



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

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November 30, 2006

Mr. Christopher M. Crane
President and Chief Nuclear Officer
Exelon Nuclear
Exelon Generation Company, LLC
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: CLINTON POWER STATION
NRC SECURITY BASELINE INSPECTION REPORT
NO. 05000461/2006003(DRS)

Dear Mr. Crane:

On October 27, 2006, the U.S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at your Clinton Power Station and Exelon Nuclear Corporate. The inspection covered one or more of the key attributes of the security cornerstone of the NRC's Reactor Oversight Process. The enclosed inspection report documents the inspection results, which were discussed on October 27, 2006, with Mr. B. Hansen, and February 2, 2006, with Mr. G. Kaegi, and other members of your staff.

This inspection examined activities conducted under your license as they relate to security and compliance with the Commission's rules and regulations and with the conditions of your license. The inspector reviewed selected procedures and records, observations of activities, and interviewed personnel.

No findings of significance were identified.

EXEMPT FROM PUBLIC DISCLOSURE
May be exempt from public release under the Freedom of Information Act (5 U.S.C. 552)
Exemption number: <u>5</u>
Nuclear Regulatory Commission review required before public release
Name and organization of person making determination. <u>D. Funk, RIII/DRS/PSB</u>
Date of determination: <u>10/31/06</u>

Enclosure Contains Sensitive Unclassified Non-Safeguards Information. Upon separation, this page is decontrolled.

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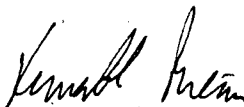
C. Crane

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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), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related information contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,



Kenneth Riemer, Chief
Plant Support Branch
Division of Reactor Safety

Docket No. 50-461
License No. NPF-62

Nonpublic Enclosure: Inspection Report 05000461/2006003(DRS)
w/Attachment: Supplemental Information

cc w/encl: B. Westriech (NSIR/DNS)
NSIR/DNS/RSS/Licensing Assistant
C. Williamson, Clinton Site Security Manager
State Liaison Officer, State of Illinois

cc w/o encl: Site Vice President - Clinton Power Station
Plant Manager - Clinton Power Station
Regulatory Assurance Manager - Clinton Power Station
Chief Operating Officer
Senior Vice President - Nuclear Services
Vice President - Operations Support
Vice President - Licensing and Regulatory Affairs
Manager Licensing - Clinton Power Station
Senior Counsel, Nuclear, Mid-West Regional Operating Group
Document Control Desk - Licensing
Assistant Attorney General
Illinois Emergency Management Agency
Chairman, Illinois Commerce Commission

C. Crane

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Sincerely,

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Kenneth Riemer, Chief
Plant Support Branch
Division of Reactor Safety

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cc w/encl: B. Westriech (NSIR/DNS)
NSIR/DNS/RSS/Licensing Assistant
C. Williamson, Clinton Site Security Manager
State Liaison Officer, State of Illinois

cc w/o encl: Site Vice President - Clinton Power Station
Plant Manager - Clinton Power Station
Regulatory Assurance Manager - Clinton Power Station
Chief Operating Officer
Senior Vice President - Nuclear Services
Vice President - Operations Support
Vice President - Licensing and Regulatory Affairs
Manager Licensing - Clinton Power Station
Senior Counsel, Nuclear, Mid-West Regional Operating Group
Document Control Desk - Licensing
Assistant Attorney General
Illinois Emergency Management Agency
Chairman, Illinois Commerce Commission

DOCUMENT NAME: G:\DRS\Work in Progress\CLI 2006 003 DRS.wpd

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U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Docket Nos: 50-461
License Nos: NPF-62

Report No: 05000461/2006003(DRS)

Licensee: Exelon Generation Company, LLC

Facility: Clinton Power Station
Exelon Nuclear Corporate

Location: Clinton, IL
Warrenville, IL

Dates: October 23 through 27, 2006
January 30 through February 2, 2006

Inspectors: D. Funk, Senior Projects Specialist
K. Brooks, Physical Security Inspector

Approved by: K. Riemer, Chief
Plant Support Branch
Division of Reactor Safety

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Enclosure

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SUMMARY OF FINDINGS

IR 05000461/2006003(DRS); 01/30/2006 - 02/02/2006; Exelon Nuclear Corporate; 10/23/2006 - 10/27/2006; Clinton Power Station.

This report covers a 2-week period of announced baseline inspection on security. The inspection was conducted by two Region III physical security inspectors. No findings of significance were identified. The NRC's Program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-1649, "Reactor Oversight Process," Revision 3, dated July 2000.

