

Sampling of Exelon's¹ Deliberate Violations, Compromised Integrity Violations, and Violations Involving Withholding Information²

Braidwood 1 and 2 (Braidwood, Illinois)			
1.	5-18-00	EA-00-010 Braidwood 1 & 2 NOV (SL III)	<p>On May 18, 2000, A Notice of Violation was issued for a Severity Level III violation based on a radiation protection technician deliberate failure to follow required procedures when he activated the alarms on the portal monitors a total of 14 times and failed to contact the radiation protection department before leaving the station.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/b.html#Braidwood</p>
2.	6-9-06	EA-06-081 Braidwood NOV (White)	<p>On June 29, 2006, a Notice of Violation associated with a White Significance Determination Process finding was issued for a finding involving multiple failures by the licensee to adequately evaluate the radiological hazards associated with the leaks from the circulating water blowdown line vacuum breakers and to assess the environmental impact of the resultant onsite and offsite tritium contamination.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/b.html#Braidwood</p> <p>See also "Madigan, Glasgow File Suit For Radioactive Leaks at Braidwood Nuclear Plant: Leaks of Tritium-Laced Wastewater Date To 1996," Office of the Illinois Attorney General, March 16, 2006. http://www.illinoisattorneygeneral.gov/pressroom/2006_03/20060316.html</p> <p>"Radiation-laced groundwater – covered up by Exelon – would be widespread," Nuclear Information and Resource Service, March 17, 2006. http://www.nirs.org/press/03-17-2006/1</p> <p>"Attorney General Settles Exelon Lawsuit," 23News, March 12, 2010. http://www.wifr.com/home/headlines/87391982.html</p>
Byron 1 and 2 (Rockford, Illinois)			
3.	10-27-05	EA-05-159 NOV (SL III)	<p>On 10-27-05, a Notice of Violation was issued for a Severity Level III problem involving violations of the Byron Station Technical Specifications. Specifically, an engineer engaged in deliberate misconduct when he failed to perform assigned surveillances of ventilation systems and falsified the records to show the surveillances as completed, a violation of 10 CFR 50.9, "Completeness and Accuracy of Information."</p>

			http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/b.html#Byron
Clinton (Clinton, Illinois)			
4.	9-30-99	EA-98-464 NOV (SL III)	<p>On September 30, 1999, a Notice of Violation was issued based on a Severity Level III willful violation involving discrimination against a quality verification inspector for bringing safety concerns to the NRC.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/c.html#Clinton</p> <p><i>NRC Office of Enforcement Annual Report Fiscal Year 1999, p. 61, ML003672370.</i> http://pbadupws.nrc.gov/docs/ML0036/ML003672370.pdf</p>
5.	5-6-03	EA-03-030 NOV (SL III)	<p>On May 6, 2003, a Notice of Violation was issued for a Severity Level III violation involving the failure to provide complete and accurate information to the NRC regarding pre-existing medical conditions of two initial reactor operator license candidates.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/c.html#Clinton</p> <p>The medical information that Exelon withheld from the NRC potentially disqualified the two individuals applying for a reactor operator's license.</p> <p><i>Letter from J. E. Dyer, NRC, to John L. Skolds, Exelon Nuclear, and Notice of Violation, May 6, 2003, ML031270014.</i> http://pbadupws.nrc.gov/docs/ML0312/ML031270014.pdf</p>
Dresden 2 and 3 (Morris, Illinois)			
6.	9-18-98	EA-96-493 Dresden 2 & 3 NOV (SL III)	<p>Problems are rooted in practices associated with the control of examination materials and the lack of personal integrity of the individuals involved.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/d.html#Dresden</p> <p>On September 18, 1998, a Notice of Violation for a Severity Level III violation was issued. This action was based on the willful activities of two individuals that caused the licensee to be in violation of 10 CFR 55.49, which prohibits license applicants and facility licensees from engaging in any activity that compromises the integrity of an NRC operator licensing examination.</p> <p><i>NRC Office of Enforcement Annual Report, Fiscal Year 1998, ML042730234.</i> http://pbadupws.nrc.gov/docs/ML0427/ML042730234.pdf</p>

7.	6-23-03	EA-02-265 NOVCP SL III \$60,000	On June 23, 2003, a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$60,000 was issued for the willful failure to provide complete and accurate information to the NRC Region III staff concerning the high pressure coolant injection (HPCI) system during a telephone conference call on September 27, 2001. A Notice of Violation was also issued for a violation associated with a White Significance Determination Process finding. http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/d.html#Dresden
8.	8-29-03	EA-03-102 Dresden 2 & 3 NOV SL III	On August 29, 2003, a Notice of Violation was issued for a violation involving the failure by Exelon to provide complete and accurate information to the NRC regarding a request to renew a reactor operator license. http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/d.html#Dresden
Ginna (Ontario, New York)			
9.	3-30-04	EA-04-003 Ginna NOV (SL III)	On March 30, 2004, a Notice of Violation was issued for a Severity Level III violation involving the willful failure to follow procedures by a manager when he manipulated two valves during a plant cooldown without authorization as required by procedure. http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/g.html#Ginna
LaSalle 1 and 2 (Seneca, Illinois)			
10.	5-2-05	EA-04-170 LaSalle 1 NOVCP (SL III) \$60,000	On May 2, 2005, a Notice of Violation and Proposed Imposition of a Civil Penalty (NOV/CP) in the amount of \$60,000 was issued to Exelon for a willful Severity Level III violation involving four contract employees who violated radiation protection procedures associated with entry into high radiation areas. Exelon appealed this enforcement action using the alternative dispute resolution process. As a part of the ADR settlement agreement, Exelon agreed that a willful violation occurred as documented the NRC's May 2, 2005 NOV/CP. Based on the expectation that Exelon would satisfactorily implement numerous comprehensive short-term and long-term corrective actions, the NRC agreed to reclassify the violation at Severity Level IV, to reduce the civil penalty to \$10,000, and to not consider the violation as part of the civil penalty assessment process should the NRC consider future enforcement actions against LaSalle. http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/l.html#LaSalle

