

February 14, 1989

Docket No. 50-346
Serial No. DB-89-003

Mr. Donald C. Shelton
Vice President, Nuclear
Toledo Edison Company
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Dear Mr. Shelton:

SUBJECT: AMENDMENT NO. 129 TO FACILITY OPERATING LICENSE NO. NPF-3 PHYSICAL SECURITY PLAN (TAC NOS. 65375/66914)

The Commission has issued the enclosed Amendment No. 129 to Facility Operating License No. NPF-3 for the Davis-Besse Nuclear Power Station, Unit No. 1. This amendment consists of changes to the license in response to your submittals dated December 1, 1986, and January 12 and January 29, 1988.

This amendment modifies paragraph 2.D of the license to require compliance with the amended Physical Security Plan. This Plan was amended to conform to the requirements of 10 CFR 73.55. Consistent with the provisions of 10 CFR 73.55, search requirements must be implemented within 60 days and miscellaneous amendments within 180 days from the effective date of this amendment. The amendment also permits modifications to vital area designations and the vital area access authorization system at the site.

Our evaluation of the amendment to your Physical Security Plan for Davis-Besse Unit 1 is contained in the enclosed Safeguards Evaluation Report. Based on this evaluation, we find that you meet the requirements of the Miscellaneous Amendments and Search Requirements revision to 10 CFR 73.55 and the record-keeping requirements of 10 CFR 73.70.

We find that this amendment to your license is related solely to safeguards matters and does not involve any significant construction impacts. Accordingly, this amendment meets the eligibility criteria for categorical exclusion set forth in 10 CFR 51.22(c)(12). Pursuant to 10 CFR 51.22(b), no environmental impact statement or environmental assessment need be prepared in connection with the issuance of this amendment.

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Mr. Donald Shelton

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Based on the fact that this license amendment applies to the Physical Security Plan and incorporates into the license the latest requirements of your updated Physical Security Plan, we have concluded that there is reasonable assurance that the health and safety of the public will not be endangered by this action and that this action will be conducted in compliance with the Commission's regulations, and the issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public.

Your Physical Security Plan consists of Safeguards Information required to be protected from unauthorized disclosure in accordance with the provisions of 10 CFR 73.21.

Notice of issuance will be included in the Commission's next biweekly Federal Register notice.

Sincerely,

/s/

Thomas V. Wambach, Sr. Project Manager
Project Directorate III-3
Division of Reactor Projects - III, IV,
V & Special Projects
Office of Nuclear Reactor Regulation

Enclosures:

- 1. Amendment No.129 to License No. NPF-3
- 2. Safeguards Evaluation Report

cc: w/enclosures
See next page

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Surname: PKreutzer
Date: 1/31/89

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See for
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Mr. Donald C. Shelton
Toledo Edison Company

Davis-Besse Nuclear Power Station
Unit No. 1

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

TOLEDO EDISON COMPANY

AND

THE CLEVELAND ELECTRIC ILLUMINATING COMPANY

DOCKET NO. 50-346

DAVIS-BESSE NUCLEAR POWER STATION, UNIT NO. 1

AMENDMENT TO FACILITY OPERATING LICENSE

Amendment No. 129
License No. NPF-3

1. The Nuclear Regulatory Commission (the Commission) has found that:
 - A. The applications for amendment by the Toledo Edison Company and The Cleveland Electric Illuminating Company (the licensees) dated December 1, 1986 and January 12 and January 29, 1988 comply with the standards and requirements of the Atomic Energy Act of 1954, as amended (the Act), and the Commission's rules and regulations set forth in 10 CFR Chapter I;
 - B. The facility will operate in conformity with the applications, the provisions of the Act, and the rules and regulations of the Commission;
 - C. There is reasonable assurance (i) that the activities authorized by this amendment can be conducted without endangering the health and safety of the public, and (ii) that such activities will be conducted in compliance with the Commission's regulations;
 - D. The issuance of this amendment will not be inimical to the common defense and security or to the health and safety of the public; and
 - E. The issuance of this amendment is in accordance with 10 CFR Part 51 of the Commission's regulations and all applicable requirements have been satisfied.
2. Accordingly, paragraph 2.D of Facility Operating License No. NPF-3 is hereby amended to read as follows:

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D. The licensee shall fully implement and maintain in effect all provisions of the Commission-approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p). The plans, which contain Safeguards Information protected under 10 CFR 73.21, are entitled: "Davis-Besse Nuclear Power Station Physical Security Plan," with revisions submitted through January 29, 1988; "Davis-Besse Nuclear Power Station Guard Training and Qualification Plan," with revisions submitted through February 20, 1987; and "Davis-Besse Nuclear Power Station Safeguards Contingency Plan," with revisions submitted through February 20, 1987. Changes made in accordance with 10 CFR 73.55 shall be implemented in accordance with the schedule set forth therein.

3. This license amendment is effective as of its date of issuance.

FOR THE NUCLEAR REGULATORY COMMISSION

for Thomas V. Wambach
John N. Hannon, Director
Project Directorate III-3
Division of Reactor Projects - III, IV,
V, & Special Projects
Office of Nuclear Reactor Regulation

Date of Issuance: February 14, 1989



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

SAFEGUARDS EVALUATION REPORT
MISCELLANEOUS AMENDMENTS AND SEARCH REQUIREMENTS
TOLEDO EDISON COMPANY
DAVIS-BESSE NUCLEAR POWER STATION, UNIT 1

1.0 Introduction

The Toledo Edison Company (TECO) has filed with the Nuclear Regulatory Commission revisions to their Physical Security Plan for the Davis-Besse Nuclear Power Station, Unit 1.

