



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
2100 RENAISSANCE BOULEVARD, SUITE 100
KING OF PRUSSIA, PENNSYLVANIA 19406-2713

June 9, 2021

Mr. David P. Rhoades
Senior Vice President
Exelon Generation Company, LLC
President and Chief Nuclear Officer, Exelon Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT – SECURITY BASELINE
INSPECTION REPORT 05000333/2021402

Dear Mr. Rhoades:

On May 13, 2021, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection at James A. Fitzpatrick Nuclear Power Plant and discussed the results of this inspection with Mr. Patrick Navin, Site Vice President, and other members of your staff. The results of this inspection are documented in the enclosed report. Remote inspections were completed on May 7, 2021, and on-site inspections were completed on May 13, 2021.

No findings or violations of more than minor significance were identified during this inspection.

This letter, its enclosure, and your response (if any) will be made available for public inspection and copying at <http://www.nrc.gov/reading-rm/adams.html> and at the NRC Public Document Room in accordance with Title 10 of the *Code of Federal Regulations* 2.390, "Public Inspections, Exemptions, Requests for Withholding."

Sincerely,

Fred L. Bower, III, Chief
Security, Emergency Preparedness and
Incident Response Branch
Division of Radiological Safety and Security

Docket No. 05000333
License No. DPR-59

Enclosure:
As stated

cc w/encl: Distribution via LISTSERV®

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT – SECURITY BASELINE INSPECTION REPORT 05000333/2021402 DATED JUNE 9, 2021

Distribution w/encl:
 ECarfang, DORS
 JDeBoer, DORS
 CSwisher, DORS
 PBoguszewski, DORS, Acting SRI
 JEngland, DORS, RI
 ATrudell, DORS AA
 AMcCraw, RI, OEDO
 RidsNrrPMFitzPatrick Resource
 RidsNrrDorLpl1 Resource
 ROPReports Resource
 FBower, DRSS
 KHussar, DRSS

DOCUMENT NAME: <https://usnrc.sharepoint.com/teams/RIDRSPSBSEC/Shared Documents/Inspection Reports/2021 IR Final/Fitz/Fitz 21402.docx>
 ADAMS ACCESSION NUMBER: ML21159A094

<input checked="" type="checkbox"/> SUNSI Review		<input checked="" type="checkbox"/> Non-Sensitive Sensitive			<input checked="" type="checkbox"/> Publicly Available Non-Publicly Available	
OFFICE	RI/DRSS	RI/DRSS	RI/DRSS	RI/DRSS	RI/DORS	RI/DRSS
NAME	KHussar per email	JRey per email	SMcCarver per email	DCaron per email	ECarfang per email	FBower per email
DATE	6/1/21	6/1/21	6/1/21	6/1/21	6/8/21	6/9/21

OFFICIAL RECORD COPY

**U.S. NUCLEAR REGULATORY COMMISSION
Inspection Report**

Docket Number: 05000333

License Number: DPR-59

Report Number: 05000333/2021402

Enterprise Identifier: I-2021-402-0037

Licensee: Exelon Generation Company

Facility: James A. FitzPatrick Nuclear Power Plant

Location: Oswego, NY

Inspection Dates: May 3, 2021 to May 13, 2021

Inspectors: K. Hussar, Senior Physical Security Inspector
D. Caron, Senior Physical Security Inspector
S. McCarver, Physical Security Inspector
J. Rey, Physical Security Inspector
M. Ordoyne, Physical Security Inspector (Training)
G. Stock, Senior Resident Inspector

Approved By: Fred L. Bower, III, Chief
Security, Emergency Preparedness and Incident Response Branch
Division of Radiological Safety and Security

Enclosure

SUMMARY

The U.S. Nuclear Regulatory Commission (NRC) continued monitoring the licensee's performance by conducting a security baseline inspection at James A. FitzPatrick Nuclear Power Plant, in accordance with the Reactor Oversight Process. The Reactor Oversight Process is the NRC's program for overseeing the safe operation of commercial nuclear power reactors. Refer to <https://www.nrc.gov/reactors/operating/oversight.html> for more information.

List of Findings and Violations

No findings or violations of more than minor significance were identified.

Additional Tracking Items

None.

INSPECTION SCOPES

Inspections were conducted using the appropriate portions of the inspection procedures (IPs) in effect at the beginning of the inspection on May 3, 2021, unless otherwise noted. Additionally, remote inspections were completed on May 3-7, 2021. On-site inspections were completed on May 10-13, 2021. Currently approved IPs with their attached revision histories are located on the public website at <http://www.nrc.gov/reading-rm/doc-collections/insp-manual/inspection-procedure/index.html>. Samples were declared complete when the IP requirements most appropriate to the inspection activity were met consistent with Inspection Manual Chapter 2201, "Security Inspection Program for Commercial Nuclear Power Reactors." The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel to assess licensee performance and compliance with Commission rules and regulations, license conditions, site procedures, and standards.

