



UNITED STATES
NUCLEAR REGULATORY COMMISSION

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

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March 11, 2010

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

SUBJECT: CLINTON POWER STATION
NRC SECURITY BASELINE INSPECTION REPORT 05000461/2010402(DRS)

Dear Mr. Pardee:

On February 4, 2010, the U. S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at your Clinton Power Station. 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 February 4, 2010, with Mr. F. A. Kearney and other members of your staff.

The 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, observed activities, and interviewed personnel.

No findings of significance were identified.

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 System (PARS) component of NRC's Agencywide Documents Access and Management 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 concerns 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.

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A/8

C. Pardee

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

Sincerely,

/RA/

Eric Duncan, Chief
Plant Support Branch
Division of Reactor Safety

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

Nonpublic Enclosure: Inspection Report 05000461/2010402(DRS)
w/Attachment: Supplemental Information

cc w/encl: S. Coker, NSIR/DSO/DDSO/ST
C. Williamson, Clinton Station Security Manager
J. Klinger, State Liaison Officer
Illinois Emergency Management Agency

cc w/o encl: Distribution via ListServ

C. Pardee

-2-

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U. S. NUCLEAR REGULATORY COMMISSION

REGION III

Docket No: 05000461

License No: NPF-62

Report No: 05000461/2010402(DRS)

Licensee: Exelon Generation Company, LLC

Facility: Clinton Power Station

Location: Clinton, Illinois

Dates: February 1 through 4, 2010

Inspector: T. Eck, Physical Security Inspector

Approved by: E. Duncan, Chief
Plant Support Branch
Division of Reactor Safety

Enclosure

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SUMMARY OF FINDINGS

IR 05000461/2010402(DRS); 02/01/2010 – 02/04/2010, Clinton Power Station;
Routine Security Baseline Inspection.

This report covers a 1 week period of announced routine baseline inspection on security. The inspection was conducted by one Region III physical security inspector. 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."

A. Inspector-Identified and Self-Revealed Findings

Cornerstone: Physical Protection

No findings of significance were identified.

B. Licensee-Identified Violations

None.

REPORT DETAILS

3. SAFEGUARDS

Cornerstone: Physical Protection (PP)

S02 Access Control (71130.02)

a. Inspection Scope

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

The inspector verified that: (1) the licensee's Access Control program complied with the NRC-approved security plan and regulatory requirements; (2) the licensee had control measures and equipment in place to detect and prevent the introduction of contraband into the Protected Area (PA); and (3) the licensee's identification and authorization processes ensured that only those personnel that have been properly screened are granted unescorted access to the PA and Vital Area (VA).

The inspector conducted the following specific inspection activities:

- reviewed and evaluated licensee event reports, safeguards log entries and corrective action documents dated between February 2009 and February 2010 which were associate with Access Control;
- verified that: (a) the licensee had a procedure that adequately described the method to immediately notify security to block badges for personnel who have had their access suspended; (b) individuals responsible for implementing personnel access denial procedures were knowledgeable of how to effectively implement the procedures; (c) identified procedure changes have not reduced the effectiveness of any of the security plans; and (d) the licensee implemented and maintained measures, as necessary, to protect badging and/or other access control activities;
- verified that: (a) in-processing searches of personnel, packages, and vehicles at access locations during peak ingress times were performed in compliance with established procedures; (b) any collateral duty that security personnel conducting access control or search activities may perform did not adversely impact their ability to perform their primary duty in accordance with the security plan and implementing procedures; (c) the licensee had sufficient staffing for processing personnel and equipment at the access control points in accordance with the

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security plan and implementing procedures; and (d) the licensee properly implemented processes for control of packages and materials, and for material that was exempted from search;

- verified that the licensee manually controlled access to VAs when electronic controls were not in service; and
- verified that: (a) the licensee had a program in place for controlling and accounting for hard keys to PA and VA, and for the replacement or changing of lock cores if a key was lost or compromised; (b) personnel granted escorted access to the PA were badged to indicate that an escort was required; had registered his or her name, date, time, purpose of visit, employment affiliation, citizenship, and name of the individual visited; and the licensee had records of the escorted access retained for 3 years; (c) the licensee had control of all locations (designed and used for access) where packages, personnel, and vehicles could be brought into the protected area; (d) access control personnel identified authorized packages and could identify unauthorized packages and materials; and (e) the licensee implemented and maintained control functions for vehicles delivering hazardous material within the site's PA.

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

The inspector completed 16 of the required 16 samples.

b. Findings

No findings of significance were identified.

S06 Protection of Safeguards Information (71130.06)

a. Inspection Scope

The inspector evaluated this area by: reviewing procedures and records; and by conducting interviews with responsible personnel and plant employees.

The inspector verified that licensee's information protection system effectively protected Safeguards Information (SGI) as defined in 10 CFR 73.21, 10 CFR 73.22, and 10 CFR 73.23 and prevented unauthorized disclosure.

