

SAFEGUARDS INFORMATION

April 10, 2008

EA-08-022

Mr. Mike Blevins
Chief Nuclear Officer and
Executive Vice President
Luminant Generating Corporation, LLC
Attn: Regulatory Affairs Department
P.O. Box 1002
Glen Rose, TX 76043

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION, UNITS 1 AND 2
SECURITY INSPECTION 05000445/2007201 AND 05000446/2007201

Dear Mr. Blevins:

On October 19, 2007, the U.S. Nuclear Regulatory Commission (NRC) completed a security baseline inspection at the Comanche Peak Steam Electric Station, Units 1 and 2. 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 during a preliminary exit meeting on October 19, 2007, and a final exit meeting on February 21, 2008, with you and other members of your staff.

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

This letter discusses a finding that appears to have greater than green security significance, as described in Section 3.26 of this report. This finding was assessed based on the best available information, including influential assumptions, using the Physical Protection Significance Determination Process. The final resolution of this finding will convey the increment in the importance to security by assigning the corresponding color, which may require additional NRC inspection. The deficiency was promptly compensated for, and the site was in compliance with applicable physical protection and security requirements within the scope of the inspection before the inspectors left the site. The finding also had a cross-cutting aspect in the area of Human Performance because personnel failed to conduct an adequate effectiveness review.

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Enclosure Contain Safeguards Information. Upon separation, this page is decontrolled.

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The finding is also associated with a violation of NRC requirements that are being considered for escalated enforcement action in accordance with NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at <http://www.nrc.gov/reading-rm/adams.html>.

Before we make a final decision on this matter, we are providing you an opportunity to: (1) present to the NRC your perspectives on the facts and assumptions, used by the NRC to arrive at the finding and its significance, at a Regulatory Conference; or (2) submit your position on the finding to the NRC in writing. If you request a Regulatory Conference, it should be held within 30 days of the receipt of this letter and we encourage you to submit supporting documentation at least one week prior to the conference in an effort to make the conference more efficient and effective. If a Regulatory Conference is held, it will be closed to public observation due to the discussion of security related Information. If you decide to submit only a written response, such submittal should be sent to the NRC within 30 days of the receipt of this letter.

Please contact Ronald J. Albert, Chief, Security Performance Evaluation Branch at 301-415-6986 within 10 business days of the date of your receipt of this letter to notify the NRC of your intentions.

Since the NRC has not made a final determination in this matter, no Notice of Violation is being issued for the inspection finding at this time. In addition, please be advised that the number and characterization of apparent violation described in the enclosed inspection report may change as a result of further NRC review.

In accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Section 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 System (PARS) component of NRC's Agencywide Documents Access and Management System (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room). However, because of the security-related concerns contained in the enclosures, and in accordance with 10 CFR 2.390, a copy of this letter's enclosures will not be available for public inspection.

Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,

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Richard P. Correia /RA/
Deputy Director for Security Oversight,
Division of Security Operations
Office of Nuclear Security and Incident Response

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Docket Nos.: 50-445, 50-446
License Nos.: NPF-87, NPF-89

Enclosure: NRC Inspection Report No. 05000445/2007201, 05000446/2007201 (SGI)

cc w/encl: Mr. Michael Tate
Security Manager
Comanche Peak Steam Electric Station, Units 1 & 2
Luminant Generation Company LLC
6322 Highway 56 North
Glen Rose, TX 76043

cc w/o encl: Mr. Roger Mulder
State Energy Conservation Office
Comptroller of Public Accounts
P.O. Box 13528
Austin, TX 78711

Mr. Jay Kimbrough
Deputy Attorney General
P.O. Box 12428
Austin, TX 78711

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Should you have any questions concerning this inspection, we will be pleased to discuss them with you.

Sincerely,

Richard P. Correia /RA/
Deputy Director for Security Oversight,
Division of Security Operations
Office of Nuclear Security and Incident Response

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SPEB R/F – C. Grigsby, SPEB
D. Riffle, DDSO/DSO
D. Allen, SRI Comanche Peak
J. Buchanan, R-IV

Distribution w/o encl:

B Singal - NRR
C. Adkinson – PMDA

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NAME	RCorreia			
DATE	4/10/08			

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