Starting on March 20, 2020, in response to the National Emergency declared by the President of the United States on the public health risks of the coronavirus (COVID-19), inspectors were directed to begin telework. In addition, regional baseline inspections were evaluated to determine if all or a portion of the objectives and requirements stated in the IP could be performed remotely. If the inspections could be performed remotely, they were conducted per the applicable IP. In some cases, portions of an IP were completed remotely and on site. The inspections documented below met the objectives and requirements for completion of the IP.

SAFEGUARDS

71130.02 - Access Control

The inspectors evaluated the access control program through completion of the following inspection elements:

Access Control (1 Sample)

- (1) · Tier I: All Requirements
- Tier II: 9 Requirements (02.06 a - d, 02.07 a, 02.08 a, d, f, g)
- Tier III: 2 Requirements (02.09, 02.10)

71130.05 - Protective Strategy Evaluation

The inspectors evaluated the licensee's protective strategy through completion of the following inspection elements:

Protective Strategy Evaluation (2 Samples)

- (1) · Tier I: All Requirements
- Tier II: 15 Requirements (02.05 a, 02.06 a, d, f, g, h, i, j, k, l, m, n, 02.07 a, b, c)
- Tier III: 4 Requirements (02.08, 02.09 a, 02.10 a, 02.11 a)
- (2) · The inspectors evaluated the Security Performance Evaluation Program.

71130.09 - Security Plan Changes

The inspectors evaluated the security plan changes through completion of the following inspection elements:

Review Security Plan Changes (IP Section 02.01) (1 Sample)

- (1) The opportunity to apply this procedure was not available in accordance with Inspection Manual Chapter 0306. This sample was not available because the licensee did not conduct the activity covered by this IP. Specifically, the licensee has not initiated a physical security plan change in accordance with 10 CFR 50.54(p)(2) since the last performance of this IP and PSP Revision 22 remains current.

71130.14 - Review of Power Reactor Target Sets

The inspectors evaluated the security target set program through completion of the following inspection elements:

Review of Power Reactor Target Sets (1 Sample)

- (1) 02.02 (a-d, f), 02.03, 02.04 (a-b), 02.05

OTHER ACTIVITIES – BASELINE

71151 - Performance Indicator Verification

The inspectors verified licensee performance indicators submittals listed below:

PP01: Protected Area Security Equipment Performance Index Sample (IP Section 03.17) (1 Sample)

The inspectors verified licensee performance indicators submittals listed below:

- (1) January 1, 2020 through March 31, 2021

INSPECTION RESULTS

No findings were identified.

EXIT MEETINGS AND DEBRIEFS

The inspectors verified no proprietary information was retained or documented in this report.

- On May 13, 2021, the inspectors presented the security baseline inspection results to Mr. Patrick Navin, Site Vice President, and other members of the licensee staff.

DOCUMENTS REVIEWED

Inspection Procedure	Type	Designation	Description or Title	Revision or Date
71130.02	Procedures	SY-AA-101-112	Exelon Security Search Processes	Revision 37
		SY-AA-101-120	Control of Security Access Control Devices	Revision 9
		SY-AA-101-130	Security Responsibilities for Station Personnel	Revision 26
		SY-JF-101-115	Controlling Turnstiles, Gates, Bypass Doors and Active Vehicle Barriers	Revision 5
		SY-JF-101-117	Security Owner Controlled Area and PA Access Controls	Revision 4
71130.05	Calculations	JAF-CALC-04-00464	Standoff Distance Evaluation Per NRC Order of April 29, 2003 and Implementation Guidance of May 8, 2004	Revision 4
		JAF-CALC-04-00476	Design of Reinforced Concrete Block for Use as a Vehicle Barrier System	Revision 4
		JAF-CALC-10-00001-EC-55575	Unattended Passage Time to Defeat Calculation Markup	02/25/2015
		JAF-CALC-10-00001/ENGFTZ015-CALC-012	Unattended Passage Time to Defeat Calculation	Revision 0
		JAF-CALC-19-00024	Kontech BBRE and 10' and 20' Towers - Blast Responses	Revision 0
		JAF-CALC-SEC-04439	Standoff Distance Review Per NRC Order of 02-25-2002 ICM	Revision 0, 1, and 2
	Corrective Action Documents	AR 4374272 AR 4368646		
	Corrective Action Documents Resulting from Inspection	AR 04423092 AR 04423088		
	Miscellaneous		2020 Quarterly Security Drills	2020
	Procedures	SY-JF-101-501	Protective Strategy	Revision 7
71130.14	Corrective Action Documents	AR 04245194 AR 04403401 AR 04422158		
		Procedures	SY-JF-101-502	Target Sets
	Procedures	SY-JF-101-502-	Target Set Identification Process	Revision 0

Inspection Procedure	Type	Designation	Description or Title	Revision or Date
		1001		
71151	Procedures	LS-AA-2160	Protected Area Security Equipment Performance Index	Revision 5