



**UNITED STATES
NUCLEAR REGULATORY COMMISSION**
REGION II
245 PEACHTREE CENTER AVENUE NE, SUITE 1200
ATLANTA, GEORGIA 30303-1257

March 31, 2011

EA-10-255
Mr. David A. Heacock
President and Chief Nuclear Officer
Virginia Electric and Power Company
Innsbrook Technical Center
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: SURRY POWER STATION - NRC INSPECTION REPORT 05000280/2011012,
05000281/2011012, NRC OFFICE OF INVESTIGATIONS REPORT 2-2010-029
AND NOTICE OF VIOLATION

Dear Mr. Heacock:

On December 8, 2010, the Nuclear Regulatory Commission's (NRC) Office of Investigations completed an investigation and in-office review at Surry Power Station to determine, in part, whether a former laborer failed to conduct a roving fire watch patrol and deliberately falsified subsequent documentation. Based on the results of the investigation, the NRC concluded that the individual deliberately failed to follow station procedure CM-AA-FPA-100, Revision 1, "Fire Protection/Appendix R (Fire Safe Shutdown) Program," Attachment 2. The results of the investigation were discussed on March 30, 2011, with Mr. Bischof and other members of your staff. The enclosed inspection report presents the findings resulting from this investigation.

During this inspection, the NRC staff examined activities conducted under your license as they relate to public health and safety and with the conditions of your license. Within these areas, the inspection consisted of selected examination of procedures and representative records, observations of activities, and interviews with personnel.

Based on the staff's review of the facts and circumstances in this case, the NRC has determined that a Severity Level IV violation of NRC requirements occurred. The violation was evaluated in accordance with the NRC Enforcement Policy. The current Enforcement Policy is included on the NRC's Web site at (<http://www.nrc.gov/about-nrc/regulatory/enforcement/enforce-pol.html>).

The violation is cited in the enclosed Notice of Violation (Notice) and the circumstances surrounding it are described in the enclosed inspection report. The violation is being cited because of the willful aspects, and because of the repetitive nature of the employee's missed fire watches, in accordance with Section VI.A.1 of the NRC's Enforcement Policy in effect at the time of the violation. The NRC also notes that Surry's internal investigation identified numerous additional examples of missed fire watches and related falsified documentation involving this employee.

You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response.

Additionally, as discussed above, Surry's internal investigation of this matter identified numerous additional examples of missed fire watches and related falsified documentation, occurring over several months. In light of the above, the NRC requests that your response address corrective actions that have or will be implemented to permit or allow for early identification of similar non-compliances, should they occur in the future.

Based on the results of this inspection, no findings of significance were identified. However, a licensee-identified violation which was determined to be of very low safety significance is listed in this report. NRC is treating this violation as a non-cited violation (NCV) consistent with Section VI.A.1 of the NRC Enforcement Policy because of the very low safety significance of the violation and because it is entered into your corrective action program. If you contest this non-cited violation, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington DC 20555-0001; with copies to the Regional Administrator, Region II; the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at Surry Power Station.

In accordance with 10 CFR 2.390 of the NRC's "Rules of Practice," a copy of this letter, its enclosure, and your response (if any) will be available electronically for public inspection in the NRC Public Document Room or from the Publicly Available Records (PARS) component of NRC's document system (ADAMS). ADAMS is accessible from the NRC Website at <http://www.nrc.gov/reading-rm/adams.html> (the Public Electronic Reading Room).

Sincerely,

/RA/

Gerald J. McCoy, Chief
Reactor Projects Branch 5
Division of Reactor Projects

Docket Nos.: 50-280, 50-281
License Nos.: DPR-32, DPR-37

cc w/Encls: (See Page 3)

Enclosures: 1. Notice of Violation
2. Inspection Report 05000280/2011012, 05000281/2011012
w/Attachment: Supplemental Information
3. OI Synopsis, Investigation 2-2010-029

Additionally, as discussed above, Surry's internal investigation of this matter identified numerous additional examples of missed fire watches and related falsified documentation, occurring over several months. In light of the above, the NRC requests that your response address corrective actions that have or will be implemented to permit or allow for early identification of similar non-compliances, should they occur in the future.

Based on the results of this inspection, no findings of significance were identified. However, a licensee-identified violation which was determined to be of very low safety significance is listed in this report. NRC is treating this violation as a non-cited violation (NCV) consistent with Section VI.A.1 of the NRC Enforcement Policy because of the very low safety significance of the violation and because it is entered into your corrective action program. If you contest this non-cited violation, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN.: Document Control Desk, Washington DC 20555-0001; with copies to the Regional Administrator, Region II; the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at Surry Power Station.

