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May 14, 1993

U. S. Nuclear Regulatory Commission
Attn: Document Control Desk
Washington, DC 20555

SUBJECT: COMANCHE PEAK STEAM ELECTRIC STATION (CPSES)
DOCKET NOS. 50-445 AND 50-446
NRC INSPECTION REPORT NOS. 50-445/93-17; 50-446/93-17
RESPONSE TO NOTICE OF VIOLATION

Gentlemen:

TU Electric has reviewed the NRC's letter of April 9, 1993, concerning the inspection conducted March 22-23, 1993. This inspection was conducted to examine selected areas and activities associated with the licensee's physical security program.

Enclosed in the April 9, 1993 letter was a Notice of Violation (NOV). This notice identified a violation regarding the protection of Safeguards Information. The attachment provides TU Electric's response to the Notice of Violation 445/93-17-01; 446/93-17-01. The response due date was extended for one week via a telephone request on May 10, 1993 from TU Electric's D. R. Woodlan to NRC Region IV representative L. A. Yandell.

Sincerely,

William J. Cahill, Jr.

By:

Roger D. Walker

NSH/fds
Attachment

c - Mr. J. L. Milhoan, Region IV
Resident Inspectors, CPSES (2)
Mr. L. A. Yandell, Region IV

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9305180316 930514
PDR ADOCK 05000445
G PDR

P.O. Box 1002 Glen Rose, Texas 76043-1002

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RESTATEMENT OF VIOLATION
(445/9317-01; 446/9317-01)

Inadequate Protection of Safeguards Information

10 CFR 73.21(a) states, in part, "Each Licensee who ... produces, receives, or acquires Safeguards Information shall ensure that Safeguards Information is protected against unauthorized disclosure."

Contrary to the above, the licensee reported incidents involving the failure to protect safeguards information on July 2, August 10, September 30, and November 20, 1992. On March 12, 1993, the licensee again reported a failure to protect safeguards information. The licensee's corrective actions for the incidents were ineffective in preventing recurrence of the failures to protect safeguards information.

RESPONSE TO VIOLATION
(445/9317-01; 446/9317-01)

TU Electric accepts the violation and provides the following information as requested:

1. Reason for Violation

Four of the five incidents were a result of individual carelessness, inattention to detail and failure to follow procedural requirements. The personnel involved failed to protect Safeguards Information (SI). In each case, there was no potential or actual compromise of our physical protection system.

TU Electric has determined the remaining incident was not a failure to protect SI, but rather a misidentification of material. This situation involved an unsecured non-Safeguard Information drawing which was erroneously restamped as 'Safeguards Information'. This drawing had been earlier declassified from SI status. The document was being protected as SI. Subsequent review confirmed that the drawing was not SI. There was no potential or actual compromise of our physical protection system.

Each of the events were evaluated, recorded, coded and entered into the Security Data base as safeguards information events. A requirement in the Security procedures, states that events be analyzed on a regular basis for adverse trends and possible implementation of root cause analysis per station procedures. The cause of each event appeared to be isolated (with the exception of a single individual responsible for two events - who is no longer employed at CPSES), and corrective actions were specific to each event. The Security Department performed an

an overview of the collective events for adverse trends. However, Security did not document the process as an adverse trend review.

2. Corrective Steps Taken and Results Achieved

Immediate corrective actions were taken to protect the SI documents. Retraining and counseling of the individuals were accomplished by their supervisor. A followup investigation of the fifth incident confirmed that the drawing was not Safeguards Information and was subsequently declassified by Security. The Security Department's assessment of the events confirmed no potential or actual compromise of the physical protection system had occurred.

3. Corrective Steps Taken to Avoid Recurrence

Even though the individual incidents do not appear significant, when reviewed separately, TU Electric agrees that occurrence of multiple events dictate other corrective actions be taken. The following actions have been taken or are planned to prevent further occurrences:

- a) A questionnaire was sent (prior to the NRC inspection) to all primary designee's for Safeguards Information to verify current location of the material and if further need was required for the Safeguards Information. In all cases, the primary designee responded. Several locations were removed as designated storage facilities. Other locations were identified as storage facilities to possibly be removed in the near term after organization consolidation.
- b) TU Electric has reviewed the Safeguards Information Program, procedures and storage locations. Procedures were found adequate in providing clear information and instructions to personnel who handle Safeguards Information. Current storage facilities were found to be in compliance with TU Electric's requirements. The number of storage locations for Safeguards Information has been reduced.
- c) The current General Employee Training (GET) Security module was verified to contain adequate information required to maintain Safeguards Information secure. Primary participants in this program are aware of their responsibilities regarding protection of Safeguards information.
- d) TU Electric management will reiterate the requirements of the Security program and procedures criteria for protection of Safeguards Information to personnel who maintain this material, in group or individual meetings, to assure management expectations and site criteria are understood.

- e) A memorandum will be distributed to the Nuclear Production Group personnel by the Group Vice President, Nuclear Production, to stress their awareness of procedure requirements when reviewing and handling Safeguards Information and to state management expectations.
- f) Security will continue to conduct regular administrative reviews of trending reports and will take measures to assure utilization of existing Security surveillance forms to document these reviews as appropriate.

4. Date of Full Compliance

At this time, TU Electric is in full compliance with identification and storage requirements for Safeguards Information material. Actions identified in Items 3.d thru 3.f above, will be completed by June 30, 1993.