

WOLF CREEK
NUCLEAR OPERATING CORPORATION

Richard A. Muench
President and Chief Executive Officer

February 8, 2008
WM 08-0004

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

Subject: Docket No. 50-482: WCNO's 60-Day Response to NRC Bulletin
2007-01

Gentlemen:

This letter constitutes Wolf Creek Nuclear Operating Corporation's (WCNOC) 60-day response to NRC Bulletin 2007-01, "Security Officer Attentiveness," dated December 12, 2007. As a result of security personnel inattentiveness, especially involving complicity, and related concerns with the behavioral observation program (BOP), the NRC issued Bulletin 2007-01 to obtain information associated with licensee security program administrative and management controls.

Attachment I lists the five (5) specific questions contained in NRC Bulletin 2007-01 along with WCNO's response following each question.

Attachment II contains additional security related information that WCNO considers sensitive as it discusses specific timed security operations. Therefore, WCNO requests that Attachment II be withheld from public disclosure in accordance with 10 CFR 2.390.

This letter contains no commitments. If you have any questions concerning this matter, please contact me at (620) 364-4000, or Mr. Richard Flannigan at (620) 364-4117.

Sincerely,



Richard A. Muench

RAM/rlt

A132
NRR

Attachments – I. WCNO's Response to NRC Bulletin 2007-01
II. Additional information withheld from public disclosure per 10 CFR 2.390

cc: E. E. Collins (NRC)
V. G. Gaddy (NRC)
B. K. Singal (NRC)
Senior Resident Inspector (NRC)

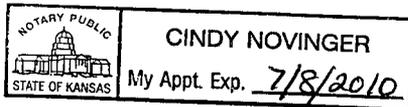
STATE OF KANSAS)
) SS
COUNTY OF COFFEY)

Richard A. Muench, of lawful age, being first duly sworn upon oath says that he is President and Chief Executive Officer of Wolf Creek Nuclear Operating Corporation; that he has read the foregoing document and knows the contents thereof; that he has executed the same for and on behalf of said Corporation with full power and authority to do so; and that the facts therein stated are true and correct to the best of his knowledge, information and belief.

By *Richard A. Muench*
Richard A. Muench
President and Chief Executive Officer

SUBSCRIBED and sworn to before me this 8th day of February, 2008.

Cindy Novinger
Notary Public



Expiration Date 7/8/2010

**Wolf Creek Nuclear Operating Corporation's (WCNOC) Response to Specific Questions
in
NRC Bulletin 2007-01: Security Officer Attentiveness**

QUESTION 1

How do you identify, report and document human performance issues involving inattentiveness, especially complicity among licensee security personnel including security contractors and subcontractors? Include a description of actions staff and supervisors take to prevent, identify and correct instances of security personnel inattentiveness, especially complicity, and address how employee concerns related to security personnel inattentiveness and complicity are addressed.

Examples of the types of information to include when providing your response to Question (1) are:

- a. Describe the means used to maintain the attentiveness and vigilance of your security personnel such as through the effective use of job/post rotations: communication checks, (audio/visual) audio stimuli; (e.g. radio), and other attentiveness stimuli for security posts where appropriate, based on the nature of the duties.*
- b. Describe how you ensure that environmental conditions such as temperature, humidity, lighting, and noise levels do not degrade attentiveness or vigilance.*
- c. Describe how you monitor the attentiveness and vigilance of security personnel such as through behavioral observation by supervisors/managers, behavioral observation by peers, and video surveillance.*

RESPONSE

WCNOC recognizes the importance of a safety conscious work environment (SCWE) where individuals feel free to raise safety concerns and feel confident that those concerns will be promptly reviewed and resolved with a priority appropriate to their significance.

WCNOC is committed to maintaining an environment where individuals' concerns and issues about safety are immediately recognized and addressed. It is the responsibility of everyone to identify and resolve issues in order to maintain the safe and efficient operation of our facility. WCNOC values an environment in which the raising of issues or expressing alternate points of view is encouraged and sought out. Equally important, when issues are raised, WCNOC must take the right actions to address the identified issues. Failure to do so discourages people from raising issues.