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ADAMS: X Yes ACCESSION NUMBER: ML110900445 X SUNSI REVIEW COMPLETE

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| NAME | DArnett | GMcCoy | CEvans | | | | |
| DATE | 3/29/11 | 3/29/11 | 3/30/11 | | | | |
| E-MAIL COPY? | YES NO | YES NO | YES NO | YES NO | YES NO | YES NO | YES NO |

cc w/encls:

Gerald T. Bischof
Site Vice President
Surry Power Station
Virginia Electric and Power Company
Electronic Mail Distribution

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Michael M. Cline
Director
Virginia Department of Emergency Services
Management
Electronic Mail Distribution

Letter to David A. Heacock from Gerald J. McCoy dated March 31, 2011

SUBJECT: SURRY POWER STATION - NRC INSPECTION REPORT 05000280/2011012
AND 05000281/2011012

Distribution w/encls:

C. Evans, RII EICS

L. Douglas, RII EICS

OE Mail

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NOTICE OF VIOLATION

Virginia Electric and Power Company
Surry Power Station, Units 1 and 2

Docket Nos.: 50-280, 50-281
License Nos.: DPR-32, DPR-37
EA-10-255

During an NRC OI investigation completed on December 8, 2010 and an in-office review, a violation of NRC requirements was identified. In accordance with the NRC Enforcement Policy in effect at the time, the violation is listed below:

10 CFR 50.48 Fire Protection, requires that a licensee must have a fire protection plan that, in part, outlines the plans for fire protection, fire detection and suppression capability, and limitation of fire damage.

Surry Power Station Renewed Facility Operating License, Condition 3.I "Fire Protection," states, in part, that the licensee shall maintain in effect the provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report (UFSAR) and as approved in the Safety Evaluation Report (SER) and subsequent supplements. The UFSAR requires, in part, that the fire protection program (FPP) meet Appendix A to Branch Technical Position (BTP) APCS 9.5-1, "Guidelines for Fire Protection for Nuclear Power Plants Docketed Prior to July 1, 1976," dated August 23, 1976." Section C.2 of Appendix A to BTP APCS 9.5-1 requires, in part, that inspections, tests, administrative controls, fire drills and training that govern the fire protection program should be prescribed by documented instructions, procedures or drawings and should be accomplished in accordance with these documents.

Dominion Administrative procedure CM-AA-FPA-100, Revision 1, "Fire Protection/Appendix R (Fire Safe Shutdown) Program," Attachment 2, North Anna Power Station and Surry Power Station Program Requirements, Section 3.6.2.g, states in part that, a fire watch shall document their rounds on the Fire Watch Tour Documentation Sheet (Attachment 14).

Contrary to the above, from approximately 2100 on May 4, 2010 to 0400 on May 5, 2010, an individual assigned as a fire watch deliberately documented the completion of fire watch rounds (Fire Watch Tour Documentation Sheet, Attachment 14) for locations in which he did not conduct the fire watches. The affected plant locations were in the Unit 1 Emergency Switchgear Room (ESGR), Unit 2 ESGR, Unit 1 Cable Vault/Tunnel and Unit 2 Cable Vault/Tunnel.

This is a Severity Level IV violation (Supplement VII).

Pursuant to the provisions of 10 CFR 2.201, Virginia Electric and Power Company is hereby required to submit a written statement or explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at Surry Power Station, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation; EA-10-255" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation or severity level, (2) the corrective steps that have been taken and the results

Enclosure 1

achieved, (3) the corrective steps that will be taken, and (4) the date when full compliance will be achieved. Additionally, your response should include the corrective actions related to the repetitive nature of this violation as documented in the enclosed inspection report. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

If you contest this enforcement action, you should also provide a copy of your response, with the basis for your denial, to the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Because your response will be made available electronically for public inspection in the NRC Public Document Room or from the NRC's document system (ADAMS), accessible from the NRC Web site at <http://www.nrc.gov/reading-rm/adams.html>, to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be made available to the public without redaction. If personal privacy or proprietary information is necessary to provide an acceptable response, then please provide a bracketed copy of your response that identifies the information that should be protected and a redacted copy of your response that deletes such information. If you request withholding of such material, you must specifically identify the portions of your response that you seek to have withheld and provide in detail the bases for your claim of withholding (e.g., explain why the disclosure of information will create an unwarranted invasion of personal privacy, or provide the information required by 10 CFR 2.390(b) to support a request for withholding confidential commercial or financial information). If safeguards information is necessary to provide an acceptable response, please provide the level of protection described in 10 CFR 73.21.

