



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**

REGION III
2443 WARRENVILLE ROAD, SUITE 210
LISLE, ILLINOIS 60532-4352

June 7, 2021

EA-19-138

Mr. Peter Dietrich
Senior VP and Chief Nuclear Officer
DTE Electric Company
Fermi 2 – 260 TAC
6400 North Dixie Highway
Newport, MI 48166

SUBJECT: FERMIC NUCLEAR POWER PLANT, UNIT 2 – SECURITY BASELINE
INSPECTION REPORT 05000341/2021401

Dear Mr. Dietrich:

On April 30, 2021, the U.S. Nuclear Regulatory Commission (NRC) completed an inspection at Fermi Nuclear Power Plant, Unit 2 and discussed the results of this inspection with Mr. Brian Sullivan and other members of your staff. The results of this inspection are documented in the enclosed report.

No findings or violations of more than minor significance were identified during this inspection.

This letter, its enclosure, and your response (if any) will be made available for public inspection and copying at <http://www.nrc.gov/reading-rm/adams.html> and at the NRC Public Document Room in accordance with Title 10 of the *Code of Federal Regulations* 2.390, "Public Inspections, Exemptions, Requests for Withholding."

Sincerely,

/RA/

Steven K. Orth, Chief
Plant Support Branch
Division of Reactor Safety

Docket No. 05000341
License No. NPF-43

Enclosure:
As stated

cc w/ encl: Distribution via LISTSERV®

Letter to Peter Dietrich from Steven K. Orth dated June 7, 2021.

SUBJECT: FERMIL NUCLEAR POWER PLANT, UNIT 2 – SECURITY BASELINE
INSPECTION REPORT 05000341/2021401

DISTRIBUTION:

Jessie Quichocho
Aaron McCraw
RidsNrrDorlLpl3
RidsNrrPMFermi2 Resource
RidsNrrDrolrib Resource
John Giessner
Mohammed Shuaibi
Jamnes Cameron
Allan Barker
DRPIII
DRSIII
ROPreports.Resource@nrc.gov

ADAMS ACCESSION NUMBER: ML21158A293

<input checked="" type="checkbox"/> SUNSI Review		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive		<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	
OFFICE	RIII	RIII	RIII/EICS		
NAME	NEgan:jw via Email	SOrth via Email	JCameron via Email		
DATE	06/07/21	06/07/21	06/07/21		

OFFICIAL RECORD COPY

U.S. NUCLEAR REGULATORY COMMISSION
Inspection Report

Docket Number: 05000341

License Number: NPF-43

Report Number: 05000341/2021401

Enterprise Identifier: I-2021-401-0116

Licensee: DTE Energy

Facility: Fermi Nuclear Power Plant, Unit 2

Location: Newport, MI

Inspection Dates: January 19, 2021 to April 30, 2021

Inspector: N. Egan, Senior Physical Security Inspector

Approved By: Steven K. Orth, Chief
Plant Support Branch
Division of Reactor Safety

SUMMARY

The U.S. Nuclear Regulatory Commission (NRC) continued monitoring the licensee's performance by conducting a security baseline inspection at Fermi Nuclear Power Plant, Unit 2, in accordance with the Reactor Oversight Process. The Reactor Oversight Process is the NRC's program for overseeing the safe operation of commercial nuclear power reactors. Refer to <https://www.nrc.gov/reactors/operating/oversight.html> for more information.

List of Findings and Violations

No findings or violations of more than minor significance were identified.

Additional Tracking Items

Type	Issue Number	Title	Report Section	Status
NOV	05000341/2020403-01	Failure To Implement Access Authorization Program	92702	Closed
NOV	05000341/2020403-02	Failure To Maintain Complete And Accurate Vital Area Access Authorization List	92702	Closed
NOV	05000341/2020403-03	Failure To Implement The Behavioral Observation Program	92702	Closed

INSPECTION SCOPES

Unless otherwise noted, baseline security inspections were conducted in accordance with the appropriate portions of the inspection procedures (IPs) in effect at the beginning of the inspection. Samples were declared complete when the IP requirements most appropriate to the inspection activity were met consistent with Inspection Manual Chapter 2201, "Security Inspection Program for Commercial Nuclear Power Reactors." The inspectors reviewed selected procedures and records, observed activities, and interviewed personnel to assess licensee performance and compliance with Commission rules and regulations, license conditions, site procedures, and standards. Publicly available IPs are located at: <http://www.nrc.gov/reading-rm/doc-collections/insp-manual/inspection-procedure/index.html>.

Starting on March 20, 2020, in response to the National Emergency declared by the President of the United States on the public health risks of the coronavirus (COVID-19), regional inspectors were directed to begin telework. The inspection documented below was determined that the objectives and requirements stated in the IP could, in part, be performed remotely.

