



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION I
475 ALLENDALE RD, STE 102
KING OF PRUSSIA, PENNSYLVANIA 19406-1415

July 26, 2023

David P. Rhoades
Senior Vice President
Constellation Energy Generation, LLC
President and Chief Nuclear Officer (CNO)
Constellation Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT – SECURITY BASELINE
INSPECTION REPORT 05000333/2023402

Dear David Rhoades:

On July 13, 2023, 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 Garrick Olson, Plant Manager, and other members of your staff. The results of this inspection are documented in the enclosed report.

One finding of very low security significance (Green) is documented in this report. This finding involved a violation of NRC requirements. We are treating this violation as a non-cited violation (NCV) consistent with Section 2.3.2 of the Enforcement Policy.

A licensee-identified violation which was determined to be of very low security significance is documented in this report. We are treating this violation as a NCV consistent with Section 2.3.2 of the Enforcement Policy.

If you contest the violations or the significance or severity of the violations documented in this inspection report, you should provide a response within 30 days of the date of this inspection report, 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; the Director, Office of Nuclear Security and Incident Response; and the NRC Resident Inspector at James A. Fitzpatrick Nuclear Power Plant.

The following cross-cutting aspect was assigned to a finding using Inspection Manual Chapter 0310 "Aspects Within Cross-Cutting Areas:" [H.9] - Training.

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2

If you disagree with a 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; the Director, Office of Nuclear Security and Incident Response; and the NRC Resident Inspector at James A. Fitzpatrick Nuclear Power Plant.

This letter 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* (10 CFR) 2.390, "Public Inspections, Exemptions, Requests for Withholding."

The enclosed report contains Security-Related Information, so the enclosed report will not be made publicly available in accordance with 10 CFR 2.390(d)(1). If you choose to provide a response that contains Security-Related Information, 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). The NRC is waiving the affidavit requirements for your response in accordance with 10 CFR 2.390(b)(1)(ii).

Sincerely,

Daniel L. Schroeder, 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/o encl: Distribution via LISTSERV®

cc w/ encl:
M. Bellomo, Manager Site Security
F. Bundy, Manager Security Operations
A. Peterson, State Liaison Officer Designee,
NY State Energy, Research and
Development Authority
B. Wright, NYS Division of Homeland Security
and Emergency Services

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3

SUBJECT: JAMES A. FITZPATRICK NUCLEAR POWER PLANT – SECURITY BASELINE INSPECTION REPORT 05000333/2023402 DATED JULY 26, 2023

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ADAMS ACCESSION NUMBER: ML23206A194 (Cover letter)

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