



UNITED STATES
NUCLEAR REGULATORY COMMISSION

REGION I
475 ALLENDALE RD, SUITE 102
KING OF PRUSSIA, PA 19406-1415

May 2, 2023

EA-22-106

Daniel G. Stoddard
Senior Vice President and Chief Nuclear Officer (CNO)
Dominion Energy, Inc.
Innsbrook Technical Center
5000 Dominion Blvd.
Glen Allen, VA 23060-6711

SUBJECT: MILLSTONE POWER STATION, UNITS 2 AND 3 – FINAL SIGNIFICANCE
DETERMINATION OF GREEN FINDING; INSPECTION REPORT
05000336/2023403 AND 05000423/2023403

Dear Daniel Stoddard:

This letter provides the final significance determination of the preliminary Greater than Green finding and associated apparent violation identified in U. S. Nuclear Regulatory Commission (NRC) Inspection Report 05000336/2022401 and 05000423/2022401 issued on January 26, 2023, (ML23026A048)¹. The inspection report, and the finding described therein, concern Security-Related Information in accordance with 10 CFR 2.390(d)(1), and disclosure to unauthorized individuals could present a security vulnerability. Consequently, the inspection report enclosed with the January 26, 2023, letter was not publicly available, and details regarding the nature of the finding, were provided in a non-public enclosure.

In a letter dated March 7, 2023, Douglas Lawrence, Vice President – Nuclear Operations and Fleet Performance, provided a response to the NRC staff's preliminary significance determination. On March 28, 2023, NRC staff participated in a telephone call with Dominion Energy, Inc. (Dominion) staff and requested additional information related to some of the points raised by Dominion in the March 7, 2023, letter. Following that discussion, Dominion submitted the additional information with a letter dated March 31, 2023. Subsequently, on April 10, 2023, NRC staff participated in a telephone call with Dominion staff to obtain further clarification about Dominion's March 31, 2023, response. Dominion submitted a response to the NRC staff's question with a letter dated April 18, 2023. The responses submitted by Dominion contained safeguards information and, as such, are non-public and are not maintained in ADAMS.

Enclosure transmitted herewith contains Sensitive, Unclassified, Non-Safeguards Information. When separated from the Enclosure, the transmittal document is decontrolled.

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

After considering the information developed during the inspection and the additional information provided with Dominion's letters dated March 31, 2023, and April 18, 2023, the NRC has concluded that the finding is appropriately characterized as green. The NRC has also determined that the finding involved a violation of NRC requirements, which is being treated as a non-cited violation (NCV) consistent with Section 2.3.2.a of the Enforcement Policy. A description of the finding and associated violation and the basis for the NRC's determination is provided in the non-public enclosure.

The following cross-cutting aspect was assigned to a finding using Inspection Manual Chapter 0310, "Aspects Within Cross Cutting Areas:" [H.1] - Resources.

If you contest the violation or significance of the NCV, you should provide a response within 30 days of the date of this letter, with the basis for your denial, to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001; with copies to the Regional Administrator, Region I; the Director, Office of Enforcement; and the NRC resident inspector at Millstone Power Station.

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 inspection report, with the basis for your disagreement, to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001; with copies to the Regional Administrator, Region I; and the NRC resident inspector at Millstone Power Station.

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 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 in ADAMS, accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. If you choose to respond and 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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D. Stoddard

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If you have any questions concerning this matter, please contact Daniel Schroeder at 610-337-5262 or Daniel.Schroeder@nrc.gov.

Sincerely,

Daniel Schroeder
Security, Emergency Preparedness and
Incident Response Branch
Division of Radiological Safety and Security

Docket Nos. 05000356 and 05000423
License No. DPR-65 and NPF-49

Enclosure (non-public):
Description of finding and violation and basis for NRC conclusion

cc w/o encl: Distribution via LISTSERV

cc w/encl:
J. Semancik, Director, Radiation Division,
Bureau of Air Management, CT DEEP
F. Newton, Manager, Site Security
J. Perno, Security Operations Superintendent

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SUBJECT: MILLSTONE POWER STATION, UNITS 2 AND 3– FINAL SIGNIFICANCE DETERMINATION OF GREEN FINDING; INSPECTION REPORT 05000336/2023403 AND 05000423/2023403: DATED MAY 2, 2023

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ADAMS ACCESSION NO. ML23121A115

DOCUMENT NAME: https://usnrc.sharepoint.com/teams/RIDRSPSBSEC/Shared Documents/Allegations & Enforcement/Millstone - Final significance Determination/PUBLIC Millstone final Green EA-22-106_.docx

X SUNSI Review/ MMM		X Non-Sensitive □ Sensitive			X Publicly Available □ Non-Publicly Available	
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DATE	4/26/23	4/28/23	4/28/23	4/28/23	5/2/23	

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