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DTE Energy



10CFR73.71

November 8, 2004
NRC-04-0083

0801.26

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

Reference: Fermi 2
NRC Docket No. 50-341
NRC License No. NPF-43

Subject: Safeguards Event Report (SER) No. 04-S02

Please find the enclosed Safeguards Event Report (SER) No. 04-S02, for a reportable event that occurred on October 11, 2004. This SER does not contain any new commitments.

Should you have any questions or require additional information, please contact Mr. Joseph H. Korte of my staff at (734) 586-1095.

Sincerely,

cc: D. P. Beaulieu
E. R. Duncan
NRC Resident Office
Region III
Regional Administrator, Region III
Supervisor, Electric Operators,
Michigan Public Service Commission

JE22

LICENSEE EVENT REPORT (LER)

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

Estimated burden per response to comply with this mandatory collection request: 50 hours. Reported lessons learned are incorporated into the licensing process and fed back to industry. Send comments regarding burden estimate to the Records and FOIA/Privacy Service Branch (T-5 F52), U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, or by Internet e-mail to infocollects@nrc.gov, and to the Desk Officer, Office of Information and Regulatory Affairs, NE0B-10202 (3150-0104), Office of Management and Budget, Washington, DC 20503. If a means used to impose an information collection does not display a currently valid OMB control number, the NRC may not conduct or sponsor, and a person is not required to respond to, the information collection.

1. FACILITY NAME
Fermi 2

2. DOCKET NUMBER
05000341

3. PAGE
1 OF 3

4. TITLE
Unescorted Access Revoked Upon Discovery of Adverse Information in Background Check

5. EVENT DATE			6. LER NUMBER			7. REPORT DATE			8. OTHER FACILITIES INVOLVED	
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REV NO	MONTH	DAY	YEAR	FACILITY NAME	DOCKET NUMBER
10	11	2004	04	S02	00	11	8	2004	FACILITY NAME	DOCKET NUMBER 05000
									FACILITY NAME	DOCKET NUMBER 05000

9. OPERATING MODE: 1

10. POWER LEVEL: 100

11. THIS REPORT SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR§: (Check all that apply)

<input type="checkbox"/> 20.2201(b)	<input type="checkbox"/> 20.2203(a)(3)(i)	<input type="checkbox"/> 50.73(a)(2)(i)(C)	<input type="checkbox"/> 50.73(a)(2)(vii)
<input type="checkbox"/> 20.2201(d)	<input type="checkbox"/> 20.2203(a)(3)(ii)	<input type="checkbox"/> 50.73(a)(2)(ii)(A)	<input type="checkbox"/> 50.73(a)(2)(viii)(A)
<input type="checkbox"/> 20.2203(a)(1)	<input type="checkbox"/> 20.2203(a)(4)	<input type="checkbox"/> 50.73(a)(2)(ii)(B)	<input type="checkbox"/> 50.73(a)(2)(viii)(B)
<input type="checkbox"/> 20.2203(a)(2)(i)	<input type="checkbox"/> 50.36(c)(1)(i)(A)	<input type="checkbox"/> 50.73(a)(2)(iii)	<input type="checkbox"/> 50.73(a)(2)(ix)(A)
<input type="checkbox"/> 20.2203(a)(2)(ii)	<input type="checkbox"/> 50.36(c)(1)(ii)(A)	<input type="checkbox"/> 50.73(a)(2)(iv)(A)	<input type="checkbox"/> 50.73(a)(2)(x)
<input type="checkbox"/> 20.2203(a)(2)(iii)	<input type="checkbox"/> 50.36(c)(2)	<input type="checkbox"/> 50.73(a)(2)(v)(A)	<input checked="" type="checkbox"/> 73.71(a)(4)
<input type="checkbox"/> 20.2203(a)(2)(iv)	<input type="checkbox"/> 50.46(a)(3)(ii)	<input type="checkbox"/> 50.73(a)(2)(v)(B)	<input type="checkbox"/> 73.71(a)(5)
<input type="checkbox"/> 20.2203(a)(2)(v)	<input type="checkbox"/> 50.73(a)(2)(i)(A)	<input type="checkbox"/> 50.73(a)(2)(v)(C)	<input type="checkbox"/> OTHER
<input type="checkbox"/> 20.2203(a)(2)(vi)	<input type="checkbox"/> 50.73(a)(2)(i)(B)	<input type="checkbox"/> 50.73(a)(2)(v)(D)	

