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April 9, 2002

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

Subject: Oconee Nuclear Station  
Docket Nos. 50-269,-270, -287  
Licensee Event Report 269/2002-S01, Revision 0  
Problem Investigation Process No.: O-02-1301

Gentlemen:

Pursuant to 10 CFR 73.71 Sections (b) (1) and Appendix G (I) (b), attached is a Security Special Report 269/2002-S01, concerning the falsification of pre-employment screening records by a contract employee.

This report is being submitted in accordance with 10 CFR 73.71 and Appendix G (I) (b). This event is considered to be of no significance with respect to the health and safety of the public.

Very truly yours,



W. R. McCollum, Jr.

Attachment

IE74

Document Control Desk

Date: April 9, 2002

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cc: Mr. Luis A. Reyes  
Administrator, Region II  
U.S. Nuclear Regulatory Commission  
61 Forsyth Street, S. W., Suite 23T85  
Atlanta, GA 30303

Mr. L. N. Olshan  
Project Manager  
U.S. Nuclear Regulatory Commission  
Office of Nuclear Reactor Regulation  
Washington, D.C. 20555

Mr. Scott Freeman  
Acting NRC Senior Resident Inspector  
Oconee Nuclear Station

INPO (via E-mail)

**LICENSEE EVENT REPORT (LER)**

(See reverse for required number of digits/characters for each block)

1. FACILITY NAME Oconee Nuclear Station, Unit 1	2. DOCKET NUMBER 050- 0269	3. PAGE 1 OF 5
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4. TITLE  
**Security Access Revoked For Falsification of Criminal Record**

5. EVENT DATE			6. LER NUMBER			7. REPORT DATE			8. OTHER FACILITIES INVOLVED	
MO	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REV NO	MO	DAY	YEAR	FACILITY NAME	DOCKET NUMBER
03	20	2002	2002	S01	0	04	09	2002	Unit 2	0270
									Unit 3	0287

9. OPERATING MODE 1	11. THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR §: (Check all that apply)				
	20.2201(b)	20.2203(a)(3)(ii)	50.73(a)(2)(ii)(B)	50.73(a)(2)(ix)(A)	
10. POWER LEVEL 100	20.2201(d)	20.2203(a)(4)	50.73(a)(2)(iii)	50.73(a)(2)(x)	
	20.2203(a)(1)	50.36(c)(1)(i)(A)	50.73(a)(2)(iv)(A)	73.71(a)(4)	
[REDACTED]	20.2203(a)(2)(i)	50.36(c)(1)(ii)(A)	50.73(a)(2)(v)(A)	73.71(a)(5)	
	20.2203(a)(2)(ii)	50.36(c)(2)	50.73(a)(2)(v)(B)	X	OTHER Specify in Abstract below or in NRC Form 366A
	20.2203(a)(2)(iii)	50.46(a)(3)(ii)	50.73(a)(2)(v)(C)		
	20.2203(a)(2)(iv)	50.73(a)(2)(i)(A)	50.73(a)(2)(v)(D)		
	20.2203(a)(2)(v)	50.73(a)(2)(i)(B)	50.73(a)(2)(vii)		
	20.2203(a)(2)(vi)	50.73(a)(2)(i)(C)	50.73(a)(2)(viii)(A)		
	20.2203(a)(3)(i)	50.73(a)(2)(ii)(A)	50.73(a)(2)(viii)(B)		

12. LICENSEE CONTACT FOR THIS LER

NAME L.E. Nicholson, Regulatory Compliance Manager	TELEPHONE NUMBER (Include Area Code) (864) 885-3292
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13. COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT

CAUSE	SYSTEM	COMPONENT	MANU-FACTURER	REPORTABLE TO EPIX	CAUSE	SYSTEM	COMPONENT	MANU-FACTURER	REPORTABLE TO EPIX

14. SUPPLEMENTAL REPORT EXPECTED				15. EXPECTED SUBMISSION DATE		
YES (If yes, complete EXPECTED SUBMISSION DATE).	X	NO		MONTH	DAY	YEAR

16. ABSTRACT (Limit to 1400 spaces, i.e., approximately 15 single-spaced typewritten lines)

On 3/20/2002 at approximately 1348 hours, with Unit 1, 2 and 3 at 100% power, the licensee received information from a FBI criminal history check that a contract employee had a prior criminal record that was not disclosed by the individual on the background investigation questionnaire. The contract employee had been granted temporary unescorted access on 03/18/2002 in accordance with 10 CFR 73.56. The contract employee's unescorted access to the protected and vital areas was restricted on 03/20/2002 at 1404 hours and the employee was removed from the protected area. Further investigation completed on 03/20/2002 at 1433 hours disclosed that the contract employee had intentionally failed to report criminal offenses on the pre-employment screening record. The intentional falsification does not appear to be due to any malicious intent with respect to the health and safety of the public. Unescorted access was terminated for the contract employee upon determination of unreliability on 03/20/2002 at 1435 hours. This event is considered to have no significance with respect to the health and safety of the public.