All personnel granted unescorted access to WCNOC receive the same initial training on the importance of a SCWE.

Individuals are encouraged and expected to promptly report concerns and issues to supervision for resolution under one or more existing plant programs. These programs include the Corrective Action Program, Employee Concerns Program, Access Authorization, Fitness for Duty, and Human Resources. Alternatively, the individual may make reports directly to any of these programs or to the Nuclear Regulatory Commission.

The Behavioral Observation Program (BOP) is designed to make all employees with unescorted access aware of their responsibilities to recognize individual behaviors which, if left unattended, could lead to acts detrimental to public health and safety. A key objective of the program is the recognition of behavior that is adverse to safety and security of the facility, including an unusual interest in or predisposition towards security and/or involvement in operations activities outside the normal work activities scope.

All personnel with unescorted access receive initial BOP training and annual testing of BOP concepts. Employees monitor the behavior of other personnel with unescorted access. BOP monitoring is most effective when conducted by the employees' immediate supervision or co-worker because these individuals have frequent interaction and will recognize changes in behavior. All personnel are expected to identify and report acts detrimental to public health and safety including security officer inattentiveness. Individuals are encouraged to promptly report SCWE and BOP concerns and issues to supervision for resolution under one or more existing plant programs. These programs include the Corrective Action Program, Employee Concerns Program, Access Authorization, Fitness for Duty, and Human Resources. Alternatively, the individual may make reports directly to any of these programs or to the Nuclear Regulatory Commission.

On a monthly basis, supervision/management formally documents that BOP monitoring has occurred for individuals who have not accessed the protected area within the past 30 days. Individuals are required to report arrests and other issues that may impair their fitness for duty. An annual review is performed and documented by supervision which typically includes behavior deviations reported to or observed by the supervisor. The supervisory review is evaluated by an access authorization program reviewing official to determine if additional action is required concerning the individual's trustworthiness, reliability and fitness for duty.

Monitoring for both SCWE and BOP is accomplished through periodic assessment of the other reporting programs noted above. Effectiveness of these programs is periodically assessed by the licensee through self assessments, QA audits, Operations Excellence Advisory Committee reviews, Nuclear Safety Culture Assessments, Safety Conscious Work Environment surveys, Corrective Action Review Board, and other site reviews. Additionally, independent reviews are conducted by the Institute of Nuclear Power Operations (INPO), the NRC, and industry peer review teams.

Other methods used to identify security performance issues include:

- Routine shift briefing fatigue declaration
- Self identification
- Peer and General employee observations
- Security management and supervisory observations
- Non-Security management and supervisory observation
- Nuclear Oversight observations
- Communication checks
- Technology aids (cameras, security door logs)
- Facility design (environmental conditions, lighting, noise, etc.)
- Exit interviews

Methods used to report security performance issues include:

- WCNOC's problem identification and resolution process. This process has the ability for anonymous entries.
- Direct contact with Security management and/or supervision
- Contact with plant non-security management and/or supervisory personnel
- Safeguards Event Log
- Contact with Nuclear Oversight/Quality Assurance (QA) personnel
- Contact with the WCNOC Concerns Line Hotline (confidentially and anonymously)
- Contact with Employee Concerns Program
- Access Authorization/Fitness for Duty (FFD) Program
These programs apply to all individuals granted unescorted access to the site protected area. As part of the Plant Access Training program, all individuals with unescorted access receive initial and annual requalification training on the FFD and Access Authorization programs. Contained within this training material is the expectation that plant personnel report unusual behavior or suspected substance abuse by a co-worker to his or her supervisor or to Security. WCNOC maintains an Access Authorization/FFD program. Access/FFD personnel are available during normal working hours to resolve personnel Access/FFD issues. During backshift hours, the on-duty Security Shift Lieutenant has the ability to contact the site FFD program supervisor. Part of the FFD program is the Employee Assistance program (EAP) which is available to both WCNOC and contract individuals. This program provides short term counseling, referral services, and treatment monitoring for problems or conditions which may adversely affect the performance at WCNOC.
- Contact NRC Resident Inspectors/Hot Line
- Direct to Human Resource Organization/ harassment, intimidation, retaliation, and discrimination (HIRD)

