



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
475 ALLENDALE RD., SUITE 102
KING OF PRUSSIA, PA 19406-1415

May 19, 2025

EAI-RI-2025-0005

Mr. Joel Neff
[NOTE: HOME ADDRESS DELETED
UNDER 10 CFR 2.390]

SUBJECT: NOTICE OF VIOLATION - NRC OFFICE OF INVESTIGATIONS REPORT
1-2024-015

Dear Mr. Neff:

This letter refers to an investigation initiated on April 11, 2024, by the U.S. Nuclear Regulatory Commission's (NRC's) Office of Investigations (OI) to evaluate if you provided false information pertaining to visitors escorted into the Peach Bottom Atomic Power Station (Peach Bottom) protected area.

In a letter dated March 5, 2025, the NRC provided you with a factual summary of the investigation and described an apparent violation that we informed you was being considered for escalated enforcement action. In the letter, we offered you the opportunity to address the apparent violation by either attending a pre-decisional enforcement conference (PEC) or providing a written response before we made our final enforcement decision. On March 26, 2025, you contacted Lauren Casey of my staff and stated that you accepted the violation as characterized in our March 5, 2025, letter and declined the opportunity to attend a PEC or to provide a written response.

Based on the evidence gathered during the investigation, the NRC has determined that a deliberate violation of NRC requirements occurred. This violation is cited in the enclosed Notice of Violation (Notice) (Enclosure 1). On January 23, 2023, you violated NRC requirements when you willfully entered inaccurate information in Peach Bottom's visitor control record for visitors and subsequently escorted those visitors into the protected area on January 25, 2023. The NRC considers the willful entry of inaccurate information in Peach Bottom's visitor control record and subsequent escort of visitors into the protected area a significant security and regulatory concern because the NRC's regulatory program is based on licensees and their contractors, employees, and agents acting with integrity and candor. Your deliberate actions placed Constellation Energy Generation, LLC (Constellation) in violation of Title 10 of the *Code of Federal Regulations* (10 CFR) 50.9(a), "Completeness and Accuracy of Information," and you in violation of 10 CFR 50.5(a)(1), "Deliberate Misconduct." Given the significance of the underlying issue and the deliberate nature of your actions, this violation has been categorized in accordance with the NRC Enforcement Policy at Severity Level III. The current Enforcement Policy is included on the NRC's Web site at <https://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. Enclosure 2 includes a copy of the publicly-available letter describing the Notice of Violation issued to Constellation for your information.

You are not required to respond to this letter unless the description therein does not accurately reflect your position. In that case, or if you choose to provide additional information, you should follow the instructions specified in Enclosure 1.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosures, and your response, if you choose to provide one, will be made available electronically for public inspection in the NRC Public Document Room or from 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>. To the extent possible, your response, if you choose to provide one, should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction.

In addition, this letter will be maintained by the Office of Enforcement in an NRC Privacy Act system of records, NRC-3, "Enforcement Actions Against Individuals." This system, which is not publicly accessible, includes all records pertaining to individuals who are being considered for, or have been considered for, enforcement action, whether such action was taken or not. Detailed information about this system of records, including the NRC-3 system notice, can be accessed from the NRC Web site at <http://www.nrc.gov/reading-rm/foia/privacy-systems.html>.

The NRC also includes significant enforcement actions on its website at (<http://www.nrc.gov/reading-rm/doc-collections/enforcement/actions/>).

Please note that final NRC investigation documents, such as the OI report described above, may be made available to the public under the Freedom of Information Act (FOIA), subject to redaction of information appropriate under the FOIA. Requests under the FOIA should be made in accordance with 10 CFR 9.23, "Requests for records." Additional information is available on the NRC website at <http://www.nrc.gov/reading-rm/foia/foia-privacy.html>.

If you have any questions related to this matter, please contact Lauren Casey of my staff at 610-337-5367.

Sincerely,

Andrea L. Kock
Regional Administrator

Enclosures:

1. Notice of Violation
2. Publicly-Available Letter issued to Constellation

SUBJECT: NOTICE OF VIOLATION - NRC OFFICE OF INVESTIGATIONS REPORT
1-2024-015 DATED MAY 19, 2025

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DOCUMENT NAME: <https://usnrc.sharepoint.com/teams/Region-I-Enforcement-Files/Shared Documents/Proposed-Actions/Final Actions/Peach Bottom RSS NOV EA-RI-2025-0005.docx>
 ADAMS ACCESSION NUMBER: **ML25134A257**

X SUNSI Review/ LRC		X Non-Sensitive .. Sensitive			X Publicly Available .. Non-Publicly Available	
OFFICE	RI/ORA	RI/ORA	RI/DRSS	RI/ORA	RI/DRSS	RA
	L Casey	M McLaughlin	B Bickett	B Klukan	M Ferdas	A Kock
DATE	5/1/2025	5/2/2025	5/6/2025	5/7/2025	5/14/2025	5/19/2025
OFFICE	OE	NSIR/DSO	OGC			
NAME	J Peralta	T Inverso	M Rosso			
DATE	5/9/2025	5/7/2025	5/12/2025			

OFFICIAL RECORD COPY

**ENCLOSURE 1
NOTICE OF VIOLATION**

Mr. Joel Neff
[NOTE: HOME ADDRESS DELETED
UNDER 10 CFR 2.390]

EAI-RI-2025-0005

During an NRC investigation conducted between April 11, 2024, and October 22, 2024, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Title 10 of the *Code of Federal Regulations* (10 CFR) 50.5(a)(1) states, in part, that any employee of a licensee may not engage in deliberate misconduct that causes or would have caused, if not detected, a licensee to be in violation of any rule, regulation, or order; or any term, condition, or limitation of any license issued by the Commission.

Contrary to the above, you engaged in deliberate misconduct that caused Constellation Energy Generation, LLC to be in violation of 10 CFR 50.9(a), "Completeness and Accuracy of Information," and 10 CFR 73.55(g)(7)(i)(C), "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage." Specifically, on January 23, 2023, you deliberately entered inaccurate information in Peach Bottom Atomic Power Station's (Peach Bottom's) visitor control record for individuals and subsequently escorted those visitors into the Peach Bottom protected area on January 25, 2023.

This is a Severity Level III violation (Enforcement Policy Section 6.9.c.1).

You are not required to respond to this Notice of Violation (Notice). However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description herein does not accurately reflect your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation; (EAI-RI-2025-0005)" and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, NRC Region I, 475 Allendale Road, Suite 102, King of Prussia, PA 19406 within 30 days of the date of the letter transmitting this Notice. If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

If you choose to respond, your response will be made available electronically for public inspection in the NRC Public Document Room and in the NRC's Agencywide Document Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy or provide the information required by

10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

This letter will be maintained by the Office of Enforcement in an NRC Privacy Act system of records, NRC-3, Enforcement Actions Against Individuals. This system, which is not publicly accessible, includes all records pertaining to individuals who are being or have been considered for enforcement action, whether such action was taken or not. Detailed information about this system of records, including the NRC-3 system notice, can be accessed from the NRC Web site at <http://www.nrc.gov/reading-rm/foia/privacy-systems.html>.

Dated this 19th day of May 2025

ENCLOSURE 2