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UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I

2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

August 16, 2012

EA-2012-158

Mr. Paul A. Harden
Site Vice President
FirstEnergy Nuclear Operating Company
Beaver Valley Power Station
P. O. Box 4, Route 168
Shippingport, PA 15077-0004

SUBJECT: BEAVER VALLEY POWER STATION – NRC BASELINE SECURITY INSPECTION
REPORT 05000334/2012404 AND 05000412/2012404; PRELIMINARY GREATER
THAN GREEN FINDING

Dear Mr. Harden:

On July 13, 2012, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection at your Beaver Valley Power Station, Units 1 and 2. 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 July 13, 2012, with Raymond Lieb, Director of Site Operations, and other members of your staff.

The inspection 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 inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

The attached report documents one or more findings that have preliminarily been determined to be Greater than Green (i.e., a finding of greater than very low security significance) that may result in the need for further evaluation to determine significance, and therefore the need for additional NRC action. Each finding was assessed based on the best available information, using the Baseline Security Significance Determination Process for Power Reactors. The deficiencies were 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 inspectors left the area.

One or more findings are also apparent violations of NRC requirements and are being considered for escalated enforcement action in accordance with the Enforcement Policy, which can be found on the NRC's Web site <http://www.nrc.gov/reading-rm/doc-collections/enforcement>.

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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 safety 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 our final significance determination, we are providing you with an opportunity (1) to attend a Regulatory Conference where you can present to the NRC your perspective on the facts and 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. In the interest of protecting sensitive, security-related information, if a Regulatory Conference is held, it will not be open for public observation. If you decide to submit only a written response, such submittal should be sent to the NRC within 30 days of your 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 SDP 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. Raymond McKinley at 610-337-5150 within 10 days from the issue 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. The final resolution of this matter will be conveyed in a separate correspondence.

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

One cross-cutting aspect was assigned to the finding in the area of Problem Identification and Resolution, because FirstEnergy Nuclear Operating Company (FENOC) did not thoroughly evaluate problems and corrective actions to ensure that the problems are resolved. [P.1.(c)] If you disagree with the cross-cutting aspect assignment in this report, 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 Inspector at Beaver Valley Power Station.

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 Agencywide Document 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).

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However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or from the PARS component of NRC's ADAMS. If you choose to provide a response and Security-Related Information is necessary to provide an acceptable response, please mark your entire response "Security-Related Information - Withhold from public disclosure under 10 CFR 2.390" in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390 (b)(1). In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

Sincerely,

/RA PRWilson Acting for/

Christopher G. Miller, Director
Division of Reactor Safety

Docket Nos. 50-334, 50-412
License Nos. DPR-66, NPF-73

Enclosure:

Inspection Report 05000334/2012404 and 05000412/2012404
w/Attachment: Supplemental Information (OUO-SRI)

cc w/encl; w/OUO-SRI:

Dan Craine, Manager, Site Protection

D. Allard, Director, PA DEP

R. Curtis, Director, Radiological Toxics and Indoor Air Program, State of West Virginia

M. Bear, State Liaison Officer, State of Ohio

cc w/o enclosure: Distribution via ListServ

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Non-Public Designation Category: MD 3.4 Non-Public A.3
DOCUMENT NAME: G:\DRS\Plant Support Branch 1\Security\2012 Draft OUO Reports\Beaver Valley\Beaver Valley 2012404 Rev 2.docx
ADAMS ACCESSION NUMBER: ML12229A425 (Cover letter)
ADAMS ACCESSION NUMBER: ML12229A386 (Cover letter w/enclosure)

Cover Letter <input checked="" type="checkbox"/> SUNSI Review		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive		<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	
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DATE	7/26/12	8/13/12	8/9/12	8/13/12	8/15/12
OFFICE	RI/DRS	RI/DRS	RI/DRS		
NAME	WSchmidt	PWilson	RMckinley*		
DATE	8/15/12	8/12/12	8/14/12		

* See Previous Concurrence

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