

SAFEGUARDS INFORMATION

July 21, 2009

Enclosure Contains Safeguards Information. When separated from enclosure, this Document is not Safeguards Information.
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Mr. Charles G. Pardee
Senior Vice President, Exelon Generation Company, LLC
President and Chief Nuclear Officer (CNO), Exelon Nuclear
4300 Winfield Rd.
Warrenville, IL 60555

SUBJECT OYSTER CREEK GENERATING STATION - NRC SECURITY INSPECTION
REPORT NO. 05000219/2009403

Dear Mr. Pardee:

On June 19, 2009, the U.S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at your Oyster Creek Generating Station. The inspection covered one or more of the key attributes of the security cornerstone of the NRC's Reactor Oversight Process. The enclosed inspection report documents the inspection results, which were discussed on June 19, 2009, with Mr. Michael Massaro, Site Vice President and other members of your staff.

The inspection examined activities conducted under your license as they relate to security and compliance with the Commission's rules and regulations and with the conditions of your license. The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel.

This report documents three NRC identified findings of very low security significance (i.e. Green as determined by the Physical Protection Significance Determination Process). The deficiencies were promptly corrected or compensated for, and the plant was in compliance with applicable physical protection and security requirements within the scope of the inspection before the inspectors left the site. Two of the findings had cross-cutting aspects in the area of Human Performance, because; procedures were not accurate (1 finding) [H.2 (c)] and personnel were not properly trained (1 finding) [H.2 (B)]. However, because of the very low safety significance and because they are entered into your corrective action program, the NRC is treating these violations as non-cited violations (NCV) consistent with Section VI.A. of the NRC Enforcement Policy.

Warning: Violation of Section 147 of the Atomic Energy Act, "Safeguards Information" is subject to civil and criminal penalties	SAFEGUARDS INFORMATION DETERMINATION MADE BY: NAME/TITLE: <u>James M. Trapp, Chief</u> ORGANIZATION: <u>RI/DRS/PSB1</u> BASIS: - DG-SGI (300) Physical Protection Program Signature <u>/RA/</u> DATE: 7/15/09
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If you contest these non-cited violations, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington DC 20555-0001; with copies to the Regional Administrator Region I, the Director, Office of Enforcement, United States Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at the Oyster Creek Nuclear Generating Station. In addition, if you disagree with the characterization of any findings 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 Regional Administrator, Region I, and the NRC Resident Inspector at the Oyster Creek Nuclear Generating Station. The information you provide will be considered in accordance with Inspection Manual Chapter 0305.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system, ADAMS. ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related information contained in the enclosure, and in accordance with 10 CFR 2.390, a copy of this letter's enclosure will not be available for public inspection.

In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response, if any. This practice will ensure that your response will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system, ADAMS. If Safeguards Information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21. Otherwise, mark your entire response "Security-Related Information - Withhold Under 10 CFR 2.390" and follow the instructions for withholding in 10 CFR 2.390(b)(1).

Sincerely,

/RA/

James M. Trapp, Chief
Plant Support Branch 1
Division of Reactor Safety

Docket No. 50-219
License No. DPR-16

Enclosure: NRC Inspection Report No. 05000219/2009403
w/Attachment: Supplemental Information
**(CONTAINS OFFICIAL USE ONLY – SECURITY RELATED INFORMATION
(OUO-SRI))**

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/RA/
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Plant Support Branch 1
Division of Reactor Safety

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cc w/encl; w/SGI

T. Keenan, Security Manager, Oyster Creek, Exelon Nuclear
P. Mulligan, Chief, NJ Bureau of Nuclear Engineering, Dept of Environmental
P. Baldauf, Assistant Director, NJ Radiation Protection Programs
R. Canas, Director, NJ Office of Homeland Security & Preparedness

cc w/o encl w/o SGI:

C. Crane, President and Chief Operating Officer, Exelon Corporation
M. Pacilio, Chief Operating Officer, Exelon Nuclear
M. Massaro, Site Vice President, Oyster Creek Nuclear Generating Station
P. Orphanos, Plant Manager, Oyster Creek Generating Station
J. Barstow, Regulatory Assurance Manager, Oyster Creek
J. Grimes, Acting Senior Vice President, Mid-Atlantic Operations
K. Jury, Vice President, Licensing and Regulatory Affairs
P. Cowan, Director, Licensing
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E. Gbur, Chairwoman - Jersey Shore Nuclear Watch
E. Zobian, Coordinator - Jersey Shore Anti Nuclear Alliance

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