When an event is reported it is documented in order to capture the immediate facts and circumstances surrounding the incident. If a person has come forward with information

then Interviews with those that saw the inattentiveness and a description of what they observed is documented. The officer in question is also interviewed to determine culpability. All of these notes are factored into the discipline determination. Security officer inattentiveness is viewed as a nuclear safety concern and discipline even for a first offense is escalated.

Methods used to document and address security performance issues:

- **Corrective Action Program (Investigation)**
- **Self-Assessment reports**
- **Safeguards Event Log**
- **Employee Concerns Program Log**
- **NRC Allegation Program**
- **NRC Hotline**
- **Coaching**
- **Security Incident Reports**

WCNOC uses a variety of methods to prevent (p), identify (i), and correct (c) incidences of security personnel inattentiveness and complicity to ensure that security personnel can perform their assigned duties and responsibilities, maintain continuous communication with CAS/SAS, and are immediately available to respond at all times. Items identified with an asterisk were implemented following issuance of Safeguards Advisory SA-07-06:

- (*) Backshift shift visits are conducted by security management and documented on each position post check log (p, i, c).
- Security shift supervision conducts routine random security post checks twice per shift. The purpose of these checks is to ensure that personnel are attentive and able to perform their assigned duties and responsibilities. These checks provide Security personnel with the opportunity to report issues that may impact their ability to perform effectively, including their ability to remain alert and attentive to duty. Although these checks were conducted prior to SA-07-01 being issued, documenting these checks was implemented afterwards. (p, i, c)
- Security officer post rotations are completed at periodic intervals on all posts. Post rotations are monitored by supervision to ensure that personnel do not remain in a location where they could become inattentive. (p)

Note 1: Attachment II contains additional security information concerning specific intervals for post rotations that WCNOC considers sensitive. Therefore WCNOC requests that Attachment II be withheld from public disclosure in accordance with 10 CFR 2.390.

- (*) Central Alarm Station/Secondary Alarm Station (CAS/SAS) operators conduct communication/status checks with Security personnel by radio or phone on a periodic basis. The purpose of these checks is to ensure that the Security officer is attentive and able to perform their assigned duties and

responsibilities. Personnel who do not immediately respond to the checks are investigated to determine the cause. (p, i, c)

Note 2: Attachment II contains additional security information concerning specific intervals for communication/status checks that WCNOG considers sensitive. Therefore WCNOG requests that Attachment II be withheld from public disclosure in accordance with 10 CFR 2.390.

- Security officers are expected to do peer checks and provide post relief or breaks to Security personnel when needed. Personnel are also encouraged to contact supervision to request relief if necessary. (p, i, c)
- Security personnel are authorized to utilize alertness aids such as entertainment radios, reading material, computers, DVD (or CD) players, phones, video surveillance and other technology, on certain posts where these aids will not detract from their primary responsibilities. (p)
- (*) Security supervisors conduct a shift brief within the first two hours of their shift and provide each individual the opportunity to self-declare fatigue, with no adverse impact, if they feel that they would be in danger of becoming less than alert during shift. (p, i, c)
- Security personnel receive SCWE training annually. (p, i)
- Security personnel receive BOP training annually. (p, i)
- (*) WCNOG Security management has conducted a post assessment of each security post and facility to determine if conditions could negatively impact attentiveness or vigilance and determine appropriate mitigation measures. This assessment was conducted in accordance with the "Security Post Evaluation Guidance" document provided by the Nuclear Energy Institute (NEI). This assessment resulted in the allowance of additional attentiveness aids in specified locations as determined appropriate by Security management. (p, c)
- Security overtime is managed within the existing work hour requirements. (p)
- Lifestyle training has been provided to Security personnel that emphasizes the importance of adequate rest, diet, exercise, consumption of caffeine, and other issues in maintaining good health and alertness while on duty. (p)