SAFEGUARDS

71130.01 - Access Authorization

The inspector evaluated the access authorization program. The following elements were evaluated:

Access Authorization (1 Sample)

- (1)
 - Tier I: All requirements
 - Tier II: 02.05 a-b, 02.06 a-c, 02.07 (a)
 - Tier III: 02.10 a-c, 02.11 (a)

71130.02 - Access Control

The inspector evaluated the access control program through completion of the following inspection elements:

Access Control (1 Sample)

- (1)
 - Tier I: All requirements
 - Tier II: 02.06 a-d, 02.07 (a), 02.08 a-c
 - Tier III: 02.10 (a)

71130.04 - Equipment Performance, Testing, and Maintenance

The inspector evaluated the security equipment testing and maintenance program through completion of the following inspection elements:

Equipment Performance, Testing, and Maintenance (1 Sample)

- (1)
 - Tier I: All requirements

OTHER ACTIVITIES – BASELINE

71151 - Performance Indicator Verification

The inspector verified licensee performance indicators submittals listed below:

PP01: Protected Area Security Equipment Performance Index Sample (IP Section 03.17) (1 Sample)

- (1) July 1, 2020 through February 28, 2021

OTHER ACTIVITIES – TEMPORARY INSTRUCTIONS, INFREQUENT AND ABNORMAL

92702 - Follow-Up on Traditional Enforcement Actions Including Violations, Deviations, Confirmatory Action Letters, and Orders

Follow-Up on Traditional Enforcement Actions Including Violations, Deviations, Confirmatory Action Letters, and Orders (1 Sample)

- (1) The inspectors conducted a follow-up inspection of DTE Energy's response to a Notice of Violation (NOV) EA-19-138 issued on July 15, 2020. The inspectors evaluated the corrective actions that were implemented by DTE Energy to determine whether they were adequate to address the identified deficiencies and to prevent recurrence. The inspectors concluded that DTE Energy's corrective actions were both timely and appropriate. Based on the results of this review, no additional NRC actions are necessary, and the following violations are closed: 05000341/2020403-01, 05000341/2020403-02, and 05000341/2020403-03.

INSPECTION RESULTS

No findings were identified.

EXIT MEETINGS AND DEBRIEFS

The inspector verified no proprietary information was retained or documented in this report.

- On April 30, 2021, the inspector presented the security baseline inspection results to Mr. Brian Sullivan and other members of the licensee staff.

DOCUMENTS REVIEWED

Inspection Procedure	Type	Designation	Description or Title	Revision or Date
71130.01	Procedures	MGA09	Access Control	50A
		MGA22	Access Authorization / Background Screening	14
		MGA26	Inprocessing, Outprocessing, and Change of Vendor	14A
		SEP-SE1-13	Access Authorization	41
		SEP-SE1-14	Photo Identification and Key Cards	39
71130.02	Procedures	EP-205-01	Security Force	30A
		MGA09	Access Control	50A
		SEP-SE1-02	Security Lock and Key Control	21B
		SEP-SE1-14	Photo Identification and Keycards	39
		SEP-SE1-24	Owner Controlled Area - Access Control	12
		SEP-SE1-25	Personnel, Vehicle, and Materials Search and Entry	25
		SEP-SE1-30	Personnel, Vehicle, and Materials Search Exceptions and Handling	3A
	Self-Assessments	Audit: 21-0101	Nuclear Quality Assurance Audit of the Cyber Security, Security, and Control of Safeguards Programs	03/15/2021
		NSSE-21-0003	Quick Hit Self-Assessment Report - Security Access Control	01/25/2021
71130.04	Procedures	SEP-SE1-01	Testing and Maintenance	57
		SEP-SE1-22	Weapons Preventative Maintenance	7
	Self-Assessments	NSSE-20-0023	Formal Self-Assessment - Testing and Maintenance	07/27/2020
92702	Corrective Action Documents	CARD 19-10102		01/16/2019
		CARD 20-25405		04/29/2020
		CARD 20-25406		04/29/2020
		CARD 20-25407		04/29/2020
	Miscellaneous	EA-19-138	Fermi Nuclear Power Plant, Unit 2 - Notice of Violation; NRC Investigation Report NO. 3-2019-004; NRC Inspection Report NO. 05000341/2020404	02/15/2020
		EA-19-138	Fermi Nuclear Power Plant, Unit 2 - Security Baseline Inspection Report 05000341/2020403; NRC Investigation Report No. 3-2019-004 and Apparent Violations	04/29/2020
		NRC-20-0035	Response to Apparent Violations in NRC Inspection Report 05000341/2020403; EA-19-138	05/29/2020