



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

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

December 5, 2022

EA-22-089

David P. Rhoades
Senior Vice President
Constellation Energy Generation, LLC
President and Chief Nuclear Officer (CNO)
Constellation Nuclear
4300 Winfield Road
Warrenville, IL 60555

SUBJECT: CALVERT CLIFFS NUCLEAR POWER PLANT UNIT 1 – FINAL SIGNIFICANCE DETERMINATION OF A WHITE FINDING WITH ASSESSMENT FOLLOW-UP AND NOTICE OF VIOLATION; INSPECTION REPORT 05000317/2022090

Dear David Rhoades:

This letter provides you the final significance determination of the preliminary White finding and associated apparent violation discussed in U. S. Nuclear Regulatory Commission (NRC) Inspection Report 05000317; 318/2022003 issued on November 7, 2022 (ML22311A045)¹. The finding involved a failure to implement foreign material exclusion (FME) practices in accordance with site procedures. Specifically, Constellation Energy Generation, LLC (Constellation) failed to prevent the introduction of foreign material into the Calvert Cliffs Nuclear Power Plant (Calvert Cliffs) Unit 1 '1A' emergency diesel generator (EDG) that led to an EDG automatic trip and consequential failure on February 20, 2022, during routine testing.

In a letter dated November 15, 2022 (ML22320A043), Patrick Navin, Site Vice President of Calvert Cliffs, confirmed that Constellation did not contest the characterization of the risk significance of this finding and that you declined your opportunity to discuss this issue in a Regulatory Conference or to provide a written response. Therefore, after considering the information developed during the inspection, the NRC has concluded that the finding is appropriately characterized as White, a finding of low to moderate safety significance.

The NRC has also determined that the failure to implement FME practices is a violation of Calvert Cliffs Unit 1 Technical Specification 5.4.1, "Procedures," as covered in Regulatory Guide 1.33, and implemented by site procedure MA-AA-716-008, "Foreign Material Exclusion Program," as cited in the enclosed notice of violation (Notice). The circumstances surrounding the violation were described in detail in the subject inspection report. In accordance with the NRC Enforcement Policy, the Notice is considered an escalated enforcement action because it is associated with a White finding.

¹ Designation in parentheses refers to an Agency-wide Documents Access and Management System (ADAMS) accession number. Documents referenced in this letter are publicly-available using the accession number in ADAMS.

The NRC has concluded that the information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence, and the date when full compliance was achieved is already adequately addressed on the docket in NRC Inspection Report 05000317; 318/2022003. Therefore, you are not required to respond to this letter unless the description therein does not accurately reflect your corrective actions or your position. You have 30 calendar days from the date of this letter to appeal the staff's determination of significance for the identified White finding. Such appeals will be considered to have merit only if they meet the criteria given in NRC Inspection Manual Chapter 0609, Attachment 2.

As a result of this White finding in the Mitigating Systems Cornerstone, the NRC has assessed Calvert Cliffs Unit 1 to be in the Regulatory Response column of the NRC's Reactor Oversight Process Action Matrix described in Inspection Manual Chapter 0305, "Operating Reactor Assessment Program," retroactive to the third calendar quarter of 2022. The NRC plans to conduct a supplemental inspection for this finding in accordance with Inspection Procedure 95001, "Supplemental Inspection Response to Action Matrix Column 2 (Regulatory Response) Inputs," following Constellation's notification of readiness for this inspection. This inspection is conducted to provide assurance that the root causes and contributing causes of any performance issues are understood, the extent of condition is identified, and the corrective actions are sufficient to prevent recurrence.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, 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 document 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.

Sincerely,

David C. Lew
Regional Administrator

Docket No. 05000317
License No. DPR-53

Enclosure:
Notice of Violation

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SUBJECT: CALVERT CLIFFS NUCLEAR POWER PLANT, UNIT 1 – FINAL SIGNIFICANCE DETERMINATION OF A WHITE FINDING WITH ASSESSMENT FOLLOW-UP AND NOTICE OF VIOLATION; INSPECTION REPORT 05000317/2022090: DATED

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NOTICE OF VIOLATION

Constellation Energy Generation, LLC
Calvert Cliffs Nuclear Power Plant, Unit 1

Docket No. 05000317
License No. DPR-53
EA-22-089

During an NRC inspection conducted from July 1, 2022, through September 30, 2022, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:

Calvert Cliffs Unit 1, Technical Specification 5.4.1, "Procedures," requires, in part, that written procedures shall be established, implemented, and maintained as covered in Regulatory Guide 1.33, Revision 2, Appendix A, February 1978.

Regulatory Guide 1.33, section 9, covers procedures for performing maintenance that can affect the performance of safety-related equipment and states it should be properly pre-planned and performed in accordance with written procedures, documented instructions, or drawings.

Constellation procedure MA-AA-716-008, "Foreign Material Exclusion Program," Revision 14, as stated in step 1.1, provides the requirements to maintain FME integrity by preventing the introduction of foreign material into systems, structures, and components. Further, step 1.5 establishes that its attachments govern the specific steps necessary to establish and maintain FME areas to prevent foreign material intrusion and step 4.5.1 establishes FME Zone 2 for standard risk work activities such as would be applicable to the EDG maintenance performed in August 2020.

Contrary to the above, Constellation failed to implement adequate FME procedures and practices such that during EDG maintenance on the 1A EDG, likely during the most recent maintenance activity in August 2020, foreign material was introduced in the 1A EDG fuel oil system and remained undetected. Consequently, on February 20, 2022, the 1A EDG experienced a 1A1 engine, 3A cylinder failure and tripped during surveillance testing.

This violation is associated with a White SDP finding.

Enclosure

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence and the date when full compliance was achieved is already adequately addressed on the docket in Inspection Report 05000317; 318/2022003. However, you are required to submit a written statement or explanation pursuant to 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," include the EA number, 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, Region I, and a copy to the NRC Senior Resident Inspector at Calvert Cliffs, within 30 days of the date of the letter transmitting this notice of violation (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 or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>. Therefore, to the extent possible, the 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.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days of receipt.

Dated this 5th day of December, 2022.

Enclosure