Additionally, WCNOG administrative instruction AI 13C-001, "Standards of Conduct, Rules and Discipline", provides in section 6.5.2 in part that neglecting job duties and responsibilities and sleeping during work hours is in violation of company standards and expectations. Section 6.2 of AI 13C-001 provides that a four-step disciplinary process is used for violation of rules and standards: (1) verbal warning; (2) written warning; (3) suspension (with or without pay); and (4) termination. In addition, it provides that disciplinary action can begin at any action level appropriate to the particular circumstances involved.

To support the identification and reporting of inattentiveness at WCNOG, recent operating experience describing inattentiveness amongst security officers at another plant was published in the October 12, 2007 edition of our company newsletter informing

site personnel of this concern. In addition, the event was discussed at our morning manager's meeting to heighten awareness of the leadership team.

The Peach Bottom event was covered with Security Management personnel in September 2007 during the Security Manager Staff meeting.

The Security Manager sent out correspondence (e-mail) to all Security personnel on the Beach Bottom Issue in September 2007.

The Peach bottom incident was covered with Security Squads during the Supervisor Security Support meetings during the training block conducted in October/November 2007.

WCNOC put a focus group together to look at attentiveness in October 2007.

QUESTION 2

How do you ensure that all employees and contractors report security concerns and any perceived security conditions that reduce the safety or security of a licensee facility? How do you ensure that staff is aware that there is no retaliation for self-reporting of inattentiveness or complicity or for reporting others?

RESPONSE

All employees and contractors with unescorted access authorization are required to adhere to all site policies and procedures. They are required to report any adverse condition to quality and safety including any perceived security conditions that reduce the safety or security of WCNOC. WCNOC has initiated the actions described in the response to question (1) to ensure that all personnel are cognizant of the requirement to report these concerns. WCNOC is utilizing self assessments and quality assessments that provide indications of the effectiveness of facility programs, policies, procedures, training, and communications in engaging employees in this requirement. Identified areas for improvement are entered into the corrective action program.

Pursuant to WCNOC Corporate Policy 9, "Employee Concerns", employees have a responsibility to openly discuss questions or concerns with their supervisor. These concerns include work related problems, safety, quality or employee well-being issues.

The supervisor is expected to objectively and sincerely attempt to resolve issues with employees. Should responses or solutions not reasonably satisfy employees, an open-door policy permits employees to address problems with the supervisor's immediate manager and up the chain of command.

If the concern cannot be resolved within the chain of command, if the subject matter is extremely sensitive, or if employees are just not sure of which communication path to use, Human Resources and the Ombudsman are available to assist employees in

resolving concerns. These organizations will gather the necessary facts to coordinate resolution with appropriate management.

The identity of employees reporting nuclear safety issues will be kept in confidence to the extent possible during the investigation and resolution of nuclear safety issues. It should be recognized that the nature of some issues might be such that complete confidentiality is not possible.

Wolf Creek Nuclear Operating Corporation will not tolerate harassment, intimidation, retaliation, and discrimination (HIRD) against employees who communicate nuclear safety issues.

Employees also have the right to seek recourse through outside agencies such as the Nuclear Regulatory Commission and Department of Labor.

WCNOC staffs an Ombudsman position full time at the station to provide an immediate opportunity for employees to report concerns. Concerns provided to the Ombudsman are logged and resolution documented.

In addition to the Ombudsman, WCNOC's Employee Concerns program includes a 24-hour a day hot line. A number is assigned to each concern brought forward so that the person reporting can check on the progress of the concern.

QUESTION 3

How do you ensure that managers and supervisors provide oversight of BOP adherence to ensure there is no complicity to circumvent the program or failure to report wrong doing or careless disregard of the regulations?

