



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION I
475 ALLENDALE ROAD
KING OF PRUSSIA, PA 19406-1415
SAFEGUARDS INFORMATION
October 19, 2009

Enclosure Contains Safeguards Information.
When separated from enclosure, this
Document is not Safeguards Information.

Mr. Charles G. Pardee
Senior Vice President, Exelon Generation Company LLC
President and Chief Nuclear Officer, Exelon Nuclear
4300 Winfield Rd.
Warrenville, IL 60555

**SUBJECT: PEACH BOTTOM ATOMIC POWER STATION - NRC SECURITY INSPECTION
REPORT NOS. 05000277/2009403 AND 05000278/2009403**

Dear Mr. Pardee:

On September 18, 2009, the U.S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at your Peach Bottom Atomic Power Station, Units 2 and 3. 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 September 18, 2009, with Mr. William Maguire and other members of your staff.

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

This report documents one finding of very low security significance (i.e., Green, as determined by the Physical Protection Significance Determination Process). The deficiency was promptly corrected or compensated for, and the plant was in compliance with applicable physical protection and security requirements within the scope of this inspection before the inspectors left the site. The finding had a cross-cutting aspect in the area of Human Performance related to the Decision-Making component because Peach Bottom did not use conservative assumptions in decision making.

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: James M. Trapp, Chief

ORGANIZATION: RI/DRS/PSB1

BASIS - DG-SG-1 (300) Physical Protection Program

SIGNATURE ___/RA/_____ DATE: 10/16/09

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C. Pardee

2

However, because of the very low security significance and because it is entered into your corrective action program, the NRC is treating this violation as a non-cited violation (NCV) consistent with Section VI.A.1 of the NRC Enforcement Policy. If you contest this non-cited violation, 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 Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at Peach Bottom Nuclear Station.

If you disagree with the characterization of any finding 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 Peach Bottom Nuclear 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 Nos. 50-277, 50-278
License Nos. DPR-44, DPR-56

Enclosure: NRC Inspection Report Nos. 05000277/2009403 and 05000278/2009403
w/Attachment: Supplemental Information

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Sincerely,

/RA/

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

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SUNSI Review Complete: JMT (Reviewer's Initials)

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OFFICE	RI/DRS				
NAME	JTrapp/JMT				
DATE	10/16/09				

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3

cc w/encl; w/SGI:

J. Kovalchick, Manager, Site Security

J. Powers, Director, PA Office of Homeland Security

D. Allard, Director, PA Dept. of Environmental Protection

A. Lauland, MD Homeland Security Advisor

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4

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