The inspector conducted the following specific inspection activities:

- verified that the licensee established, implemented, and maintained an information protection system that included the applicable measures for Safeguards Information as specified in 10 CFR 73.22 and subsequently published U. S. Nuclear Regulatory Commission Orders;
- verified that only authorized personnel were provided access to SGI and that the licensee's process for authorizing access to SGI was based on the criteria specified in 10 CFR 73.22;
- verified for the protection of SGI that: (a) the licensee stored unattended SGI in storage containers with locks that possessed the characteristics identified in 10 CFR 73.2, Definitions, "Security Storage Containers" and "Locks;" (b) the licensee's security storage containers used to store SGI did not bear identifying marks that indicated or identified the sensitivity of the information contained within; (c) access to the combination to the licensee's security storage containers used to store SGI was controlled to preclude access to individuals not authorized access to SGI; (d) the licensee implemented measures for the control of SGI while in use or outside of a locked security storage container and that the measures required SGI to remain under the control of an individual who was authorized access to SGI; and (e) the licensee reviewed security-related information against the criteria for SGI and properly designated, protected and controlled SGI in accordance with regulations and site procedures;
- verified for marking of SGI that the licensee: (a) implemented a process to ensure that documents or other matter, containing SGI, were conspicuously marked on the top and bottom of each page, i.e., "Safeguards Information;" (b) implemented a process to ensure that the first page of documents containing SGI bear the name, title, and organization of the individual authorized to make an SGI determination, and who has determined that the document or other matter contains SGI; the date the determination was made; and indicates that unauthorized disclosure will be subject to civil and criminal sanctions; (c) used a process to prepare documents containing SGI for delivery to the NRC which included marking of transmittal letters or memoranda to indicate that attachments or enclosures contain SGI but that the transmittal document or other matter does not (i.e., "when separated from SGI attachment or enclosure, this document is decontrolled."); and (d) used a process to prepare documents containing SGI for delivery to the NRC which included portion marking in accordance with the regulation;
- verified for processing, reproducing, and transmitting SGI that: (a) the licensee's stand-alone computers or computer systems used to process SGI were not connected to a network that was accessible by users not authorized access to SGI; (b) the licensee's computers used to process SGI that were not located within an approved security storage container had a removable information storage medium that contains a bootable operating system (used to initialize the

computer); (c) the licensee locked removable storage mediums from SGI computers in a security storage container when not in use; (d) equipment used by the licensee to reproduce SGI did not allow unauthorized access to SGI by means of retained memory or network connectivity; (e) the licensee's processes for transporting SGI outside of an authorized place of use or storage included the following measures: 1) documents were packaged in two sealed envelopes or wrappers to conceal the presence of SGI; 2) the inner envelope or wrapper contained the name and address of the intended recipient and was marked on both sides, top, and bottom with the words "Safeguards Information"; and 3) the outer envelope or wrapper was opaque, addressed to the recipient, contained the address of sender, and had no markings or indication of the SGI contained within; and (f) the licensee's processes for the electronic transmission of SGI outside of an authorized place of use or storage included the use of NRC approved secure electronic devices, such as facsimiles or telephone devices or electronic mail that was encrypted by (Federal Information Processing Standard (FIPS) 140-2 or later) a method that has been approved by the NRC;

- verified for removal from SGI category and SGI destruction that: (a) the licensee implemented a process for the removal of documents, or other matter from the SGI category when the information no longer met the criteria of SGI; (b) the licensee's processes for decontrolling SGI included measures to obtain the authority to remove the information from the SGI category through NRC approval or through consultation with the organization or individual who made the original SGI determination; and (c) the licensee established a process for the destruction of SGI and that its method of destruction precluded reconstruction by means available to the public at large; and
- verified that the licensee was conducting security program reviews in accordance with 10 CFR 73.55(m) and that the licensee's program for the protection of SGI was included in a review as required by the regulation.

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

The inspector completed 22 of the required 22 samples.

b. Findings

No findings of significance were identified.

4. OTHER ACTIVITIES

4OA1 Performance Indicator Verification

a. Inspection Scope

Cornerstone: Security

The inspector sampled licensee submittals for the performance indicator (PI) listed below for the period from February 2009 through February 2010. To verify the accuracy of the PI data reported during that period, PI definitions and guidance contained in NEI 99-02, "Regulatory Assessment Indicator Guideline," Revision 5, were used to verify the basis for reporting each data element. A sample of plant records related to security events, security shift activity logs, and maintenance records were reviewed. The following PI was reviewed:

- Protected Area Security Equipment

The inspector completed 1 of 1 sample.

b. Findings

No findings of significance were identified.

