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SUBJECT: Responds to violations noted in insp repts 50-315/95-11 & 50-316/95-11. Corrective actions: contract employee removed from plant protected area on 950822 & unescorted access suspended & subsequently terminated.

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Indiana Michigan
Power Company
PO Box 16631
Columbus, OH 43216



November 15, 1995

AEP:NRC:1224C
10 CFR 2.201

Docket Nos.: 50-315
50-316

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, D. C. 20555

Gentlemen:

Donald C. Cook Nuclear Plant Units 1 and 2
NRC INSPECTION REPORTS NO. 50-315/95011 (DRS)
AND 50-316/95011 (DRS)
REPLY TO NOTICE OF APPARENT VIOLATION

This letter is in response to a letter from Mr. G. E. Grant, dated October 16, 1995, that forwarded a notice of apparent violation to Indiana Michigan Power Company. The notice of apparent violation was the result of an inspection conducted by Mr. J. L. Belanger on September 19, 1995. The apparent violation is associated with the granting of unescorted access to a contract individual prior to determining that all necessary requirements for obtaining unescorted access had been completed.

A comprehensive review of the apparent violation has been conducted and actions have been taken to prevent recurrence. Our reply to the apparent violation is attached. As requested, our response does not include any personal privacy, proprietary, or safeguards information.

Sincerely,

for W. E. Fitzpatrick
for E. E. Fitzpatrick
Vice President

SWORN TO AND SUBSCRIBED BEFORE ME

THIS 15th DAY OF November 1995

John W. Hise
Notary Public

My Commission Expires: 6-29-99

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U. S. Nuclear Regulatory Commission
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..EP:NRC:1224C

Attachment

cc: A. A. Blind
G. Charnoff
H. J. Miller
NFEM Section Chief
NRC Resident Inspector - Bridgman
J. R. Padgett
W. T. Russell - NRC NRR



ATTACHMENT TO AEP:NRC:1224C

REPLY TO NOTICE OF APPARENT VIOLATION:
NRC INSPECTION REPORT NOS.
50-315/95011 (DRS) AND 50-316/95011 (DRS)

1. REASON FOR THE APPARENT VIOLATION

BACKGROUND

As described in our Licensee Event Report (LER) 95-S-001, a contract employee was in the process of completing requirements (i.e., chemical testing, plant access training, etc.) necessary to gain unescorted access to the protected/vital areas of the plant. Prior to granting unescorted access a review of the contract employee's file was conducted in accordance with plant procedures. All required elements were completed on August 16, 1995, with the exception of chemical test results. During the review process an Access Control Clerk incorrectly documented a negative chemical test result date, based on chemical test results for an individual with the same last name.

On August 17, 1995, the contract employee was granted unescorted access to the plant. On August 22, 1995, while attempting to provide the Medical Review Officer (MRO) with information necessary for the MRO to contact the contract employee, the Access Control Supervisor determined the contract employee had been granted unescorted access prior to the completion of chemical testing requirements. On August 22, 1995, the MRO verbally reported positive test results for THC at 50ng for the contract employee's test collected on August 16, 1995. (Written documentation was provided the following day.)

DISCUSSION

The Access Control Clerk incorrectly identified the contract employee as having been tested and reported as negative for chemical substances. The clerk failed to properly use information (i.e., social security number and first name) provided to prevent misidentification. As a result of this failure, the contract employee worked with unescorted access status in the plant protected/vital areas from August 19 through August 22, 1995.

While in the plant, the contract employee worked as a general laborer moving equipment into containment and did not supervise other personnel. The contract employee did not perform work on safety related equipment. Work was accomplished in teams with direct supervision. The contractor's supervisor provided documentation that the employee did not display character traits or behavior patterns adverse to the goals of the unescorted access authorization program.



Although the contract employee was granted unescorted access to the plant protected area, activities performed did not result in a significant safety concern nor did the activities pose a significant hazard to the health and safety of the general public.

The inspection report transmittal letter referenced a similar event. (EA 95-002) in which another individual was granted unescorted access which was later determined to be inappropriate. Although results for each event were similar, in that a person was granted unescorted access and should not have been, the circumstances leading to and the cause of the events were uniquely different. The first event (EA 95-002) identified a possible programmatic error in the review and adjudication process, while this event was the result of a clerical oversight.

CONCLUSION

The reason for the apparent violation was the failure to review all pertinent information prior to granting unescorted access in accordance with 10 CFR 73.56(b)(3), resulting from an oversight on the part of the access control clerk. Although there was no specific written guidance given to the clerk which required verification of all provided identifying information on the specimen log report prior to documenting negative test results on the access processing form, management expectations were that all identifying information was to be verified to ensure that the negative test results were for the current individual on the access control processing form.

2. CORRECTIVE STEPS THAT HAVE BEEN TAKEN AND THE RESULTS ACHIEVED

1. On August 22, 1995, the contract employee was removed from the plant protected area and unescorted access was suspended and subsequently terminated. A review of work activities was promptly initiated. The review of activities, which was completed on August 23, 1995, determined no aberrant behavior was observed and that the contract employee did not work on any safety related systems.
2. A review was conducted between August 23, 1995, and August 28, 1995, to assure that negative chemical test results were received prior to granting unescorted

access for 964* persons during the period June 15, 1995, through August 25, 1995. No additional discrepancies were noted.

3. A review was also conducted between August 25, 1995, and September 8, 1995, to assure that plant access training was completed prior to granting unescorted access for 1,059* persons during the period June 15, 1995, to September 6, 1995. No discrepancies were noted.

3. CORRECTIVE STEPS THAT WILL BE TAKEN TO AVOID FURTHER VIOLATION

1. As an enhancement, a revision was made to 12 PMP 2060 ACS.002 (Access Authorization Program) Attachment D (Access Processing Form) requiring verification by the individual completing the review that the name, social security number, and dates correctly identify the individual, and verification/validation of entries by the signature authority prior to approval. This procedure revision was approved October 19, 1995. Subsequent to the approval of the procedure revision all access control personnel were trained on the use and completion of Attachment D.
2. The access control clerk was counseled as to the necessity of verifying all identifying information for each required element prior to an individual being granted unescorted access. A letter documenting the access control clerk's understanding of this necessity was placed in the employee's departmental personnel file.
3. Meetings between management and access control personnel were held to discuss the event and to emphasize the necessity of verifying all identifying information for each required element prior to granting access.

4. DATE WHEN FULL COMPLIANCE WAS ACHIEVED

Full compliance was achieved on August 22, 1995, when the contractor was removed from the protected/vital areas and unescorted access was suspended.

* These numbers (964, 1,059) reflect the number of personnel processed through the dates identified for the Unit 1 refueling outage. The in-processing started on 6/15/95.



5. CLARIFICATIONS

The following discussion is intended to clarify certain items in the NRC's October 16, 1995, letter and attached notice of apparent violation.

1. (Cover letter, third paragraph, second sentence): "The violation involved a contractor inappropriately being granted unescorted access to the plant's protected and vital areas after testing positive for a controlled substance."

The contract employee was inappropriately granted unescorted access prior to completion of all necessary requirements for obtaining unescorted access. The individual subsequently was determined to have tested positive for a controlled substance.

2. (Inspection Summary, Results Paragraph): "Specifically, an individual was inappropriately granted unescorted access after testing positive for a controlled substance."

The clarification presented above also applies to this item.

3. (Inspection Summary, Results Paragraph): "The individual gained access to the protected area and vital area August 18 and 22, 1995."

The contract individual did not gain access until August 19, 1995, and entered each day through August 22, 1995.