A. Inspector-Identified and Self-Revealed Findings

Cornerstone: Physical Protection

No findings of significance.

B. Licensee-Identified Violations

No findings of significance.

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REPORT DETAILS

3. **SAFEGUARDS**

S04 Equipment, Performance, Testing and Maintenance (71130.04)

a. Inspection Scope

The inspectors evaluated this area by: reviewing procedures and records; conducting interviews with responsible personnel and performing walk downs of the equipment.

The inspectors verified that the security testing and maintenance program: (1) complied with the NRC-approved security plan and any other applicable Commission requirements; and (2) was being effectively implemented to assure the functionality and reliability of all security equipment necessary for intrusion detection and assessment, searches, and a rapid, capable response to a Design Basis Threat and other contingencies.

The inspectors conducted the following specific inspection activities:

- verified that the Central and Secondary Alarm Stations are not vulnerable to external manipulation, such as from an administrative console; and
- verified that no single act can remove the capability from both alarm stations.

The inspectors completed 2 of the required 2 samples.

b. Findings

No findings of significance were identified.

S08 Fitness-For-Duty Program (71130.08)

a. Inspection Scope

The inspectors evaluated this area by: reviewing program procedures, implementing procedures, and records; conducting interviews with responsible personnel and plant employees; and performing walkdowns.

The inspectors verified that: (1) the licensee's Fitness-for-Duty (FFD) program complied with the NRC-approved security plan and any other applicable regulatory requirements; (2) changes, if any, to the licensee's FFD program meet commitments to resolve previously identified issues or NRC requirements and do not adversely affect the prescribed performance requirements; and (3) the licensee is properly implementing requirements to ensure that nuclear facility security force personnel are not assigned to

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a 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.

The inspectors conducted the following specific inspection activities:

- reviewed and evaluated licensee event logs, safeguards log entries and corrective action documents. (No licensee event reports were documented.)
- verified that: (a) changes to the licensee's FFD program implementing procedures were commensurate with regulatory requirements; (b) changes to the licensee's FFD policies and procedures were reviewed, approved, distributed, and retained as required; and (c) all contractor and vendor personnel performing activities under the scope of 10 CFR Part 26 are subject to either the licensee's FFD program or a contractor/vendor program that has been formally reviewed and approved by the licensee;
- verified that: (a) changes to the licensee's FFD Organization and Management Control met regulatory requirements and that these changes did not adversely affect the FFD program; and (b) if key personnel changes were made, the new personnel understood their responsibilities and authorities and were qualified to perform intended functions;
- verified that: (a) FFD awareness training, supervisory training, escort training, and, where applicable, refresher training, were provided and taken as required; and (b) changes made to the licensee's FFD policies or program were incorporated into the licensee's FFD training program;
- verified that for the licensee's chemical testing program: (a) the process for selecting individuals for random testing was random, such that individuals who were selected for random testing were tested, and that the personnel tested were immediately eligible to be selected for another random test; (b) the number of random tests conducted each year was equal to at least 50 percent of the workforce population subject to testing; (c) licensee personnel who return to duty after a 3-year removal received follow-up testing on an unannounced basis to verify continued abstention from the use of substances; (d) testing procedures protected the identity and integrity of specimens and minimized false negative test results if the licensee conducted on-site urine testing; and (e) any changes made to the program met regulatory requirements and did not adversely affect the licensee's FFD program;
- verified that the licensee maintained an Employee Assistance Program with a goal of achieving early intervention and providing confidential assistance;
- examined licensee audit reports for the FFD program, since the last inspection, to determine compliance with NRC requirements and whether licensee commitments and corrective actions to resolve identified issues were technically

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adequate, met regulatory requirements, and were implemented in a timely manner; and

- verified for security force working hours required by the Order that the licensee: (a) ensured individual work hour limits were not exceeded and that management-approved deviations were authorized and documented; (b) ensured group work hour limits were not exceeded under normal plant conditions, planned plant or planned security system outages, unplanned plant or unplanned security outages, increases in plant threat condition, and during force-on-force exercises; and (c) developed procedures/processes that: (1) controlled the work hours program; (2) provided the ability to self-report being unfit for duty; and (3) ensured self-declarations were documented and that at least 10 hours passed prior to returning to duty.

The inspectors reviewed FFD program related issues during baseline inspection activities to verify that they were being entered into the licensee's corrective action program at an appropriate threshold, that adequate attention was being given to timely corrective actions, and that adverse trends were identified and adequately addressed.

The inspectors completed 22 of the required 22 samples.

b. Findings

No findings of significance were identified.