4OA3 Event Followup

.1 (Closed) LER 05000461/2009-002-00, Contractor Falsified Information for Unescorted Access Authorization

On September 14, 2009, a contract employee did not fully disclose relevant details of employment history in the employee's request for unescorted access. On September 18, 2009, the licensee obtained additional information related to the contract employee's previous employment history, conducted an investigation, and, upon completion, confirmed the contract employee did not fully disclose the relevant details of the previous employment. On September 18, 2009, the contract employee's unescorted access was terminated. The LER was reviewed by the inspector's and no findings of significance were identified and no violation of NRC requirements occurred. This LER is closed

40A6 Meetings

Exit Meeting

The inspector presented the inspection results to Mr. F. A. Kearney and other members of licensee management at the conclusion of the inspection on February 4, 2010. The inspector asked the licensee whether any materials examined during the inspection should be considered proprietary. No proprietary information was identified.

ATTACHMENT: SUPPLEMENTAL INFORMATION

SUPPLEMENTAL INFORMATION

KEY POINTS OF CONTACT

Licensee

F. Kearney, Site Vice President
M. Kanavos, Plant Manager
M. Hiter, Security Analyst
S. Gackstetter, Regulatory Assurance Manager
C. Williamson, Security Manager
J. Waddell, Security Supervisor
D. Montgomery, Access Authorization

Nuclear Regulatory Commission

B. Kemker, Senior Resident Inspector
D. Lords, Resident Inspector

LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

Opened

None

Closed

05000461/2009-002-00 LER Contractor Falsified Information for Unescorted Access Authorization (Section 4OA3.1)

Discussed

None

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 inspector 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.

S02 Access Control (71130.02)

<u>Number</u>	<u>Description or Title</u>	<u>Date or Revision</u>
	Clinton Power Station Security Plan (SGI)	7
SY-AA-101-107	Control and Confiscation of Contraband or Prohibited Items	6
SY-AA-101-112	Searching Personnel, Vehicles, Packages, and Cargo	16
SY-AA-101-114	Processing Emergency Response Vehicles and Personnel	4
SY-AA-101-115	Controlling Gates and Power Operated Active Vehicle Barriers	7
SY-AA-101-117	Routine Processing and Escorting of Personnel and Vehicles	17
SY-AA-103-500	Access authorization Program	9
SY-AA-103-501	Access Authorization Categories and Requirements	8
SY-AA-101-120	Key Issuance Log	3
SY-CL-101-2000 F19	Security Key and Core Change Worksheet	0
	Access Authorization Badge List	February 2010
NOSA-CPS-09-03 (AR848164)	Security Plan, FFD, Access Authorization, and PADS Audit Report	February 2009
	Exelon Reinstatement Personal History Questionnaire for Unescorted Access	
	PADS Access Synopsis Report	
AR 00967050	Falsification of PHQ	September 18, 2009
LER 2009-002-00	Licensee Event Report	October 23, 2009
SY-AA-1013	General Guidance for use of the Itemiser3 Explosives Detector	3
F02 SY-CL-101-122-1001	GE EntryScan4 EDD Operational Test Log	0
SY-CL-101-115-1001	Clinton AVB Traffic Control	2
	Corrective Action Program Reports (Security-Related);	February 2009 – February 2010

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	Security Event Reports (SER);	February 2009 – February 2010
	Performance Indicator Data	February 2009 – February 2010

S06 Protection of Safeguards Information (71130.06)

<u>Number</u>	<u>Description or Title</u>	<u>Date or Revision</u>
	Clinton Power Station Security Plan (SGI);	7
SY-AA-101-106	Control and Classification of Safeguards Information, Safeguards Information-Modified Handling, and Sensitive Unclassified Non-Safeguards Information	13
SY-AA-101-106-1002	Use of Encryption Software for Safeguards Information	1
SY-AA-101-106-1002 Att 1	Authorized SGI Encryption User List	1
SY-AA-101-106-1002 Att 2	Public Key Distribution Log	0
SY-AA-101-139	Use of the Private I Model 960v Voice Encryption Device	0
LS-AA-126-1001	FASA Self-Assessment Report, Safeguards Control (861206-03)	5
LS-AA-126-1001	FASA Self-Assessment Report (867872)	5
SY-AA-101-106-F-02	Safeguards Control Log	0
SY-AA-101-106-F-04	Security Container Check Sheet	0
	Safeguards Information Authorization List	January 15, 2010
LS-AA-125	Corrective Action Program (CAP) Procedure	9
	Corrective Action Program Reports (Security-Related);	February 2009 – February 2010
	Security Event Reports (SER)	February 2009 – February 2010

LIST OF ACRONYMS USED

CFR	Code of Federal Regulations
DRS	Division of Reactor Safety
FASA	Focus Area Self-Assessment
NRC	Nuclear Regulatory Commission
PA	Protected Area
PI	Performance Indicator
PP	Physical Protection
SGI	Safeguards Information
VA	Vital Area