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July 26, 2011

EA-2011-046

Mr. George H. Gellrich, Site Vice President
Constellation Energy Nuclear Group, LLC
Calvert Cliffs Nuclear Power Plant, LLC
1650 Calvert Cliffs Parkway
Lusby, MD 20657-4702

SUBJECT: CALVERT CLIFFS NUCLEAR POWER PLANT - NRC SPECIAL INSPECTION
REPORT NO. 05000317/2011403 AND 05000318/2011403; PRELIMINARY
GREATER THAN GREEN FINDING

Dear Mr. Gellrich:

On July 13, 2011, the U.S. Nuclear Regulatory Commission (NRC) completed a Special Inspection at your Calvert Cliffs Nuclear Power Plant. The enclosed report documents the inspection results, which were discussed on July 13, 2011, with you and other members of your staff.

The special inspection team examined activities conducted under your licenses as they relate to safety and compliance with the Commission's rules and regulations and with the conditions of your licenses. The team reviewed selected procedures and records, observed activities, and interviewed personnel.

The enclosed report documents one finding that has the potential for greater than very low security significance (i.e., greater-than-Green as determined by the Baseline Security Significance Determination Process). The deficiency was promptly corrected or compensated for, and the plant was in compliance with applicable physical protection and security requirements within the scope of this inspection before the team departed the site.

The finding had a cross-cutting aspect in the area of Human Performance (Work Practices) for failing to effectively communicate expectations regarding procedural compliance and personnel following procedures [H.4(b)]. If you disagree with the cross-cutting aspect assigned to this finding, you should provide a response within 30 days of the date of this report, with the basis for your disagreement, to the Regional Administrator, Region I, and the NRC resident inspectors at Calvert Cliffs.

Enclosure contains Sensitive Unclassified Non-Safeguards Information. When separated from enclosure, the transmittal document is decontrolled.
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In accordance with NRC Inspection Manual Chapter (IMC) 0609, we intend to complete our evaluation using the best available information and issue our final determination of security significance within 90 days of the date of this letter. The significance determination process encourages an open dialogue between the NRC staff and the licensee; however, the dialogue should not impact the timeliness of the staff's final determination.

Before we make a final significance decision regarding our preliminary greater-than-Green finding, we are providing you an opportunity to: (1) attend a Regulatory Conference where you can present to the NRC your perspective on the facts and the assumptions the NRC used to arrive at the finding and assess its significance, or (2) submit your position on the finding to the NRC in writing. If you request a Regulatory Conference, it should be held within 30 days of the receipt of this letter, and we encourage you to submit supporting documentation at least one week prior to the conference in an effort to make the conference more efficient and effective. If a Regulatory Conference is held, it will be closed for public observation because it involves sensitive security information. If you decide to submit only a written response, such submittal should be sent to the NRC within 30 days of the receipt of this letter. If you decline to request a Regulatory Conference or submit a written response, you relinquish your right to appeal the final Significance Determination Process determination, in that by not doing either, you fail to meet the appeal requirements stated in the Prerequisite and Limitation sections of Attachment 2 of IMC 0609.

Please contact Mr. James Trapp of my staff at (610) 337-5186 within 10 days of the date of this letter to notify the NRC of your intentions. If we have not heard from you within 10 days, we will continue with our significance determination and enforcement decision.

Because the NRC has not made a final determination in this matter, no Notice of Violation is being issued for this inspection finding at this time. In addition, please be advised that the number and characterization of the findings described in the enclosed inspection report may change as a result of further NRC review.

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 located at NRC Headquarters in Rockville, MD, and from the Publicly Available Records (PARS) component of NRC's document system, Agencywide Documents Access and Management System (ADAMS). ADAMS is 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 and attachments will not be available for public inspection.

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In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response, if any. This practice will ensure that your response will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system, ADAMS. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.22. Otherwise, mark your entire response "Security-Related Information - Withhold Under 10 CFR 2.390" and follow the instructions for withholding in 10 CFR 2.390(b)(1).

Sincerely,

/RA/

Christopher G. Miller, Director
Division of Reactor Safety

Docket Nos. 50-317, 50-318
License Nos. DPR-53, DPR-69

Non-Public Enclosure: NRC Inspection Report No. 05000317/2011403, 05000318/2011403
Attachments: Supplemental Information
Chronology of Events
Special Inspection Team Charter

cc w/encl; w/OUO-SRI:

D. Bartnik, Director, Nuclear Security

T. Levering, Emergency Response Director, State of Maryland

A. Lauland, Director, Department of Homeland Security, State of Maryland

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SUNSI Review Complete: BMJ (Reviewer's Initials)

Non-Public Designation Category: MD 3.4 Non-Public A.3

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