Limerick 1 and 2 (Pottstown, Pennsylvania)

11.	8-5-97	EA-97-050 Limerick 1 & 2 NOVCP (SL III) \$80,000	<p>On August 5, 1997, a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$80,000 was issued. This was based on a Severity Level II problem that included two violations involving instances of record falsification. In the first violation, a chemistry technician and a chemist, at the direction of the chemistry manager, deliberately falsified a record of the time a grab sample was taken from the Reactor Enclosure Cooling Water system. The chemistry manager also pressured the technician and chemist to lie about their actions to licensee security personnel investigating the matter. In the second violation, a fire protection technical assistant deliberately failed to perform a fire hose station visual inspection surveillance test, yet falsified the surveillance test document to indicate the test was performed.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/l.html#Limerick</p> <p><i>NRC Office of Enforcement Annual Report Fiscal Year 1997, p. 98, ML091390388.</i></p> <p>http://pbadupws.nrc.gov/docs/ML0913/ML091390388.pdf</p>
12.	10-23-01	EA-01-189 Limerick 1 & 2 NOV (SL III)	<p>On October 23, 2001, a Notice of Violation was issued for a Severity Level III problem involving the willful creation of inaccurate and incomplete siren testing maintenance records by two maintenance technicians and deficiencies with the ability to provide early notification to the populace surrounding the facility in the event of an emergency.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/l.html#Limerick</p>
Nine Mile Point 1 and 2 (Scriba, New York)			
13.	5-2-01	EA-01-011 Nine Mile Point 1 NOV (SL III)	<p>On May 2, 2001, a Notice of Violation was issued for a Severity Level III violation involving the deliberate failure of an NRC-licensed chief shift operator to provide complete and accurate information on health history forms that were required for the Fitness-For-Duty regulations.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/n.html#NineMilePoint</p>
14.	3-13-07	EA-07-001 Nine Mile Point 1 NOV (White)	<p>On March 13, 2007, a Notice of Violation was issued for a violation associated with a WHITE Significance Determination Process finding involving an activity that compromised the integrity of the annual Licensed Operator Requalification (simulator) exam at Unit 1 for calendar years 2005 and 2006. Specifically, the process used by the licensee to select and validate the simulator exam scenarios resulted in the licensed</p>

			<p>operators being knowledgeable of a significant portion of the exam prior to its administration. The violation was cited against 10 CFR 55.49, "Integrity of examinations and tests."</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/n.html#NineMilePoint</p>
Peach Bottom 2 and 3 (Delta, Pennsylvania)			
15.	10-23-01	EA-01-188 Peach Bottom 2 & 3 NOV (SL III)	<p>On October 23, 2001, a Notice of Violation was issued for a Severity Level III problem involving the willful creation of inaccurate and incomplete siren testing maintenance records by two former maintenance technicians and deficiencies with the ability to provide early notification to the populace surrounding the facility in the event of an emergency.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/p.html#PeachBottom</p>
16.	1-6-09	EA-08-298 Peach Bottom 2 & 3 NOVCP (SL III) \$65,000	<p>On January 6, 2009, a Notice of Violation and Proposed Imposition of Civil Penalty in the amount of \$65,000 was issued for a Severity Level III problem involving inattentive security officers at Exelon's Peach Bottom Atomic Power Station. An investigation conducted by the NRC Office of Investigations determined that multiple security officers at Peach Bottom were deliberately inattentive on multiple occasions. In addition, multiple security officers deliberately failed to report observations of inattentiveness to their supervision. This put Exelon in violation of 10 CFR 73.55, which requires armed responders to maintain continuous communication with each alarm station and be available to immediately respond to threats, and Peach Bottom License Condition 2.C(3), which requires, in part, reporting of aberrant behavior.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/p.html#PeachBottom</p> <p>See also "Sleeping Security Guards Cost Nuclear Plant \$65,000," ABC News, Jan. 8, 2009. http://abcnews.go.com/Blotter/story?id=6597151&page=1</p>
17.	12-1-09	EA-09-007; EA-09-059 Peach Bottom 2 & 3 ORDER	<p>On December 1, 2009, an immediately effective Confirmatory Order was issued to Exelon Generating Company, LLC (Exelon) to confirm commitments made as a result of an Alternative Dispute Resolution mediation session. This enforcement action is based on two violations of NRC requirements at Exelon's Peach Bottom Atomic Power Station (Peach Bottom), including the deliberate failure of a former reactor operator to report an arrest in a timely manner and the deliberate failure of a former maintenance supervisor to provide complete and accurate information on a personal history questionnaire. In consideration</p>

			<p>of the commitments, and other actions already completed by Exelon, the NRC agreed to refrain from issuing a civil penalty or Notice of Violation for these violations.</p> <p>http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/reactors/p.html#PeachBottom</p>
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¹ Some violations listed occurred at nuclear plants whose ownership at the time was listed under a name different from Exelon. However, these are nevertheless relevant because they are all currently owned by Exelon and represent the work force and safety culture that Exelon draws upon for its current operations. Indeed, deliberate violations have continued under Exelon's ownership at virtually all of these nuclear plants.

² These violations all involve knowing violations.