



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PENNSYLVANIA 19406-1415
August 30, 2011

EA-11-046

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: FINAL SIGNIFICANCE DETERMINATION FOR SECURITY-RELATED
GREATER THAN GREEN FINDING [NRC Inspection Report No.
05000317/2011405 & 05000318/2011405]

Dear Mr. Gellrich:

The purpose of this letter is to provide you with the final significance determination for a finding preliminarily determined to be of at least low to moderate security significance (Greater than Green). The finding was identified during an NRC inspection and presented at an exit meeting held on July 13, 2011. The subject inspection report, issued July 26, 2011, described the inspection results in detail. Constellation Energy Nuclear Group, LLC has taken immediate corrective actions to address any security-related vulnerability. The nature of security-related findings, and the corrective actions taken to address the issues, are considered sensitive information and are not included in this letter, but are described in the non-public enclosure.

Our July 26, 2011 letter also offered you the opportunity to attend a Regulatory Conference or reply in writing to provide your position on the facts and assumptions the NRC used to arrive at the finding and its security significance. On August 3, 2011, your Licensing Manager, Mr. Douglas Lauver, spoke with Mr. James Trapp of my staff, to inform him that a Regulatory Conference or written response would not be needed.

Therefore, after considering the information developed during the inspection, the NRC has concluded that the inspection finding is of greater than very low security significance, is appropriately characterized as Greater than Green, and will require additional NRC inspections.

Enclosure contains Sensitive Unclassified
Non-Safeguards Information. When
separated from its Enclosure, this
document is DECONTROLLED.

G. Gellrich

2

Because plant performance has been determined to be beyond the licensee response column, we will use the NRC's Security Action Matrix to determine the most appropriate NRC response for this event. We will notify you, by separate correspondence, of that determination.

In addition, the NRC is still considering whether any apparent violation(s) are associated with the finding, in accordance with the NRC Enforcement Policy. Upon reaching a determination in this matter, enforcement-related information will be communicated by separate correspondence at a later date. The finding is being issued at this time in support of the NRC assessment process.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room and from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. 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. In addition, the NRC is waiving the affidavit requirements for your response, if any. This practice will ensure that your response, if you choose to provide one, will not be made available electronically for public inspection in the NRC Public Document Room or from ADAMS. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. 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,



William M. Dean
Regional Administrator

Docket No. 50-317, 50-318
License No. DPR-53, DPR-69

Enclosure: Non-Public Enclosure - Final Significance Determination and Corrective Action

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

cc w/o encl; w/o OUO-SRI: Distribution via ListServ

G. Gellrich

Because plant performance has been determined to be beyond the licensee response column, we will use the NRC's Security Action Matrix to determine the most appropriate NRC response for this event. We will notify you, by separate correspondence, of that determination.

In addition, the NRC is still considering whether any apparent violation(s) are associated with the finding, in accordance with the NRC Enforcement Policy. Upon reaching a determination in this matter, enforcement-related information will be communicated by separate correspondence at a later date. The finding is being issued at this time in support of the NRC assessment process.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room and from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. 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. In addition, the NRC is waiving the affidavit requirements for your response, if any. This practice will ensure that your response, if you choose to provide one, will not be made available electronically for public inspection in the NRC Public Document Room or from ADAMS. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. 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/

William M. Dean
Regional Administrator

Docket No. 50-317, 50-318
License No. DPR-53, DPR-69

Enclosure: Non-Public Enclosure - Final Significance Determination and Corrective Action

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

cc w/o encl; w/o OUO-SRI: Distribution via ListServ
SUNSI Review Complete: AED (Reviewer's Initials)

DOCUMENT NAME: S:\Enf-allg\Enforcement\Proposed-Actions\Region1\Calvert Cliffs Non-Publicly Available Final Determination Ltr.docx
Non-Public Designation Category: MD 3.4 Non-Public A.3

After declaring this document "An Official Agency Record" it **will NOT be** released to the Public. Accession No.: ML112430514

To receive a copy of this document, indicate in the box: "C" = Copy without attachment/enclosure "E" = Copy with attachment/enclosure "N" =No copy

OFFICE	RI/ORA		RI/DRS		RI/DRP		RI/DRS		OI/RI
NAME	ADeFrancisco/ AED*		JTrapp/ T Dimitriadis for*		DRoberts / DJR*		CMiller/ P Wilson for*		EWilson/ P Richart for*
DATE	8/09/2011		8/09/2011		8/11/2011		8/15/2011		8/15/2011
OFFICE	RI/ORA		RI/ORA		HQ/OE		HQ/NSIR		RI/ORA
NAME	KFarrar/ KLF*		DHolody/ DJH*		DFurst/ DMF by email		B Westreich by email		WDean
DATE	8/16/2011		8/17/2011		8/24/2011		8/24/2011		08 / 25 /2011

OFFICIAL RECORD COPY