



**UNITED STATES  
NUCLEAR REGULATORY COMMISSION**

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

June 24, 2024

EA-23-144

Eric S. Carr  
President - Nuclear Operations  
and Chief Nuclear Officer  
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 FOR SECURITY-RELATED GREATER THAN GREEN FINDING(S) WITH ASSESSMENT FOLLOW-UP; NRC INSPECTION REPORT 05000336/2024442 AND 05000423/2024442 AND NOTICE OF VIOLATION(S) – NRC INVESTIGATION REPORT 1-2024-001**

Dear Eric Carr:

This letter provides you the final results of our significance determination of preliminary Greater than Green finding(s) documented in the U.S. Nuclear Regulatory Commission (NRC) Inspection Report (IR) 05000336/2024440 and 05000423/2024440 dated April 25, 2024, (Agencywide Documents Access and Management System (ADAMS) Accession Number ML24116A045 (public), ML24116A043 (non-public)). The circumstances of the Greater than Green finding(s) were discussed in detail in the Inspection Results section of the April 25, 2024, non-public IR.

In a letter dated May 2, 2024, (ML24123A204), Douglas C. Lawrence, Site Vice President, Nuclear Operations and Fleet Performance, Dominion Energy, Inc. confirmed that Dominion Energy did not contest the characterization of the risk significance of the finding(s) and declined the opportunity to discuss the issue(s) at a conference or to provide a written response. Therefore, after considering the information developed during the inspection, the NRC has concluded that the finding(s) are appropriately characterized as Greater than Green. The specific color and risk description of the finding(s) are detailed in Enclosure 1 (non-public) to this report. The finding(s) were assigned a cross-cutting aspect of H.2 – Field Presence in the Security cornerstone. You have 30 calendar days from the date of this letter to appeal the staff's determination of significance for the identified finding(s). Such an appeal will be considered to have merit only if it meets the criteria given in NRC Inspection Manual Chapter 0609, Attachment 2.

Enclosure(s) transmitted herewith contain(s) SUNSI. When separated from enclosure(s), this transmittal document is decontrolled.

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The NRC Office of Investigations also conducted an investigation, initiated on November 14, 2023, and completed on December 21, 2023. Based on the information developed during the investigation, the NRC has also determined that violation(s) occurred, as cited in the Notice of Violation (Notice) provided as Enclosure 3 (non-public). The circumstances surrounding the violation(s) were described in detail in the subject IR and in the investigation summary provided in our letter dated April 25, 2024. Enclosure 2 (non-public) provides the basis for the NRC's conclusion. In accordance with the NRC Enforcement Policy, the Notice is considered an escalated enforcement action. Accordingly, apparent violation(s) described in IR 05000336/2024440 and 05000423/2024440 were updated consistent with the regulatory positions described in this letter.

As a result of the finding, the NRC determined performance at Millstone Power Station, Units 2 and 3, to be in the Regulatory Response Column of the Reactor Oversight Process Action Matrix beginning the Second Quarter of 2024. Therefore, the NRC plans to perform an additional inspection. This inspection will be conducted to provide assurance that the root and contributing causes for the performance issues are understood; to provide assurance that the extent-of-condition and extent-of-cause of the performance issues are understood; and to provide assurance that the corrective actions are sufficient to address the root and contributing causes and prevent recurrence. This inspection will be scheduled after you notify the NRC of your readiness. This letter supplements, but does not supersede, the annual assessment letter dated February 28, 2024.

The NRC has concluded that the information regarding the reason for the violation(s), the corrective actions taken and planned to correct the violation(s) and prevent recurrence, and the date when full compliance was achieved are already adequately addressed on the docket in NRC IR 05000336/2024440 and 05000423/2024440, Investigation Report No. 1-2024-001, and in the NRC letter dated April 25, 2024. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390, "Public inspections, exemptions, requests for withholding," of the NRC's "Agency Rules of Practice and Procedure," a copy of this letter will be available electronically for public inspection in the NRC's Public Document Room, or from the Publicly Available Records (PARS) component of ADAMS; accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

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 enclosures 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>.

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If Security-Related Information is necessary to provide an acceptable response, please mark your entire response as Security-Related Information in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in accordance with 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.

Sincerely,

Raymond K. Lorson  
Regional Administrator

Docket Nos. 05000336 and 05000423  
License Nos. DPR-65 and NPF-49

Enclosures:  
As stated

cc w/o encl: Distribution via LISTSERV

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

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

ADAMS ACCESSION NUMBER: ML24130A018 (Cover letter w/ enclosure(s))

ADAMS ACCESSION NUMBER: ML24170A784 (Cover letter)

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