



**Entergy
Operations**

Entergy Operations, Inc.

Route 3, Box 137G

Russellville, AR 72801

Tel 501-964-3100

October 20, 1994

0CAN109402

U. S. Nuclear Regulatory Commission
Document Control Desk
Mail Station P1-137
Washington, DC 20555

Subject: Arkansas Nuclear One -- Units 1 and 2
Docket Nos. 50-313 and 50-368
License Nos. DPR-51 and NPF-6
Reply to a Notice of Violation
Inspection Report 50-313/94-16; 50-368/94-16

Gentlemen:

Pursuant to the provisions of 10CFR2.201, attached is the reply to the notice of violation identified in the subject inspection report.

Should you have questions or comments, please call me at 501-858-4601.

Very truly yours,

Dwight C. Mims

Dwight C. Mims
Director, Licensing

DCM/tfs

9410270201 941020
PDR ADDCK 05000313
D PDR

JE01

cc: Mr. Leonard J. Callan
Regional Administrator
U. S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

NRC Senior Resident Inspector
Arkansas Nuclear One -- ANO-1 & 2
Number 1, Nuclear Plant Road
Russellville, AR 72801

Mr. George Kalman
NRR Project Manager Region IV/ANO-1
U. S. Nuclear Regulatory Commission
NRR Mail Stop 13-H-3
One White Flint North
11555 Rockville Pike
Rockville, MD 20852

Mr. Blaine Murray
Chief, Facilities Inspection Programs Branch
U. S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011-8064

NOTICE OF VIOLATION

During an NRC inspection conducted on April 18-22, 1994, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10CFR Part 2, Appendix C, the violations are listed below:

License Condition 2.D (Unit 1) and License Condition 2.c(4) (Unit 2) of the licensee's facility operating license DPR-51 and NPF-6 require that the licensee fully implement and maintain the Commission approved Physical Security Plan, including amendments and changes made pursuant to the authority of 10 CFR 50.54(p).

10 CFR Part 73, Appendix G, II(b) requires that any other committed act not previously defined in Appendix G with the potential for reducing the effectiveness of the safeguards system will be logged in a safeguards event log within 24 hours of discovery.

The opening paragraph of Attachment 3 to Security Procedure 1043.040, Revision 19, dated November 3, 1992, provides examples of events that can be logged. Paragraph 6 of Attachment 3 to Security Procedure 1043.040 states, in part, that incomplete records or falsification of a minor nature, does not require a 1-hour report.

Contrary to the above, the inspector determined during the inspection conducted April 18-22, 1994, that the licensee failed to log three incidents when they were notified on October 13, 1993, November 8, 1993, and February 18, 1994, that self-screening contractor employees had falsified criminal history, employment information, and fitness-for-duty information.

This is a Severity Level IV violation. (Supplement III) (313/9416-04; 368/9416-04).

Response to violation 313/9416-04; 368/9416-04

(1) Reason for the violation

Arkansas Nuclear One (ANO) acknowledges that derogatory information received concerning the three individuals was not entered into the Quarterly Safeguards Event Log within twenty-four hours of receipt.

Information concerning falsification or omission of derogatory information from access authorization documentation at another licensee facility was received following satisfactory termination of all three individuals from ANO. One individual had not falsified or omitted information used for granting access to ANO, and the incident about which ANO received notification occurred after he had left ANO. The other two individuals had been granted unescorted access to ANO based upon NUMARC 91-03 or INDEX electronic transfer from another licensee. Upon receipt of the derogatory information, in each instance ANO took administrative action to ensure that future unescorted access would not be authorized until satisfactory resolution was obtained.

The root cause of failing to place receipt of the derogatory information into the Safeguards Event Log has been determined to have been a cognitive error on the part of Access Authorization and Plant Security personnel in their failing to recognize the conditions as meeting any regulatory or procedural requirement for an event to be logged.

A contributing factor for this condition was a weakness in communication between Access Authorization personnel who received the information and Plant Security personnel who were responsible for determining reportability of conditions related to security.

(2) Corrective steps taken and results achieved

A description of the condition involving the three individuals was placed into the Quarterly Safeguards Event Log on April 25, 1994.

As stated in ANO's June 7, 1994, letter (OCAN069403) requesting clarification of requirements for logging and reporting access authorization concerns, subsequent to the NRC access authorization inspection ANO implemented what was believed to be a conservative interpretation of those requirements. ANO committed to logging within twenty-four hours receipt of derogatory information if the individual does not have a current authorization for unescorted access and reporting within one hour when unescorted access authorization is active. The NRC response dated September 16, 1994, was received. The guidance contained in that letter appears to be inconsistent with the basis upon which this violation was issued. A telephone call was conducted on October 5, 1994, to obtain additional NRC clarification and a basis for the September 16, 1994, NRC letter. Even though the call proved enlightening, it did not resolve the potential conflict with the basis for the NRC violation. Further correspondence requesting clarification is

being prepared to request response to the ANO questions not addressed by the NRC on the October 5 call. ANO will continue the committed approach to logging and reporting of receipt of derogatory information until the recent NRC guidance, as clarified by future communications, has been incorporated into ANO procedures.

Plant Security personnel responsible for determining reportability of access authorization conditions were provided specific training on reporting requirements and material to assist them in identification of the appropriate criteria for logging or reporting.

The checklist used by Access Authorization personnel to notify Plant Security when denying or revoking security access has been modified to prompt consideration of issues related to reportability. Future notifications of access authorization conditions will include an initial reportability recommendation. To assist in making such recommendations, specific training was provided to Access Authorization personnel.

(3) Corrective steps that will be taken to prevent further violations

The NRC response to ANO's June 7, 1994, letter, as clarified by future communications, will be incorporated into ANO procedures, as appropriate, within thirty days of ANO's determination that satisfactory resolution of access authorization reporting requirements has been attained.

(4) Date when full compliance will be achieved

Compliance with the concern identified by the NRC was satisfied on April 25, 1994, when the condition was logged. Adoption of the interim guidance described above is believed to establish compliance for decisions regarding reporting or logging of future similar conditions.