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DUKE POWER

March 16, 1993

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

Subject: McGuire Nuclear Station, Units 1 and 2
Docket Nos. 50-369 and 50-370
NRC Inspection Report No. 50-369, 370/93-01
Violation 50-369, 370/93-01-01
Reply to a Notice of Violation

Gentlemen:

Enclosed is the response to the Notice of Violation issued February 26, 1993 concerning an uncontrolled Security pistol within the protected area due to inadequate search.

Should there be any questions concerning this response, contact Randy Cross at (704) 875-4179.

Very Truly Yours,

T. C. McMeekin

Attachment

xc: (x/attachment)

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U. S. Nuclear Regulatory Commission
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**McGuire Nuclear Station
Reply to a Notice of Violation**

Violation 369, 370/93-01-01

License Condition 2E to Facility Operating License Nos. NPF-9 and NPF-17 requires that the licensee fully implement and maintain in effect all provisions of the NRC Approved Physical Security Plan (PSP) as revised in accordance with the provisions of 10 CFR 50.54(p).

The PSP, Revision 46, dated July 20, 1992, Paragraph 3.2.1.5, Search and Admittance Control, states, in part, all personnel and packages (including hand-carried packages) shall be searched for firearms, explosive and incendiary devices prior to entry into the protected area.

Appendix 3, Search and Admittance Control, of the PSP, Paragraph B, Package/Materials Search and Access, states, in part, all packages and materials, designated for delivery into the protected area shall be checked in accordance with station procedures for proper identification and authorization and shall be searched for devices, such as firearms, explosives, and incendiary devices or other items which could be used for radiological sabotage, prior to admittance into the protected area. Search shall consist of searching through all wrappings necessary to adequately assure the search officer of the nature of the enclosed item. In the event there is reasonable indication that the wrapper is adjacent to foodstuffs, the search officer is not required to open that wrapping. Search may be by manual means, X-Ray type devices, or for certain type of packages such as notebooks and drawings which are designated by procedure, by use of metal and explosive detector.

Contrary to the above, sometime between January 14 and 19, 1993, the licensee failed to properly search a package resulting in the introduction of a firearm (handgun) into the protected area which remained uncontrolled from the date of the improper search until the firearm was discovered on January 19, 1993.

This is a Severity Level III violation (Supplement III).

Reply to Violation 369, 370/93-01-01

1. Reason for the Violation:

This event is assigned a Root Cause of Inappropriate Action due to a lack of attention to detail by security officers operating X-Ray equipment. Investigation indicates a security officer probably placed the package containing the pistol on the X-Ray conveyor belt on its edge greatly reducing the profile picture on the X-Ray monitor that would have been observed by the security officer. As part of the investigation, an identical pistol was inserted into the original shipping package and moved through the same X-Ray equipment in different positions to determine the viewable pistol profile for each position. The worst package position was the edge position since it offered very little profile to the operator. Investigation reveals EXAO-01 Personnel Access procedure which contains package and material search requirements does not address the proper placement of packages on the X-Ray conveyor belt to achieve optimum package profile. In addition, security training lesson plans do not clearly address proper package placement and specific training on X-Ray image profiles is not provided to security officers. A review of X-Ray testing documentation indicates the X-Ray equipment was operating properly during the entire time

period the package could have entered the Cargo Access Portal (CAP).

A Root Cause of Inappropriate Action is also assigned for the failure of Warehouse #6 Worker A to follow Materials Handling Procedure 2.1 which addresses the identification and authorization of packages and materials received at Warehouse #6. Worker A could not locate a Duke purchase order or commodity request on the packing list accompanying the package containing the pistol and upon determining the addressee was a site employee working within the protected area, prepared the package for transfer to Warehouse #5 and subsequent delivery to the addressee.

Investigation reveals there were two contributing factors to the failure of Worker A to follow the established procedure. One contributing factor was that MHP 2.1 did not address the importance of ensuring all packages and materials designated for delivery into the protected area are properly identified and authorized. The identification and authorization of packages and materials designated for delivery into the protected area is required by the McGuire Nuclear Station, Physical Security Plan, Appendix 3, Section B, and Warehouse #6 Materials personnel are accountable for ensuring compliance with this commitment. MHP 2.1 addresses the need to identify and authorize all packages and materials received but this requirement is not related to a specific Security Plan commitment.

An additional contributing factor was the perception or "mind set" by Warehouse #6 Materials personnel that packages received without a Duke purchase order or commodity request should be treated as personal mail and therefore MHP 2.1 did not apply. The rationale was if the package could not be traced to a Duke purchase order or commodity request there was no cost to McGuire and therefore there was no need to identify package contents. Materials personnel did not realize that handling packages as personal mail by-passed the procedural controls to ensure compliance with the Security Plan commitment for the identification and authorization of packages and materials designated for delivery into the protected area. These contributing factors were identified on February 3, 1993 while performing a Root Cause investigation of this event. Since the investigation identified a previous pattern of deviation from MHP 2.1 by Materials personnel and since deviation from the procedure is supported by a similar event, Security Management determined McGuire has not been in complete compliance with the Security Plan commitment and this event was reported separately in the Quarterly Safeguards Events Log on February 3, 1993.

2. Corrective steps that have been taken and the results achieved:

- A. Remedial hands-on training was initiated on January 21, 1993 for all security officers assigned CAP duties. Training included proper operation of X-Ray equipment, package orientation for optimum X-Ray searching and a review of package and material search responsibilities. Security officers were required to complete this training prior to assignment to CAP search duties. Training for all security officers was completed on February 9, 1993.
- B. Increased the frequency of spot checks of security officer performance in using X-Ray equipment to validate the training and search process. Spot checks of security officer performance is an ongoing corrective action and will continue until January 1, 1994, at which time a decision on the frequency of spot checks will be made based on security officer performance.
- C. Security implementing procedure EXAO-01, Personnel Access, has been revised to

include guidance on proper placement of packages on the X-Ray conveyor belt to achieve optimum package content image profile. Procedure changes were implemented on February 10, 1993.

- D. Warehouse #6 Materials personnel will notify Security of any Security packages to be picked up. Verbal instructions were initiated on February 2, 1993 and written communication to all affected Materials personnel was completed on February 10, 1993.
- E. Warehouse #6 Materials personnel were instructed not to deliver packages into the protected area without a Duke Power purchase order or commodity request unless a third party verification has been obtained. Verbal instructions were initiated on February 2, 1993 and written communication to all affected Materials personnel was completed on February 10, 1993.

No similar events have occurred since implementation of the above corrective actions.

3. Corrective steps that will be taken to avoid further violations:

- A. Appropriate security training lesson plans will be revised to include additional instruction on proper placement of packages on the X-Ray conveyor belt to achieve optimum package content image profile. Training lesson plan revisions will be completed by April 1, 1993.
- B. The Security training staff will procure additional X-Ray operation training materials for enhancement of training lesson plans by June 1, 1993.
- C. Materials management will review Material Handling Procedure 2.1 and identify required changes by April 1, 1993.
- D. Materials management will implement the identified changes to Material Handling Procedure 2.1 by June 1, 1993.

4. Date when full compliance will be achieved:

McGuire Nuclear Station is currently in full compliance with the provisions of the McGuire Physical Security Plan and all corrective actions will be in place by June 1, 1993.