RESPONSE

WCNOC provides initial training on the importance of SCWE and BOP programs in Plant Access Training (PAT). The importance is reinforced through continuing training and communications from Executive management to all individuals. To support the identification and reporting of inattentiveness at Wolf Creek Generating Station (WCGS), recent operating experience describing inattentiveness amongst security officers at another plant was published in the October 12, 2007 edition of our company newsletter informing site personnel of this concern.

Additionally, supervisory engagement in the SCWE and BOP programs is evidenced by management directed for-cause drug and alcohol testing, post accident testing, near miss testing, psychological evaluations, Employee Assistance Program (EAP) referrals, and Medical Review Officer (MRO) evaluations, etc.

WCNOC's behavioral observation program (BOP) is the primary means for determining continued trustworthiness and reliability of covered individuals. The objective of the BOP is, in part, to detect illegal drug use, alcohol/legal drug abuse and other behavior

that may constitute an unreasonable risk to the health and safety of the public, including a potential threat to commit radiological sabotage.

To ensure oversight of the BOP Management personnel are responsible for:

1. Observing personnel for behavioral traits and patterns that may reflect adversely on their trustworthiness or reliability,
2. Awareness of behaviors that might be adverse to safe operation; and
3. Reporting those observations to appropriate licensee or contractor management.

WCNOC is committed to a program of continued observation of employees, visitors, contractors, and owner company employees for indications of any on-the-job atypical behavior, which may impair job performance. If such behavior is detected, corrective measures are taken. Corrective measures include investigation of the circumstances and an evaluation of the risk involved in continuing unescorted access at WCNOC. It is important for the supervisor to document each case in which the initial discussion with the individual determines that a problem exists. Normally, this documentation will take the form of an informal memo that is retained in the supervisor's file. This memo should include a description of the behavior or situation, the date and time that it occurred and what the results were.

The Behavioral Observation Program training results in reasonable assurance that WCNOC and contractor personnel have sufficient awareness and sensitivity to detect degradation in performance which may be the result of being under the influence of any substance, legal or illegal, physical or mental impairment which in any way may adversely affect their ability to safely and competently perform their duties, with an expectation of promptly reporting noticeable changes in behavior to management for appropriate evaluation and action. All employees and supplemental employees having unescorted access receive initial and annually recurring training in behavioral observation including a review of the FFD program requirements. This training is provided coincident with Plant Access Training.

To ensure continued reliability, WCNOC conducts Annual Supervisor FFD evaluations. The individual's fitness-for-duty supervisor completes the evaluation. The review is based on interactions with the individual over the review period. The review includes:

1. A description of any condition that may have resulted in the employee acting or behaving in an unconventional manner.
2. Any circumstances which may indicate the need to refer the employee for additional medical or psychological review.
3. Any information developed over the review period, regarding the behavioral characteristics of the employee supervised. This information would typically

include behavioral norm deviations, which have been reported to the supervisor through implementation of the BOP.

QUESTION 4

What are the results of any self-assessments performed within the last 2 years associated with the items above? Specifically, what do you do to assess the effectiveness of your employee access authorization program?

- a. Provide a summary of each assessment that details the objective and the identified results of each assessment.*
- b. Summarize any program changes and enhancements, follow-up activities and other actions you have taken as a result of each self assessment.*

RESPONSE

WCNOC Security and Access Authorization Organizations did conduct self-assessments and quality assessments within the last two (2) years.

In review of these assessments, there were no officer attentiveness recommendations or findings identified.

Condition report CR 2007-003791 dated 10/02/2007 identified that a security officer was possibly inattentive on duty. In addition to this event, Security initiated condition report CR 2007-004408 on 11/29/2007 to determine what process improvements and program changes are needed within security, to ensure officers remain attentive. The focus group is evaluating attentiveness processes at security duty posts. The evaluating elements are attentiveness levels, activity levels, and environmental conditions.