S09 Owner-Controlled Area Controls (71130.09)

a. Inspection Scope

The inspectors evaluated this area by: reviewing procedures and records; conducting interviews with responsible personnel and plant employees; and performing walk downs of the owner-controlled area (OCA) and vehicle checkpoint.

The inspectors verified that the licensee: (1) implemented OCA controls in accordance with the NRC-approved security plan, and any other regulatory requirements; and (2) ensured that OCA controls provide reasonable protection against the Design Basis Threat.

The inspectors conducted the following inspection activities:

- reviewed and evaluated licensee event reports, safeguards log entries, and corrective action documents. (No licensee event reports were documented.)
- verified for OCA controls that the licensee: (a) ensured personnel maintained communication with the alarm stations and validated owner-controlled area controls effectiveness through drills or exercises; and (b) actions taken to

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implement the NRC approved security plan did not impede the arrival of emergency response personnel nor effective implementation of the emergency plan;

- verified for the OCA check point that the licensee, in conformance with the measures specified in the NRC approved security plan: (a) implemented procedures for controlling plant personnel, vendor, delivery, and visitor access; (b) effectively implemented procedures and controls for channeling vehicles to access control points; and (c) effectively implemented procedures for controlling vehicle entry through the vehicle check point;
- verified for OCA patrols and surveillance that the licensee: (a) effectively implemented procedures; (b) ensured personnel on patrol did not perform collateral duties that decreased the effectiveness of their surveillance activities; and (c) if required, effectively implemented procedures for maritime coordination, river intake control, and surveillance; and
- verified for OCA barriers and equipment that the licensee, in conformance with the measures identified in the NRC approved security plan: (a) effectively implemented controls to limit the potential for unauthorized vehicles and equipment, and (b) ensured owner-controlled area patrols had the necessary weapons and equipment readily accessible.

The inspectors reviewed OCA controls program related issues during baseline inspection activities to verify that they were being entered into the licensee's corrective action program at an appropriate threshold, that adequate attention was being given to timely corrective action, and that adverse trends were identified and adequately addressed.

The inspectors completed 12 of the required 12 samples.

b. Findings

No findings of significance were identified.

4. **OTHER ACTIVITIES**

40A1 Performance Indicator Verification (71151)

Cornerstone: Physical Protection

3 Safeguards Strategic Area

a. Inspection Scope

The inspectors sampled licensee submittals for the performance indicators (PIs) listed below for the period from January 2005 to August 2006. To verify the accuracy of the PI data reported during that period, PI definitions and guidance contained in Revision 3 of Nuclear Energy Institute Document 99-02, "Regulatory Assessment Performance Indicator Guideline," were used. A sample of plant reports related to security events, security shift activity logs, and Fitness-for-Duty reports were also reviewed. The following three PIs were reviewed:

- Fitness-for-Duty Personnel Reliability;
- Personnel Screening Program; and
- Protected Area Security Equipment.

This inspection completed 3 of the required 3 samples.

b. Findings

No findings of significance were identified.

4OA6 Meetings

.1 Exit Meeting

The inspectors presented the inspection results to Mr. B. Hanson and other members of licensee management at the conclusion of the on-site inspection on October 27, 2006, and to Mr. G. Kaegi at the conclusion of the Exelon Nuclear Corporate inspection on February 2, 2006. The inspectors asked the licensee if any materials examined during the inspection should be considered proprietary. No proprietary information was identified.

ATTACHMENT: SUPPLEMENTAL INFORMATION

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SUPPLEMENTAL INFORMATION

KEY POINTS OF CONTACT

Licensee

B. Hanson, Site Vice President
M. McDowell, Plant Manager
F. Borth, Senior Analyst/Engineer
R. Campbell, Chemistry Manager (Acting)
R. Croxton, Radiation Protection Technical Support Manager
F. Crutchfield, Training Data Specialist
D. Evans, Exelon Corporate Security Operations Manager
B. Findlay, Exelon Corporate Manager, Security Operations
R. Frantz, Regulatory Assurance Representative
G. Kaegi, Director of Nuclear Security
S. Hart, Wackenhut Project Manager
M. Hiter, Access Control Supervisor
M. Marcet, Technician/Specimen Collector
B. Pohlman, MRO Exelon Nuclear
G. Riveria, Technician/Specimen Collector
T. Simpkin, Regulatory Assurance Manager
P. Simpson, Licensing Manager
S. Techau, AA/FFD Program Manager
C. Vandenberg, Nuclear Oversight Manager
C. Williamson, Security Manager

Nuclear Regulatory Commission

B. Dickson, Senior Resident Inspector

Illinois Emergency Management Agency

J. Roman, Resident Inspector

LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

Opened, Closed, and Discussed

None

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LIST OF DOCUMENTS REVIEWED

The following is a list of documents reviewed during the inspection. Inclusion on this list does not imply that the NRC inspectors reviewed the documents in their entirety but rather that selected sections or portions of the documents were evaluated as part of the overall inspection effort. Inclusion of a document on this list does not imply NRC acceptance of the document or any part of it, unless this is stated in the body of the inspection report.

