



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION I
475 ALLENDALE ROAD SUITE - 102
KING OF PRUSSIA, PA 19406-1415

March 5, 2025

EA-24-143
EAF-RI-2025-0004

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

SUBJECT: PEACH BOTTOM ATOMIC POWER STATION, UNITS 2 AND 3 – NRC
INSPECTION REPORT 05000277/2025440 AND 05000278/2025440 AND
INVESTGATION REPORT 1-2024-015

Dear David Rhoades:

This letter refers to an investigation initiated on April 11, 2024, by the U.S. Nuclear Regulatory Commission's (NRC's) Office of Investigations (OI) at Peach Bottom Atomic Power Station (Peach Bottom), Units 2 and 3. The investigation, which was completed on October 22, 2024, involved security matters that are considered sensitive information. Therefore, details of the investigation are not included in this letter but are described in non-public enclosures.

Based on the results of the investigation, the NRC identified one or more apparent violations that are being considered for escalated enforcement action in accordance with the NRC Enforcement Policy. The Enforcement Policy can be found on the NRC's website at <http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>. A factual summary of the OI investigation is included in the non-public Enclosure 1 to this letter. The non-public Enclosure 2 provides a description of the apparent violation(s). Note that in accordance with NRC Enforcement Manual, the NRC does not discuss the number of security-related apparent violations that are potentially characterized above Severity Level IV.

The enclosures contain Sensitive Unclassified Non-Safeguards Information. Upon separation, this cover letter is DECONTROLLED.

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In addition, since you identified the violation(s), and based on our understanding of your corrective actions, a civil penalty may not be warranted in accordance with Section 2.3.4 of the Enforcement Policy. The final decision will be based on you confirming on the license docket that the corrective actions previously described to the NRC staff have been or are being taken.

Before the NRC makes its enforcement decision, we are giving you an opportunity to (1) provide a written response to the apparent violation(s) addressed in this inspection report within 30 days of the date of this letter or to (2) request a pre-decisional enforcement conference (PEC). If a PEC is held, the NRC may issue a press release to announce the time and date of the conference; however, the PEC will be closed to public observation since Security-Related Information pertaining to an OI report will be discussed, and the report has not been made public. Please contact Brice Bickett, Chief of the Security, Emergency Preparedness, and Incident Response Branch, at 610-337-5312, within 10 days of the date of this letter to inform us of your decision to either request a PEC or provide a written response. A PEC should be held within 30 days of the date of this letter.

If you choose to provide a written response, it should be clearly marked as a “Response to Apparent Violation(s) in NRC Inspection Report 05000277/2025440 and 05000278/2025440; EA-24-143” and should include for each apparent violation: (1) the reason for the apparent violation or, if contested, the basis for disputing the apparent violation; (2) the corrective steps that have been taken and the results achieved; (3) the corrective steps that will be taken; and (4) the date when full compliance will be achieved. Your response may reference or include previously docketed correspondence, if the correspondence adequately addresses the required response. Additionally, your response should be sent to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001, with a copy mailed to Jacob Zimmerman, Acting Director, Division of Radiological Safety and Security, Region I, 475 Allendale Road, Suite 102, King of Prussia, PA 19406, within 30 days of the date of this letter. If an adequate response is not received within the time specified or if an extension of time has not been granted by the NRC, the NRC will proceed with its enforcement decision.

If you choose to request a PEC, the conference will afford you the opportunity to provide your perspective on these matters, as well as to provide any other information that you believe the NRC should take into consideration before making an enforcement decision. The decision to hold a PEC does not mean that the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference would be conducted to obtain information to assist the NRC in making an enforcement decision. The topics discussed during the conference may include information to determine whether a violation occurred, information to determine the significance of a violation, information related to the identification of a violation, and information related to any corrective actions taken or planned.

In addition, please be advised that the number and characterization of apparent violation(s) described in the enclosed inspection report may change as a result of further NRC review. You will be advised by separate correspondence of the results of our deliberations on this matter.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 2.390 of the NRC’s “Rules of Practice,” a copy of this letter will be made available electronically for public inspection in the NRC Public Document Room and the NRC’s Agencywide Documents Access and Management System (ADAMS), accessible from the NRC website at <http://www.nrc.gov/reading-rm/adams.html>. However, the material enclosed herewith contains Security-Related Information in accordance with 10 CFR 2.390(d)(1) and its disclosure to

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unauthorized individuals could present a security vulnerability. Therefore, the material in the enclosure will not be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS). If Security-Related Information is necessary to provide an acceptable response, please mark your entire response Security-Related Information in accordance with 10 CFR 2.390(d)(1) and follow the instructions for withholding in 10 CFR 2.390(b)(1). In accordance with 10 CFR 2.390(b)(1)(ii), the NRC is waiving the affidavit requirements for your response.

If you have any questions concerning this matter, please contact Brice Bickett of my staff at 610-337-5312.

Sincerely,

Jacob I. Zimmerman, Acting Director
Division of Radiological Safety and Security

Docket Numbers: 50-277 and 50-278
License Numbers: DPR-44 and DPR-56

Enclosures:

1. Factual Summary
2. Apparent Violations

cc w/o non-public encl; w/o OUO-SRI:

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- D. Shearer, Director, Bureau of Radiation Protection,
PA Department of Environmental Protection
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SUBJECT: PEACH BOTTOM ATOMIC POWER STATION, UNITS 2 AND 3 – NRC
INSPECTION REPORT 05000277/2025440 AND 05000278/2025440, AND
INVESTGATION REPORT 1-2024-015 DATED MARCH 5, 2025

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DOCUMENT NAME: <https://usnrc.sharepoint.com/teams/Region-I-Enforcement-Files/Shared Documents/Proposed-Actions/Choice Letters/Peach Bottom Choice letter EA-2024-143 PUBLIC.docx>
ADAMS ACCESSION NUMBER: ML25064A202

<input checked="" type="checkbox"/> SUNSI Review /LRC		<input checked="" type="checkbox"/> Non-Sensitive <input type="checkbox"/> Sensitive		<input checked="" type="checkbox"/> Publicly Available <input type="checkbox"/> Non-Publicly Available	
OFFICE	RI/ORA	RI/DRSS	RI/ORA	OGC	RI/DRSS
NAME	L Casey/LC	B Bickett/BB	B Klukan/BK	M Rosso/MR	J Zimmerman/JZ
DATE	2/4/2025	2/5/2025	2/11/2025	2/24/2025	3/4/2025

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