Dated this day of March 31, 2011

U. S. NUCLEAR REGULATORY COMMISSION

REGION II

Docket Nos.: 50-280, 50-281

License Nos.: DPR-32, DPR-37

Report No: 05000280/2011012, 05000281/2011012

Licensee: Virginia Electric and Power Company (VEPCO)

Facility: Surry Power Station, Units 1 and 2

Location: 5850 Hog Island Road
Surry, VA 23883

Dates: January 28, 2011 through February 16, 2011

Inspectors: D. Arnett, RII Project Engineer

Approved by: Gerald J. McCoy, Chief
Reactor Projects Branch 5
Division of Reactor Projects

SUMMARY OF FINDINGS

IR 05000280/2011012, 05000281/2011012; 1/28/2011 - 2/16/2011; Surry Power Station; Fire Protection

The report covered an in-office review of NRC Office of Investigations (OI) Report No. 2-2010-029 by a project engineer. One Severity Level IV violation was identified. The significance of most findings is indicated by their color (Green, White, Yellow, Red) using IMC 0609, "Significance Determination Process." Findings for which the Significance Determination Process does not apply may be Green or be assigned a severity level after NRC management review. The NRC's program for overseeing the safe operation of commercial nuclear power reactors is described in NUREG-1649, "Reactor Oversight Process" Revision 4, dated December 2006.

A. NRC Identified and Self Revealing Findings

Cornerstone: Mitigating Systems

- Severity Level IV: The licensee identified a violation of 10 CFR 50.48 Fire Protection requirements when it was determined that a laborer failed to conduct a roving fire watch patrol. The licensee took substantial disciplinary actions and entered the deficiency into the corrective action program for resolution as CR 379888.

This issue was dispositioned using traditional enforcement due to the deliberate aspects of the performance deficiency. Furthermore, the failure to provide complete and accurate information has the potential to impact the NRC's ability to perform its regulatory function. An individual assigned as a fire watch deliberately documented the completion of fire watch rounds (Fire Watch Tour Documentation Sheet, Attachment 14) for locations in which he did not conduct the fire watches. This issue was considered more than minor due to the deliberate aspects of the performance deficiency. In accordance with the guidance in Supplement VII of the Enforcement Policy, this issue is considered a Severity Level IV violation because it involved information that the NRC required to be maintained by a licensee that was incomplete or inaccurate and of more than minor safety significance. No cross-cutting aspect was identified because this performance deficiency was dispositioned using traditional enforcement.

B. Licensee Identified Violations

A violation of very low safety significance which was identified by the licensee was reviewed by the inspectors. Corrective actions taken or planned by the licensee have been entered into the licensee's corrective action program. This violation and corrective actions are listed in Section 4OA7 of this report.

REPORT DETAILS

1. REACTOR SAFETY

Cornerstones: Initiating Events, Mitigating Systems, Barrier Integrity

1R05 Fire Protection

a. Inspection Scope

The inspector reviewed the OI summary and transcripts of interviews conducted by OI investigators related to fire watches conducted by a laborer as well as license conditions, procedures and the UFSAR to determine if violations of regulatory requirements occurred.

b. Findings

Introduction: The licensee identified a violation of 10 CFR 50.48: Fire Protection requirements when it was determined that a laborer failed to conduct a roving fire watch patrol.

Description: Over the course of the night shift of May 4, 2010, the Operations Shift Manager became suspicious of one of the individuals who had been tasked to perform hourly firewatch walkdowns because the operations shift had delays in trying to contact him on several occasions and he had been observed in the break area frequently during the shift. At approximately 5:00 AM on May 4, 2010, the shift manager reviewed the security keycard report for the individual in question and found that he had not been in the firewatch locations from approximately 11:00 PM on May 4, 2010 to 4:00 AM on May 5, 2010. A Fire Watch Tour Documentation Sheet, Attachment 14 had been signed off by this individual for the time period in question.

The licensee's investigation determined that the laborer knew he had not conducted the fire checks when he completed the documentation. Additionally, the licensee's investigation found that the individual previously missed numerous other fire watches during the period August 1, 2009 to April 18, 2010. The laborer was subsequently terminated and the pertinent data was placed in Personnel Access Data System.

Analysis: The failure to provide complete and accurate information regarding completion of the fire watches on the Fire Watch Tour Documentation Sheet (Attachment 14) was a performance deficiency. This issue was dispositioned using traditional enforcement due to the deliberate aspects of the performance deficiency. Furthermore, the failure to provide complete and accurate information has the potential to impact the NRC's ability to perform its regulatory function. This issue was considered more than minor due to the deliberate aspects of the performance deficiency. In accordance with the guidance in Supplement VII of the Enforcement Policy, this issue is considered a Severity Level IV violation because it involved information that the NRC required to be maintained by a licensee that was incomplete or inaccurate which was more than minor safety significance.

