



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
2100 RENAISSANCE BLVD., SUITE 100
KING OF PRUSSIA, PA 19406-2713

October 23, 2014

EA-14-111

Mr. Michael J. Pacilio
Senior Vice President, Exelon Generation Company, LLC
President and Chief Nuclear Officer, Exelon Nuclear
4300 Winfield Rd.
Warrenville, IL 60555

**SUBJECT: FINAL SIGNIFICANCE DETERMINATION FOR A SECURITY-RELATED
GREATER THAN GREEN FINDING AND NOTICE OF VIOLATION [NRC
INSPECTION REPORT NO. 05000352/2014405 AND 05000353/2014405] –
LIMERICK GENERATING STATION, UNITS 1 AND 2**

Dear Mr. Pacilio:

This letter provides you 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 a U.S. Nuclear Regulatory Commission (NRC) inspection conducted at Limerick Generating Station from June 16 through 20, 2014, and was presented at an exit meeting held on June 20, 2014. The finding was discussed in an NRC letter dated July 29, 2014, (ML14211A077¹) and associated Inspection Report 05000352/2014403 and 05000353/2014403 (non-public, because it contains security-related information). We note that Exelon took immediate corrective actions to address any security-related vulnerabilities associated with this finding. The nature of security-related findings, and the corrective actions taken to address such issues, are considered sensitive information and are not included in this letter, but are described in the non-public enclosures.

The July 29, 2014, NRC letter offered Exelon 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 significance. At Exelon's request, a Regulatory Conference was held on September 18, 2014, at the NRC Region I Office in King of Prussia, Pennsylvania. The conference was closed to public observation because the finding involved security-related information. A summary of the information provided by Exelon during this Regulatory Conference, and the NRC response, are provided in Enclosure 1.

Enclosures contain Sensitive Unclassified Non-Safeguards Information. When separated from the enclosures, the transmittal document is decontrolled.

¹ Designation in parentheses refers to an Agency-wide Documents Access and Management System (ADAMS) accession number. Unless otherwise noted, documents referenced in this letter are publicly-available using the accession number in ADAMS.

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After considering the information developed during the inspection, and the information Exelon provided during the Regulatory Conference, the NRC has determined that the inspection finding is of at least low to moderate security significance and is appropriately characterized as Greater than Green. You have 30 calendar days from the date of this letter to appeal the staff's determination of significance for the identified Greater than Green finding. Such appeals will be considered to have merit only if they meet the criteria given in the NRC Inspection Manual Chapter 0609, Attachment 2, "Process for Appealing NRC Characterization of Inspection Findings." An appeal must be sent in writing to the Regional Administrator, Region I, 2100 Renaissance Blvd, Suite 100, King of Prussia, PA 19406.

The NRC has also determined that the finding involved a violation of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73.55(i)(5)(iii), as cited in the Notice of Violation (Notice) included as Enclosure 2. In accordance with the NRC Enforcement Policy, the Notice is considered escalated enforcement action because it is associated with a Greater than Green finding. As such, you are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. If you have additional information that you believe the NRC should consider, you may provide it in your response to the Notice. The NRC will use your response, in part, to determine whether further enforcement action is necessary to ensure compliance with regulatory requirements.

Because plant performance has been determined to be beyond the licensee response column of the NRC's Reactor Oversight Process, as described in NUREG-1649, "Reactor Oversight Process," Revision 5, we will use the NRC's Action Matrix to determine the most appropriate NRC response for this event. We will notify you, by separate correspondence, of that determination.

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 or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. However, the materials 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 enclosures will not be made available electronically for public inspection in the NRC Public Document Room or in the NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If Security Related Information is necessary to provide an acceptable response, please mark your entire response Security-Related Information 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.

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Should you have any questions regarding this matter, please contact Mr. Anthony Dimitriadis, Chief, Plant Support Branch 1, Division of Reactor Safety, in Region I, at (610) 337-6953.

Sincerely,

/RA/

David C. Lew
Acting Regional Administrator

Docket Nos. 50-352, 50-353
License Nos. NPF-39, NPF-85

Enclosures:

1. NRC Response to Information Provided by Exelon (OUO-SRI)
2. Notice of Violation (OUO-SRI)

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

cc w/encl; w/OUO-SRI:
K. Kemper, Manager, Site Security
D. Allard, Director, PA DEP

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

DOCUMENT NAME: S:\Enf-all\Enforcement\Proposed-Actions\Region1\Limerick EA-14-111 UAO Final GTG Rev1.doc

ADAMS ACCESSION NO.: ML14294A500 (Cover letter)

ADAMS ACCESSION NO.: ML14294A259 (Cover letter w/encl)

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	10/6/14	10/6/14	10/10/14	10/10/14	10/14/14
OFFICE	RI/ORA	OE	NRR	NSIR	RI/RA (Acting)
NAME	B Bickett	D Furst	L Casey	M Layton	D Lew
DATE	10/10/14	10/17/14	10/17/14	10/17/14	10/20/14

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