



# NRC NEWS

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## **NRC PROPOSES \$65,000 FINE FOR VIOLATIONS ASSOCIATED WITH INATTENTIVE SECURITY GUARDS AT PEACH BOTTOM NUCLEAR PLANT**

The Nuclear Regulatory Commission is proposing a \$65,000 civil penalty for Exelon Nuclear for issues associated with inattentive security officers at the Peach Bottom nuclear power plant. Exelon owns and operates the two-reactor site, which is located in Delta (York County), Pa.

In September 2007, the NRC became aware of video recordings of Peach Bottom security guards who appeared to be inattentive while on duty. In response, the NRC conducted an Augmented Inspection Team (AIT) review at the facility the same month, as well as an AIT follow-up review in November 2007. The teams of inspectors concluded there had been multiple occasions during which multiple guards were inattentive in a plant “ready room,” a room where officers who are not on patrol or on watch are allowed to read, study, eat or relax but must remain ready to respond. The inspections resulted in the NRC issuing a “white” (low to moderate safety significance) finding to Exelon on Feb. 12, 2008 for the deficiencies. However, the NRC determined that the plant’s security program was not significantly degraded.

Notwithstanding the “white” finding, enforcement action was held in abeyance pending completion of an investigation initiated by the NRC’s Office of Investigations and reviews by the agency’s Office of Enforcement. Based on the investigation, which was completed on July 25, 2008, the NRC found that multiple security officers at the plant were deliberately inattentive on multiple occasions, and that multiple guards deliberately failed to report observations of inattentiveness to supervisors.

Wackenhut Nuclear Services was the security contractor for Peach Bottom at the time the inattentiveness episodes occurred, but Exelon has since terminated that contract and established its own in-house security force.

“The NRC holds its licensees – in this case, Exelon – accountable for the actions of its employees and contractors,” NRC Region I Administrator Samuel J. Collins said. “Exelon has made wide-ranging changes to its security program at Peach Bottom and at other plants it owns as a result of these events. The industry has also heeded these lessons. Going forward, we will continue to make it

clear that the NRC considers inattentiveness on the part of those charged with the vital task of protecting and operating our nuclear power plants to be completely unacceptable.”

The Notice of Violation notes that the specific violations for which the fine is being issued include a failure to adhere to an NRC requirement that armed responders maintain continuous communication with each alarm station and be available to immediately respond to threats, and a failure to meet a plant license condition requiring, in part, the reporting of aberrant behavior.

When considering the appropriate enforcement action for the violations, the NRC weighed several factors, including: whether the company had any escalated enforcement action during the past two years or past two inspections, whichever was longer; whether the company should be given credit for actions related to identification; and whether the company’s actions were prompt and comprehensive. In this case, Exelon did not have any escalated enforcement action for Peach Bottom during the last two years or last two inspections. The company was not given credit for identification, since the issues came to light because of an allegation. However, Exelon was given credit for prompt and comprehensive corrective actions once the violations were identified. Therefore, a civil penalty of \$65,000 was deemed appropriate consistent with the NRC enforcement policy.

Among the corrective actions taken by the company were: increased oversight of security performance through direct observations by supervisors and management; transition from a contract security force to a proprietary security force; and expanded extent-of-condition reviews to evaluate other departments and contractors for safety culture, issue reporting and attentiveness aids.

Besides the enforcement action taken against Exelon, the NRC is issuing a Severity Level III Notice of Violation to Wackenhut Nuclear Services. The violation is for deliberate actions of Wackenhut employees that caused Exelon to not be in compliance with NRC security regulations and a plant license condition. Previously, after identification of the issues at Peach Bottom, the NRC issued Confirmatory Orders in early 2008 to Wackenhut as part of Alternate Dispute Resolution settlement agreements for Wackenhut security officer performance issues, including inattentiveness at the Turkey Point nuclear power plant in Florida in the 2004-06 timeframe. Those orders required Wackenhut, in part, to implement initiatives at all nuclear power plants protected by the company to ensure security officer attentiveness, improve the behavior observation program and enhance safety culture.

Exelon has 30 days to respond in writing to the enforcement action.

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