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Oconee Nuclear Station, Unit 1	0500269	2002	S01	0	2	OF 5

**NARRATIVE** (If more space is required, use additional copies of NRC Form 366A) (17)

**EVALUATION:**

**Background**

Personnel access authorization activities for the Oconee Nuclear Station are performed by Duke Energy Access Services located in Charlotte, North Carolina. Duke's Nuclear Access Authorization Program consists of a background investigation, psychological evaluation, and continual behavior observation. As part of the background investigation, a Background Investigation Questionnaire must be completed by the individual applying for an unescorted access authorization. The Background Investigation Questionnaire requires the individual to list any criminal charges, any arrests and any convictions that have acquired since the individual's 18th birthday. In addition, the individual is fingerprinted and the fingerprints are submitted to the Federal Bureau of Investigation. A temporary unescorted access authorization may be granted to individuals on an interim basis, not exceeding a period of 180 continuous days pending the completion of the five year background investigation. This 180 day temporary unescorted access authorization may be granted only once per individual based upon satisfactory completion of the following conditions:

1. Identity verification through one photo identification.
2. Conduct a credit check.
3. Recommendation of one developed character reference who has had frequent and direct association with the applicant.
4. Conduct an employment check and suitable inquiry for the past 365 days.
5. Passing a psychological evaluation within the past 365 days.
6. Evidence that a request for fingerprint history has been submitted.

This temporary status will remain in effect until the five year background investigation and fingerprints results have been processed and reviewed favorably. Requirements for temporary unescorted access were met for the contract individual on 3/14/2002 and unescorted access was granted on 3/18/2002.

Upon receipt of a criminal history record, it is reviewed by Access Services to determine either to continue to grant or to deny further unescorted access. If the information in the criminal history record is not discovered during the unescorted access authorization process, a determination is made by the Access Services Group whether or not the

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**NARRATIVE** (If more space is required, use additional copies of NRC Form 366A) (17)

arrests/convictions adversely affect the reliability or trustworthiness of the individual. In circumstances where an individual's trustworthiness and reliability is questionable, unescorted access authorization is restricted/revoked.

Description of Event

The following is a chronology of the security event reported by Oconee Nuclear Station to the NRC Operations Center via the Emergency Notification System at 1503 hours on 3/20/2002 (EN#38789).

- 03/18/2002 Individual was issued a security badge with Oconee Nuclear Station protected/vital area unescorted access.
- 03/20/2002 Individual's unescorted access restricted pending investigation concerning results of criminal history check. Access was subsequently terminated.

Causal Factors

The investigation of this event did not indicate any malevolent intent to harm plant equipment on the part of the contract employee. The contract employee failed to disclose all criminal offenses in order to gain unescorted access. The individual was authorized Vital Area Access to perform outage related work. The individual did access the Unit 1&2 Cable Room vital area of the plant on one occasion for less than four (4) minutes, during a pre-job orientation for pending work. During the time period that the individual was within the vital area he was accompanied by another employee who was authorized to the area and who had a full unescorted access clearance. During the time period the individual had unescorted access to the protected area, information from the individual's supervisor indicated that at no time did he display any form of aberrant behavior.

A review of Security computer transactions for the individual indicates that the Unit 1&2 Cable Room was the only vital area accessed.

A review of the authorization process concluded that all requirements and established processes were followed regarding the granting of temporary authorization of unescorted access.

The evaluation of the facts of this event leads to the conclusion, that the cause of this event was an inappropriate action of intentional

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falsification of information. The willful falsification may have been motivated by a desire for employment.

**CORRECTIVE ACTION:**

Immediate:

Individual was escorted from the protected area and his unescorted access was restricted.

Subsequent:

1. Individual's unescorted access authorization was terminated in accordance with Duke Energy's Access Authorization Program.
2. Indicated unfavorable termination on individual's record in the Personnel Access Data System with additional data added to indicate that pertinent information should be obtained from Duke Energy before processing a request for access from this individual.

Planned:

NONE

There are no NRC Commitment items contained in this report.

**SAFETY EVALUATION:**

There was no safety significance associated with this event as the investigation of this event did not indicate any malevolent intent on the part of the contract employee.

**ADDITIONAL INFORMATION**

There were no releases of radioactive materials, no personnel injuries, and no reportable equipment failures associated with this event.

Licensee Event Reports 269/1999-S02, dated November 16, 1999, and 269/2001-S01 dated May 7, 2001, reported similar events where applicants for temporary employment failed to report prior offenses in order to gain employment. Therefore, this is a recurring event. Since the current event involved an intentional act by a different applicant, corrective

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**NARRATIVE** (If more space is required, use additional copies of NRC Form 366A) (17)

actions from the previous events could not be expected to have prevented this event.

There were no releases of radioactive materials, radiation exposures or personnel injuries associated with this event.

This event is not considered reportable under the Equipment Performance and Information Exchange (EPIX) program.