



444 South 16th Street Mall  
Omaha NE 68102-2247

June 15, 2007  
LIC-07-0057

U. S. Nuclear Regulatory Commission  
ATTN: Document Control Desk  
Washington, DC 20555-0001

- References:
1. Docket No. 50-285
  2. Letter from NRC (D. D. Chamberlain) to OPPD (R. T. Ridenoure) dated May 16, 2007 (NRC-07-057)

**SUBJECT: NRC Inspection Report 05000285/2007009, Reply to a Notice of Violation (NOV) EA-07-056**

In Reference 2, the NRC transmitted a Notice of Violation (NOV) to the Omaha Public Power District (OPPD). The NOV resulted from a security officer failing to follow radiation protection procedural requirements. Attached is the OPPD response to this NOV. In the Reference 2 letter, the NRC expressed concern that the Fort Calhoun Station behavioral observation program, as part of the Insider Mitigation Program, was ineffective. OPPD shares the NRC concerns that the violation was not reported sooner. The root cause analysis determined that the reason for initially failing to report the violations was intimidation behavior by the officer that violated the radiation work permit. Even though the two officers did not report the violation when it occurred, a third officer did report the violation to his supervisor, as required. Therefore, OPPD considers the behavior observation program at Fort Calhoun Station to be effective. However, the two officers who failed to report the unacceptable behavior did not meet OPPD's expectations.

In the Reference 2 letter, the NRC expressed concern that this current violation raises questions as to the effectiveness of OPPD's corrective actions in response to a previous 2002 event. Previous to the 2002 event, OPPD did not have any physical barriers in place to prevent an officer to stand watch on the radwaste building roof without proper dosimetry. Therefore, OPPD was only depending upon the human element to follow the radiation protection procedural requirements. As a result of the 2002 event, OPPD placed a physical barrier at the entrance of the radwaste building roof. Each officer has to place his/her electronic alarming dosimeter in the turnstile to gain access to the roof. This has helped in reminding the officers of the requirements. This willful violation is the first violation since the placement of the physical barrier. The additional corrective actions noted in the attachment should prevent a similar violation from occurring.

LEDI

NRK

This letter does not contain any regulatory commitments. If you should have any questions, please contact me.

Sincerely,

A handwritten signature in cursive script that reads "Mary A. Tesar".

M. A. Tesar  
Division Manager  
Nuclear Support Services

MAT/dkg

Attachment

c: B. S. Mallet, NRC Regional Administrator, Region IV  
A. B. Wang, NRC Project Manager  
L. M. Willoughby, NRC Senior Resident Inspector  
Winston & Strawn

**REPLY TO A NOTICE OF VIOLATION**

**Omaha Public Power District  
Fort Calhoun Station**

**Docket No. 50-285  
License No. DPR-40  
EA-07-056**

**During an NRC inspection and investigation, which were concluded on February 8, 2007, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy, the violation is listed below:**

**Technical Specification 5.8.1.a states, in part, that written procedures shall be established, implemented, and maintained covering the applicable procedures recommended in Regulatory Guide 1.33, Revision 2, February 1978, Appendix A.**

**Regulatory Guide 1.33, Appendix A, Section 7.e.(1), recommends procedures for access control to radiation areas including a radiation work permit system.**

**Section 2.3.10 of Procedure RPP, "Radiation Protection Plan," Revision 22, states, in part, that each station individual is responsible for obeying the requirements of Standing Order SO-G-101, "Radiation Worker Practices." Section 5.4.1 of SO-G-101, Revision 30, states, in part, that radiation work permits are required for entry into any posted radiation controlled area. In addition, Section 5.5.2 of SO-G-101 states, in part, that persons wishing to enter the radiation controlled area shall proceed to the electronic alarming dosimeter (EAD) reader and log in following the instructions on the keypad (5.5.2.E) and confirm that the electronic alarming dosimeter is on and reading zero (5.5.2.J).**

**Contrary to the above, on at least three occasions between November 26, 2005, and March 27, 2006, a security officer deliberately failed to proceed to the radiation controlled area reader and log in following the instructions on the keypad, and confirm that the electronic alarming dosimeter is on and reading zero prior to assuming his post on the roof of the radioactive waste building which was posted as a radiation area inside the radiation controlled area. In addition, the individual enlisted the aid of two other security officers to return his radiation controlled area (sic - electronic alarming dosimeter) to access control in order to expedite his departure at the end of the shift.**

**This is Severity Level IV violation. (Supplement IV).**

**OPPD Response**

**1. Reason for the Violation**

On April 3, 2006, it was reported that on March 27, 2006 a security officer stood watch on the radwaste building roof without proper dosimetry on at least three occasions. On April 3, 2006, Security Department management determined from interviews with security department personnel that this event could be substantiated and condition report 200601359 was written. Subsequently, an investigation was conducted.

A root cause analysis of these events was completed. As a result, Fort Calhoun Station (FCS) determined that the security officer willfully violated the radiation work permits on three separate occasions. The officer stated co-workers had returned his inactivated electronic alarming dosimeter (EAD) to the RCA access control storage rack. The reason for the co-workers failing to report the violations was intimidation behavior by the officer who violated the radiation work permit (RWP).

A contributing cause to this violation was that there was not an independent verification that the EAD was activated when reporting to the radwaste building roof security post.

**2. Corrective Steps Taken and Results Achieved**

- 1) On April 3, 2006 it was determined that a security officer willfully violated the RWP on three occasions. The officer was immediately escorted offsite and his security badge was blocked. The officer was terminated from OPPD on April 3, 2006.
- 2) Beginning April 20, 2006, the two coworkers were suspended from duty. It was also reinforced to the coworkers to immediately report any violations.
- 3) The radwaste building security post turnover checklist has been changed to include verifying the security officer has an EAD in possession and that the EAD is functioning. The security turnover is conducted at the door entrance to the radwaste building roof. This process will ensure that peer checking is conducted by the officers.
- 4) This event has been incorporated into the security training for new hires. This training will stress the importance of verbatim compliance and reporting of events. It also includes the consequences for failing to do so.
- 5) All security personnel were briefed between May 11 through June 1, 2006 regarding compliance to all station policies and procedures. The briefing included the officers' responsibility to report non-compliance immediately.

**3. Corrective Steps That Will Be Taken To Avoid Further Violations**

Corrective actions to prevent recurrence have been completed as noted above. Further enhancements may be implemented by the corrective action system.

**4. The Date When Full Compliance Will Be Achieved**

Fort Calhoun Station is currently in full compliance.