Corrective action measures to combat fatigue:

Current

- **Security personnel asked for any FFD concerns during shift brief communication check – *post Peach Bottom***
- **Post rotations (See Attachment II)**
- **Twice per shift post checks/relief – *post Peach Bottom***
- **Periodic communication checks – *post Peach Bottom (See Attachment II)***
- **Post rotation supports frequent movement – *post Peach Bottom***
- **Radio listening allowed**
- **Internet Access allowed – *post Peach Bottom***
- **Healthy food and drink selections available to personnel – *post Peach Bottom***
- **Telephones at security post**
- **Reading of appropriate non-work related materials is allowed**

In the area of Access authorization, program changes were implemented due to issues identified on corrective action documents. Those program improvements are listed below.

Station Access Authorization Initiative

Access Screening implemented new access authorization software. This software will assist with the in processing of personnel access to the WCGS. This software will alleviate numerous manual processes within the Access Screening Organization and the Security Organization.

With the implementation of the new Access Screening Software, Security Screening Information System (SSIS), there is no longer a need to call or e-mail Access Screening, Security, Training, Human Resources, Information Services, and Health Physics of individuals requesting access to WCGS. Individuals in organizations have "Request Access Role" inside the SSIS application allowing them to initiate the process for requesting access. Types of access requested could be unescorted access, escorted access, computer access, Radiologically Controlled Area (RCA) access and Owner Controlled Area (OCA) access.

The system is workflow based which means once the request is submitted the workflow will take the request through a system of approval and notifications. The workflow will automatically notify Access Screening, Security, Training, Health Physics, Human Resources and Information Services of the request in process. The workflow engine electronically routes requests for processing and approval based upon the request type. It also ensures that the required screening elements are completed, required signatures are collected and that mandatory data is exchanged with the NEI Personnel Access Database System (PADS) at the appropriate steps in the process. Approvals are performed electronically, eliminating the need for paper forms. Individuals are able to check on the status of their requests at any time eliminating phone calls.

SSIS has simplified the FFD administration and ensures compliance with all program requirements and regulations. The system also provides numerous reports to help manage the day-to-day work. In addition, there are capabilities to develop custom reports.

Condition Reports incorporating Access Authorization program improvements

- CR 2006-001466 implemented program requirement to restrict network access upon failure of PAT or FFD
- CR 2007-004427 back shift drug and alcohol-testing process was enhanced to schedule and perform tests during various times of the back-shift
- CR 2007-003392 security has requested a change to the Plant Security Computer System (PSCS) register setting to inactivate a badge when the reader is accessed rather than when the intrusion switch changes state; this action will disallow an active badge offsite
- Refuel critique – past outage critique item documented officers manual log for access control points of entry for outage activities; security will utilize computer tablets to log and check access in the 2008 refueling outage; this process is

currently being used at the main gate north point of entry to verify or deny access to the plant

- CR 2007-001044 NRC personnel, not within Region IV, are provided badges that expire after the limited duration of their review
- CR 2006-000325 new access authorization software will notify supervisor on a random drug screen holdover on the date set by the supervisor for their return; this places the accountability on the supervisor to ensure testing is completed for a worker who is offsite and was selected for a drug screen

QUESTION 5

How do you assess the effectiveness of your oversight of contractors and subcontractors?

RESPONSE

It is understood that the intent of this question is focused on licensee oversight of adherence to BOP requirements with regard to reporting security officer inattentiveness by all contractors granted unescorted access authorization.

WCNOC does not differentiate between licensee employees and contractors or subcontractors in implementation of access authorization, fitness for duty, behavior observation, or SCWE.

WCNOC requires that all contractors and subcontractors granted unescorted access authorization adhere to all site policies and procedures including the requirement to report security officer inattentiveness.

WCNOC assesses the effectiveness of its oversight of contractors and subcontractors by the corrective action program, ombudsman program (employee concerns), human performance evaluation results, and field observations.

WCNOC integrates contractor site management into site processes such as, all hands meetings, the corrective action program, plan of the day meetings, pre-job briefs, documentation of performance coaching observations, and leadership logbook entries.