S04 Equipment Performance Testing and Maintenance (71130.04)

Security Computer LAN Drawing (E02-0SS99; Revision f; Sheet 6)

Exelon Security Training Lesson Plan, Lesson 3304 NSMART System; Revision 1

S08 Fitness-For-Duty Program (71130.08)

Clinton Power Station Security Plan (SGI); Revision 4; dated April 2006

AD-AA-101-1002; Procedure Approval Form; Attachment 1; Revision 3 and 5

SY-AA-102; Exelon's Nuclear Fitness-for-Duty Program; Revision 8 and 9

SY-AA-102-201; Callout's for Unscheduled Work; Revision 5 and 6

SY-AA-102-202; Testing for Cause; Revision 9

SY-AA-102-203; Follow-Up-Testing; Revision 5

SY-AA-102-204; Random Selection and Notification Process; Revision 7 and 8

SY-AA-102-205; Fitness-for-Duty (FFD) Appeal; Revision 5

SY-AA-102-220; Reporting of Significant Fitness-for-Duty Events; Revision 4

SY-AA-102-226; Tests Results and MRO Response; Revision 6 and 7

SY-AA-102-229; Issuing and Documenting Acceptance of the Exelon FFD and Unescorted Access Program Requirements for Contractors and Vendors; Revision 6

SY-AA-102-230; Security of Collection Facilities; Revision 4

SY-AA-102-240; Collection of Urine in an Exelon Facility; Revision 6 and 8

SY-AA-102-244; On-Site Collection Facility Quality Control Program; Revision 3 and 4

SY-AA-102-248; Laboratory Blind Performance Test Specimens; Revision 3

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SY-AA-103-509; Protection of Personal Information; Revision 2

SY-AA-103-513; Behavioral Observation Program; Revision 5

SY-AA-101-1002; Procedure Approval Form; Attachment 1; Revision 3 and 5

SY-AA-102-245; Attachment 1; Revision 4 and 5; Alco-Sensor and Alcomonitor Calibration Check/Calibration Log

Nuclear Oversight (NQS) Audit NOSA-NCS-05-03 (AR 290528); dated January 24 - 28, 2005

Security Audit Exit Meeting Debrief Notes, Cantera/Kennett Square; dated January 27, 2006

NRC Memorandum 10 CFR 26.80, Audit of HHS Certified Labs; dated May 28, 1994

Random Listing of Badged Personnel; dated January 30, 2006

Exelon Listing of Contractor/Vendor

Exelon Security Organization Line Diagram

Federal Register/Vol. 70, No. 213/Friday, November 4, 2005/Notices Department of Health and Human Services

Audit Template - Security Plan, FFD, Access Authorization, PADS Security Program, Effective Date: January 22, 2004; Revision 1

South Texas Project (STP) Nuclear Operating Company Audit of the Institute of Nuclear Power Operations (INPO), Atlanta Georgia - Audit No. 05-007 (VA), dated March 16, 2005

Follow-up Verification for STP...; dated May 31, 2005

Exelon Fitness-for-Duty Performance Data Reports - First Period - 2005

SY-AA-102-229; Attachment 1 - Ten (10) Contractor/Vendor FFD Agreements

Action Request (AR) Report 00445078; Review of Positive Fitness-for-Duty Tests

United Behavioral Health, Clinical Workflows and Procedures; Revision: January 2003

Personnel Computer Records for FFD Training - INISS System - 55 Records

INPO Files for FFD Training - Two Records

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NRC Files for FFD Training - One Record

Exelon Security Appeal Process Denial Records 2005 (7)

Personnel Lab Results for FFD Testing Records (45)

Exelon Letter for Acceptance of INPO Access Authorization Program; dated April 3, 2003

American Association of Medical Review Officers Certification; dated May 4, 2005

Access Authorization File for Exelon MRO

Quarterly Blind Sample Tracking Sheets and Lab Reports - 2005

Monthly Shut Down Reports for Mid-West Sites - 03, 04, 07, 12 for 2005

Professional On-Site Testing, Inc. (P.O.S.T) Specimen Collector Files (12)