No cross-cutting aspect was identified because this performance deficiency was dispositioned using traditional enforcement.

Enforcement: 10 CFR 50.48: Fire Protection, requires that a licensee must have a fire protection plan that, in part, outlines the plans for fire protection, fire detection and suppression capability, and limitation of fire damage. Surry Power Station Renewed Facility Operating License, Condition 3.I "Fire Protection," states in part that the licensee shall maintain in effect the provisions of the approved fire protection program as described in the Updated Final Safety Analysis Report and as approved in the Safety Evaluation Report (SER) and subsequent supplements. The UFSAR requires, in part, that the fire protection program (FPP) meet Appendix A to Branch Technical Position (BTP) APCS 9.5-1, "Guidelines for Fire Protection for Nuclear Power Plants Docketed Prior to July 1, 1976," dated August 23, 1976." Section C.2 of Appendix A to BTP APCS 9.5-1 requires, in part, that inspections, tests, administrative controls, fire drills and training that govern the fire protection program should be prescribed by documented instructions, procedures or drawings and should be accomplished in accordance with these documents. Dominion Administrative procedure CM-AA-FPA-100, Revision 1, "Fire Protection/Appendix R (Fire Safe Shutdown) Program," Attachment 2, North Anna Power Station and Surry Power Station Program Requirements, Section 3.6.2.g, states in part that, a fire watch shall document their rounds on the Fire Watch Tour Documentation Sheet (Attachment 14).

Contrary to the above, from approximately 2100 on May 4, 2010 to 0400 on May 5, 2010, an individual assigned as a fire watch deliberately documented the completion of fire watch rounds (Fire Watch Tour Documentation Sheet, Attachment 14) for locations in which he did not conduct the fire watches. The affected plant locations were in the Unit 1 Emergency Switchgear Room (ESGR), Unit 2 ESGR, Unit 1 Cable Vault/Tunnel and Unit 2 Cable Vault/Tunnel.

The violation is being cited because of the willful aspects, and because of the repetitive nature of the employee's missed fire watches, in accordance with Section VI.A.1 of the NRC's Enforcement Policy in effect at the time of the violation: VIO 05000280/2011012-01, 05000281/2011012-01 Inaccurate Fire Watch Records.

40A6 Meetings, Including Exit

Exit Meeting Summary

On March 30, 2011, the results of this inspection were presented to Mr. Bischof, Site Vice-President, and other members of the licensee staff, who acknowledged the findings. No proprietary information was provided or examined during the inspection.

40A7 Licensee-Identified Violation

The following finding of very low significance was identified by the licensee and is a violation of NRC requirements which meet the criteria of Section 2.3.2 of the NRC Enforcement Policy, for characterization as a Green Non-Cited Violation (NCV).

- 10 CFR 50.48: Fire Protection, requires in part that a licensee must have a fire protection plan that outlines the plans for fire protection, fire detection and suppression capability, and limitation of fire damage. Contrary to this, the licensee identified that from approximately 2100 on May 4, 2010 to 0400 on May 5, 2010, an individual assigned as a fire watch deliberately documented the completion of fire watch rounds (Fire Watch Tour Documentation Sheet, Attachment 14) for locations in which he did not conduct the fire watches. The affected plant locations were in the Unit 1 Emergency Switchgear Room (ESGR), Unit 2 ESGR, Unit 1 Cable Vault/Tunnel and Unit 2 Cable Vault/Tunnel. The deliberate aspect of this finding makes it greater than minor. This issue is in the licensee's CAP as CR 379888.

SUPPLEMENTAL INFORMATION

KEY POINTS OF CONTACT

Licensee

G. Bischof, Site Vice President
B. Garber, S upervisor, Licensing

NRC

G. McCoy, Chief, Division of Reactor Projects (DRP), Reactor Projects Branch 5 (RPB5)
D. Arnett, Project Engineer, DRP, RPB5

LIST OF ITEMS OPENED, CLOSED, AND REVIEWED

Opened and Closed

05000280, 281/2011012-01 VIO Inaccurate Fire Watch Records

Official Use Only – OI Investigation Information

SYNOPSIS

This investigation was initiated on May 12, 2010, by the U.S. Nuclear Regulatory Commission (NRC), Office of Investigations (OI), Region II (RII), to determine whether a former laborer employed by Dominion Virginia Power (DVP), and working at the Surry Power Station (SPS), deliberately failed to conduct firewatches and falsified fire watch logs.

Based on the documentation and testimony developed during this investigation OI:RII substantiated the allegation that a former laborer employed by DVP, and working at SPS, deliberately failed to conduct firewatches and deliberately falsified fire watch logs.

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FIELD OFFICE DIRECTOR, OFFICE OF INVESTIGATIONS, REGION II~~

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