This Safeguards Evaluation Report (SGER) summarizes how the licensee proposes to meet the Miscellaneous Amendments and Search Requirements revisions of 10 CFR Part 73.55, and discusses the modifications to the vital area designations and the vital area access authorization system at the site.

Based on a review of the Physical Security Plan, the staff has concluded that the proposed changes satisfy Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 (51 FR 27817 and 27822) and accompanying 10 CFR 73.70 recordkeeping and reporting requirements. Accordingly, the protection provided will ensure that the public health and safety will not be endangered.

2.0 Personnel Search

The licensee has provided commitments in the Physical Security Plan to provide a search of all individuals entering the protected area except bona fide Federal, State and local law enforcement personnel on official duty, through the use of equipment designed for the detection of firearms, explosives, and incendiary devices. In addition, the licensee has provided commitments to conduct a physical pat-down search of an individual whenever the licensee has cause to suspect that the individual is attempting to introduce firearms, explosives, or incendiary devices into the protected areas; or whenever firearms or explosives detection equipment is out of service or not operating satisfactorily.

3.0 Vital Area Access

TECO has modified their Davis-Besse Nuclear Power Station, Unit 1, Physical Security Plan to limit unescorted access to vital areas during non-emergency conditions to individuals who require access in order to perform their duties. They have established current authorization access lists for each vital area which are updated and approved by the cognizant manager or supervisor at least once every 31 days. TECO has assured that only individuals whose specific duties require access to vital areas during nonemergency conditions are included on their site access list. TECO has provided further assurance by revoking access and retrieving badges and other entry devices prior, to or simultaneously with notification of termination of an individual's unescorted facility access.

Based upon commitments made by the licensee in revisions to their Physical Security Plan, the staff has concluded that TECO meets the vital area access requirements of 10 CFR 73.55(d)(7)(i)(A)(B) and (C).

By letter dated January 12, 1988, TECO submitted a revision to the Physical Security Plan involving a proposed modification to vital area designations and the vital area access authorization system at the site. The current physical security requirements and unescorted access requirements for the two types of vital areas ("vital areas" and "Type 1 vital area") are exactly the same; however, for Type 1 vital areas a two-man rule was committed to in the plan by the utility. As a result of recent site screening requirements to assure the reliability and trustworthiness of those granted unescorted access (e.g., Drug Testing, Psychological Testing, and FBI Fingerprint Checks), the plan commitment for a second person is no longer needed.

The licensee's proposed modifications to delete the classification "Type 1 vital area" and thus eliminate the security plan commitment for a two-man rule for this area will not alleviate the licensee from other requirements to detect sabotage attempts following major maintenance and refueling outages. This will include equipment walkdowns, valve lineup checks and other inspections to ensure the integrity of vital areas and equipment. This change will not affect methods in which equipment is operated, maintained, or repaired. In addition, the two-man rule was never a regulatory requirement but merely a plan commitment made by the utility to reduce the chance of insider sabotage.

It is the staff's determination that the amendment to the Physical Security Plan, which is described in the January 12, 1988 letter from TECO, does not increase the risk of sabotage at the facility, and that the plan continues to satisfy 10 CFR Part 73.55 requirements.

4.0 Locks and Keys

The licensee has committed to providing methods to reduce the probability of compromise of keys, locks, combinations, and related access control devices used to control access to their protected areas and vital areas. These methods include the rotation of keys, locks, combinations, and related access control devices every 12 months or the changing of these devices whenever there is evidence or suspicion that any key, lock, combination or related access control device may have been compromised or when an individual who has had access to any of these devices has had their access terminated due to a lack of trustworthiness, reliability or inadequate work performance. Only persons granted unescorted facility access are issued such entry devices.

Based upon commitments made by the licensee in revisions to their Physical Security Plan, the staff has concluded that TECO meets the requirements of 10 CFR 73.55(d)(9) to reduce the probability of compromise of keys, locks, combinations, and related access control devices.

5.0 Emergency Access

The licensee has provided commitments to provide for the rapid ingress and egress of individuals during emergency conditions or situations that could lead to emergency conditions by assuring prompt access to vital equipment. An annual review of their physical security plans and contingency plans and procedures will be conducted to evaluate their potential impact on plant and personnel safety. Emergency access is granted by a licensed senior operator.

Based upon commitments made by the licensee in revisions to their Physical Security Plan, the staff has concluded that TECO meets the requirements of 10 CFR 73.55 (d)(7)(ii)(B) to assure access to vital equipment during emergencies or to situations that may lead to an emergency.

6.0 Protection of Secondary Power Supplies

The licensee has provided commitments to protect the on-site secondary power supply system for alarm annunciator equipment and non-portable communications equipment by including such equipment within a vital area boundary.

Based upon commitments made by the licensee in revisions to their Physical Security Plan, the staff has concluded that TECO meets the requirements of 10 CFR 73.55(e) in protecting the secondary power supplies of alarm annunciator equipment and non-portable communications equipment.

7.0 Vital Area Entry/Exit Logging

The licensee has committed to maintaining a log indicating name, badge number, time of entry, and time of exit of all individuals granted access to a vital area except those individuals entering or exiting the reactor control room.

Based upon commitments made by the licensee in revisions to their Physical Security Plan, the staff has concluded that TECO meets the requirements of 10 CFR 73.70(d) by maintaining entry/exit log of individuals accessing vital areas (except the reactor control room).

8.0 Conclusion

Based upon the above evaluation, we find that the licensee has met the requirements of the Miscellaneous Amendments and Search Requirements revision to 10 CFR Part 73.55 and the record reporting requirements of 10 CFR Part 73.70.

Principal Contributor: Barry Manili

Dated: February 14, 1989