

NOTICE OF VIOLATION

Detroit Edison Company
Fermi 2

Docket No. 50-341
License No. NPF-43

During an NRC inspection conducted between December 2, 1996 and February 7, 1997, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

Section 2E of Fermi Facility Operating License No. NPF-43, issued March 20, 1985, and amended August 5, 1988, requires that the licensee maintain in effect and fully implement all provisions of the Commission approved Physical Security Plan and Security Force Training and Qualification Plan.

Section 3.1 of the Fermi 2 approved Security Plan states in part: "All personnel requiring unescorted access to the protected area of Fermi 2 must satisfy the requirements of 10 CFR 73.56. U.S. Nuclear Regulatory Commission, Regulatory Guide 5.66, "Access Authorization Program for Nuclear Power Plants" (dated June 1991), has been implemented to satisfy these requirements."

Section 6.4 of the Appendix to NRC Regulatory Guide 5.66 states in part: "A utility may grant temporary unescorted access authorization on an interim basis not exceeding a period of 180 continuous days pending completion of the checks required by the unescorted access authorization program. This 180 day temporary unescorted access authorization may be granted based upon satisfactory completion of the following conditions: . . .f. conduct of an employment check for the past year."

Section 6.1 of the Appendix to NRC Regulatory Guide 5.66 states in part: "No element of the access authorization program may be initiated without the knowledge and written consent of the person who is subject to the program."

Contrary to the above, our review of eight contractor security officer background investigation files showed that the employment verification status of five applicants was provided by the security contractor and accepted by the licensee as part of the background screening process prior to the date the written consent forms to initiate background investigations were completed.

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

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence is already addressed in Section S5 of the attached inspection report. However, you are required to respond to the provisions of 10 CFR 2.201 if the description therein does not accurately reflect your corrective actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to

the U. S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region III, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

Dated at Lisle, Illinois
this 24 day of February 1997