

April 17, 2009

Mr. Charles G. Pardee
Senior Vice President, Exelon Generation Company, LLC
President and Chief Nuclear Officer (CNO), Exelon Nuclear
4300 Winfield Rd.
Warrenville, IL 60555

RI-2008-A-0088

Subject: NRC Office of Investigations Case No. 1-2008-007F (Oyster Creek)

Dear Mr. Pardee:

The Region I Field Office, NRC Office of Investigations (OI), initiated an Assist-to-Staff (Case No. 1-2009-007F) on October 17, 2008, to determine if a safety conscious work environment (SCWE) issue existed at Oyster Creek regarding the handling of a security-vulnerability concern raised by a security officer. The concern was that this issue was raised to management several times over the past eight years and no action was taken. Based on the findings of the OI Assist-to-Staff, the NRC concluded that there was no apparent work environment problem at Oyster Creek regarding this issue.

During the Assist-to-Staff, OI interviewed several security officers and security supervisors regarding the concern. Based on testimony, OI noted that the concern was raised informally to various security supervisors several times over the last eight years, but the concern was never put in writing to be formally addressed by management; no record or documentation regarding the concern was found. The supervisors interpreted the concern as an informal, purely hypothetical question/what-if scenario based on a good questioning attitude; the supervisors had responded verbally with reasons as to why they judged the scenario as not credible, which included the in-depth security systems that were already in place. Additionally, based in part on security officer testimony, no apparent mistreatment, repercussion, or harassment was received by any security officer for informally raising this security concern.

Please note that final NRC OI documents, such as the OI Memorandum described above, may be made available to the public under the Freedom of Information Act (FOIA) subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, Requests for Records, a copy of which is enclosed for your information.

Also, in accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Mr. Charles G. Pardee

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Should you have any questions regarding this letter, please contact Mr. Ronald Bellamy of my staff at (610) 337-5200.

Sincerely,

/RA/ Clifford for

David C. Lew, Director
Division of Reactor Projects

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