United Behavioral Health Administrative Services Agreement; dated June 17, 2005

MEDTOX Statistical Report for Exelon Nuclear; January - December 2005

MEDTOX Statistical Report for Exelon 100 (Clinton PWR)/Nuclear; January - December 2005

Design Basis Threat Random Generator Data

Access Authorization Implementation Testing Rate Issue; Basis and Formulas for Random Generator

INPO Administrative Practices and Procedures No. A-5; Drug and Alcohol Screening, Revision 36

INPO Administrative Practices and Procedures No. A-4; Fitness-for-Duty; Revision 41

INPO Administrative Practices and Procedures No. A-3; Unescorted Access Authorization; Revision 43

U.S. DHHS - Medical Review Officer Manual for Federal Agency Workplace Drug Testing Programs; Effective Date - November 1, 2004

SY-AA-101-135; Exelon Nuclear Security Work Hour Controls; Revision 2

SY-AA-101-135; Attachment 1; Revision 2; Work Hour Control Deviation Records (5)

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Report Time Entry/Schedule Data; Nuclear Work Hours: 06/01/2005 - 08/31/2006

Wackenhut Policy and Procedure Manual, No. 107 Attendance; Revision 3

Wackenhut Nuclear Services - Nuclear Group Work Hours Tracking Report - User's Manual, Revision 2; dated January 27, 2006

Wackenhut Work Hours Tracking Form Instructions

Wackenhut Nuclear Services - Nuclear Group Work Hours Tracking Report; June 2005 - September 2006

Pay Records (Wackenhut); June 2005 - September 2006

Nuclear General Employee Training Study Guide; Revision 32; Effective July 1, 2006

TQ-AA-118-0108; NGET Web Based Training Agreement for Exam Proctors; Revision 2

Clinton Instructor Proctor Codes Listing; dated October 25, 2006

Corrective Action Program Reports (Security Related); March 2006 through September 2006

Memorandum Dated October 25, 2006, Subject: FFD Exam Bank

Action Request 00516608 - Multiple Call Offs Causes Staffing Problems for Security

Safeguards Event Log; January 2005 - September 2006

S09 Owner-Controlled Area Controls (71130.09)

Clinton Power Station Security Plan (SGI); Revision 4; dated April 2006

SY-AA-101-102; Compensating for Security System Failures (SGI); Revision 3

SY-AA-101-103; Inspecting Security Barriers; Revision 3

SY-AA-101-109; Response to Contingency Events (SGI); Revision 3

SY-AA-101-116; Conducting Patrols; Revision 2

SY-AA-101-133; Integrated Response Plan with Law Enforcement Agencies, Revision 3

SY-AA-101-137; OCA Checkpoint Operations; Revision 1

SY-AA-101-115-1001; Controlling Power Operated Active Vehicle Barriers; Revision 0

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SY-AA-1013; General Guidance for Use of Itemiser3 Explosives Detector; Revision 1

SY-CL-101-2000 Attachment 6 - Post Orders; P-6 OCA Patrol, Charlie 1, Charlie 2; Revision 1

SY-CL-101-2003; Active Vehicle Barrier Operations; Revision 0

Memorandum (undated) OCA Surveillance Activities (OCA Patrol - BRE Towers)

Focus Area Self-Assessment (FASA) Assignment # 476073-05; Fitness-for-Duty and Owner-Controlled Area Controls; dated October 10, 2006

Corrective Action Program Reports (Security Related); March 2006 through September 2006

Safeguards Event Log; January 2005 - September 2006

40A1 Performance Indicator Verification (71151)

NEI 99-02; Physical Protection Cornerstone; Revision 3

LS-AA-2160; Monthly (PI) Data Elements for (PA) Security Equipment Performance Index; Revision 4

LS-AA-2170; Monthly (PI) Data Elements for Personnel Screening Program Performance; Revision 4

LS-AA-2180; Monthly (PI) Data Elements for Fitness-for-Duty (FFD)/Personnel Reliability Program Performance; Revision 4

Clinton Power Station IDS/CCTV PI Data Report

Common Cause Analysis Action Tracking Item Number: 446340-05; "Protected Area Security Equipment Performance Index."

SY-AA-1002; Safeguards Event Reports; Revision 0

Safeguards Event Log; January 2005 - September 2006

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LIST OF ACRONYMS USED

DRS	Division of Reactor Safety
FASA	Focus Area Self-Assessment
FFD	Fitness-for-Duty
NRC	Nuclear Regulatory Commission
OCA	Owner-Controlled Area
PI	Performance Indicator