as a result of the assessment conducted by Exelon/AmerGen.

- CAP has been designated as the system to be used to track completion of the 30-day reviews. (IR 563408-08)
- Delineated the date when the 30-day review should be distributed and returned for consistency throughout the fleet. (Example: Distribute on 1st working day of month and return 10 days later.) (IR 563408-09)
- Changed wording in SY-AA-103-511 to state that the review must be completed once every 30 days (current wording is monthly). (IR 563408-11)
- Changed wording in SY-AA-103-514 to state that the review must be completed once every 30 days (current wording is monthly). (IR 563408-12)
- Identified that the Security Analyst will review the 30-day review. (IR 563408-13)
- Revised letter in the Integrated Nuclear Security System (INSS). Cover letter in INSS indicates the requirements that the reviewer is expected to complete. Added that this can result in regulatory non-compliance. (IR 563408-14)
- Revised Authorizer PowerPoint for any necessary changes. (IR 563408-15)
- The BOP and 30-day review process was communicated to the fleet for enhanced consistency in application. (IR 563408-17)

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 8

Assessment 4 – Conducted December 2007

Objective:

1. Verify that the licensee is properly implementing requirements, including 10 CFR 26 and any other applicable NRC requirements, such as an Order or Confirmatory Action Letter, that assure licensee personnel (including contractors and vendors) will perform their tasks in a reliable and trustworthy manner and are not under the influence of any substance or mentally or physically impaired from any cause that may affect their abilities to safely and competently perform their duties.

Results:
The assessment concluded that the Exelon/AmerGen Fitness-for-Duty program acceptably implements measures to comply with 10 CFR 26 (which includes BOP).

The assessment evaluated one specific area of NRC Inspection Manual: Fitness-for-Duty (IP 71130.08). The assessment identified one deficiency and four performance improvement recommendations. The assessment did not identify any issues adversely impacting the safe operation of the facility or the ability to protect the health and safety of the public or site employees.

The deficiency was security's inability to produce documentation that a company had accepted Exelon/AmerGen's Fitness-for-Duty program as a condition of unescorted access for its employees.

The recommendations included initiating more formal tracking of annual training for Fitness-for-Duty collection contractors, in-person evaluations of new security analysts performing Fitness-for-Duty random test scheduling, security working with Human Resources in developing a policy for addressing sleeping in the workplace, and providing guidance to supervisors for considering Fitness-for-Duty testing when incidents involving sleeping or inattentiveness are being investigated.

Listed below are the program changes, enhancements or other actions that are planned to be taken as a result of the assessment conducted by Exelon/AmerGen.

- Use Learning Management System (LMS) to track quarterly verifications of Fitness-for-Duty training for contract Fitness-for-Duty personnel. (IR 563410-08)
- Perform site visits to Braidwood, Byron, and Peach Bottom to evaluate the scheduling of random Fitness-for-Duty testing by security analysts who are new to their position. (IR 563410-09)
- Security to work with Human Resources to create a common policy to address sleeping in the workplace. (IR 563410-10)
- Address the need for supervisors to consider Fitness-for-Duty testing when sleeping situations are investigated by providing guidance on this subject in a supervisors' handbook that is being developed on Fitness-for-Duty/Behavioral Observation issues. (IR 563410-11)

EXELON/AMERGEN RESPONSE TO NRC BULLETIN 2007-01

ATTACHMENT 9
EXELON/AMERGEN
EMPLOYEE ISSUES ADVISORY COMMITTEE (EIAC)

EMPLOYEE ISSUES ADVISORY COMMITTEE DESCRIPTION

EIAC is a select group of Exelon/AmerGen managers whose responsibilities encompass a variety of disciplines, typically those that address personnel issues, that provides guidance to corporate, site and functional area leadership. As a collective body, EIAC may seek legal advice in order to provide input to corporate management to ensure significant personnel issues are appropriately addressed in a timely manner. EIAC ensures these issues are effectively communicated. These significant issues may relate to legal concerns, Human Resources (HR), Licensing, or the Employee Concerns Program (ECP).

The EIAC is comprised of the following:

- EIAC Chairperson, the Vice President of Human Resources and Administration for Exelon/AmerGen.
- Members of the following Nuclear organizations appointed by the Chairperson:
  - Corporate Legal Counsel
  - Corporate Licensing
  - Corporate Security
  - Corporate Nuclear Oversight/ECP
  - Corporate HR
  - Corporate Safety
  - Exelon Business Ethics

Other members may be called by the EIAC Chairperson to meet the needs of the specific issue.

The intent of the EIAC is to review a variety of issues and to ensure that prompt and appropriate action is taken and taken consistently. As a result, it is recommended that if Site Managers, HR, Nuclear Oversight, Regulatory Assurance (i.e., those who will most likely be informed of significant issues) are in doubt whether or not to inform the EIAC of an issue, they should "err to the conservative," and make the notification promptly.

Once notified of an issue, the EIAC Chairperson determines the appropriate membership to address the issue. There is no required quorum for EIAC issues.

- A team is assembled and actions are directed by the EIAC.
- Action items may be assigned as directed by the EIAC with consideration given to the advice of counsel.
- The EIAC will determine the appropriate timetable to address issues and determine the need for follow-up reports.
- Every effort will be made to protect both the attorney/client privilege and work product doctrines. As a result, Corporate Legal Counsel will advise EIAC on appropriate documentation.
- EIAC will determine notifications to corporate and site executives, as appropriate. Consideration should be given to notify the Duty Executive if significant event reporting is involved (refer to OP-AA-106-101, "Significant Event Reporting").
- Actions may be directed to a variety of organizations, depending on the situation.