Specify in abstract below or in NRC Form 366A

12. LICENSEE CONTACT FOR THIS LER

FACILITY NAME: Joseph H. Korte, Manager – Nuclear Security
TELEPHONE NUMBER (Include Area Code): (734) 586-1095

13. COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT

CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO EPIX	CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO EPIX

14. SUPPLEMENTAL REPORT EXPECTED

YES (If yes, complete 15. EXPECTED SUBMISSION DATE) NO

15. EXPECTED SUBMISSION DATE

MONTH	DAY	YEAR

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

On October 6, 2004, a contractor employee was granted Reinstated Unescorted Access authorization to the protected and vital areas after the requirements of 10 CFR 73.56 were satisfied in accordance with NEI 03-01, "Industry Guideline for Nuclear Power Plant Access Authorization Programs," Revision 1. On October 8, 2004, at approximately 1945 hours, a review of the background investigation revealed that the contractor employee had failed to disclose adverse information in the background check process. Upon discovery, the contractor employee's unescorted access was immediately suspended.

The adverse information was developed as the full background check was in progress subsequent to access authorization being granted on October 6, 2004. The employee was interviewed on October 11, 2004, about the adverse information. The employee admitted that the information received was factual but did not admit to intentionally falsifying or withholding information when requesting unescorted access. If this information was known at the time access authorization was being evaluated, the request for unescorted access would have been denied. The incident was reported to the NRC on October 11, 2004, in accordance with 10 CFR 73.71(b)(1).

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

Initial Plant Conditions:

Mode 1
Reactor Power 100 percent

Description of the Event

On October 6, 2004, after the requirements of 10 CFR 73.56 were satisfied in accordance with NEI 03-01, "Industry Guideline for Nuclear Power Plant Access Authorization Programs," Revision 1, Reinstated Unescorted Access authorization was granted to a contractor employee based on the personal history and employment information that was provided when requesting unescorted access to Fermi 2.

On October 7, 2004, as the full background check was in progress, information was developed from a former employer indicating that the contractor employee had recent illegal drug usage. The company involved was not related to the nuclear power industry, therefore, this adverse information did not appear on the Personnel Access Data Systems (PADS). The employee's unescorted access was suspended at approximately 1952 hours on October 8, 2004. The employee was interviewed at the next availability on site, October 11, 2004, at 0730 hours. The employee was questioned about the adverse information and the employee stated that the information received from the former employer was factual. The employee did not admit to intentionally falsifying the self disclosure information or withholding information when requesting unescorted access. Upon completion of the interview, the employee's unescorted access was revoked.

If the information was known at the time access authorization was being evaluated, the request for unescorted access would have been denied. Therefore, the incident was reported to the NRC within 1 hour (Event #41112), in accordance with 10 CFR 73.71(b)(1).

Cause of the Event

The cause of the event was the contractor employee failed to provide adverse information when requesting unescorted access to Fermi 2. All elements of the access authorization program described in the NRC approved Physical Security Plan were correctly implemented by Detroit Edison.

Analysis of the Event

This event had no adverse impact on the health and safety of the public. A transaction report was generated for the keycard activity from October 6, 2004, through October 8, 2004. The report revealed no record of access to the protected and vital areas of the plant. During the period of the employee's access, the contractor employee did not use the keycard. The contractor employee was not involved in any safety-related work during the time period unescorted access was authorized. There was no evidence of unusual behavior that would cause the contractor employee's supervisor to take any action under the Behavior Observation Program. This event did not affect or threaten plant safety systems. Local law enforcement assistance was not required, nor was there any media interest.

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

Corrective Actions

This event was entered into the Fermi 2 corrective action program. The contractor employee was escorted from the site and unescorted access was revoked. An investigation revealed that there was no programmatic or organizational weakness that contributed to this event. Therefore, there are no specific corrective actions to be taken to prevent a recurrence of this event.

Additional Information:

A. Failed Components: None

B. Previous LERs on Similar Problems:

SER 2001-S01 describes a similar event where an individual was denied unescorted access.