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CHAIRMAN

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

February 12, 1996

The Honorable Herb Kohl  
United States Senate  
Washington, D.C. 20510-4903

Dear Senator Kohl:

In my November 14, 1995 letter to you regarding security provisions at the Zion Nuclear Power Station, I informed you that the Nuclear Regulatory Commission's staff had initiated a security inspection at the Zion site and that I had directed the staff to augment this inspection with additional personnel to ensure that Zion security was thoroughly examined. The inspection was concluded on November 22, 1995. Overall, the inspectors found the Zion security program satisfactory to ensure adequate protection of the public health and safety.

The inspectors concluded that the licensee's controls for personnel, package, and vehicle access to the protected area are effective. Physical performance tests confirmed proper operation of the access control explosives and metal detectors, the x-ray machines, and the perimeter alarm and closed circuit television systems. In addition, the NRC has confirmed that the vehicle barrier system being installed at Zion is adequate to protect the spent fuel pool in the fuel handling building from a large explosive device.

The inspectors identified two violations. One involved the licensee's procedure for responding to certain security threat scenarios proposed by our inspectors in table top drills. In response to our identification of this issue, the licensee implemented immediate compensatory action. The other violation involved two examples of improper assignment of personnel to certain posts. Enclosed is a copy of a letter to the licensee regarding the inspection, including a Notice of Violation and a summary of the results of the inspection. The detailed report, which contains Safeguards Information, is not enclosed.

The NRC will provide this same information to Mr. Pohlman of WTMJ-TV in Milwaukee. In addition, the NRC staff is still evaluating other specific concerns raised by Mr. Pohlman and his sources and will respond in writing to Mr. Pohlman within the next few weeks.

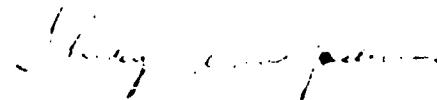
With respect to security officer staffing levels at Zion, the staff obtained updated information from the security director during the on-site inspection. In summary, from October 1992 to January 1994, the overall security force staffing levels (guards, administrative personnel, and supervisors) at Zion were reduced by approximately 38 positions. Between January 1994 and the time of the inspection, the licensee reduced the overall security force by an additional five positions. In addition, because of higher than anticipated attrition, the guard force was about three security personnel below the licensee's expected staffing level. The licensee's security contractor

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estimated they will reach the licensee's requested staffing level by March 1996. On-shift staffing was being maintained through the use of overtime. During the inspection, NRC staff noted that the licensee is taking action to resolve these staffing shortages.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,



Shirley Ann Jackson

Enclosure:

Ltr. 1/19/96 G. Grant, NRC, to  
R. Tuetken, Commonwealth Edison Co.



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

February 12, 1996

The Honorable Mark W. Neumann  
United States House of Representatives  
Washington, D.C. 20515-4901

Dear Congressman Neumann:

In my November 14, 1995 letter to you regarding security provisions at the Zion Nuclear Power Station, I informed you that the Nuclear Regulatory Commission's staff had initiated a security inspection at the Zion site, and that I had directed the staff to augment this inspection with additional personnel to ensure that Zion security was thoroughly examined. The inspection was concluded on November 22, 1995. Overall, the inspectors found the Zion security program satisfactory to ensure adequate protection of the public health and safety.

The inspectors concluded that the licensee's controls for personnel, package, and vehicle access to the protected area are effective. Physical performance tests confirmed proper operation of the access control explosives and metal detectors, the x-ray machines, and the perimeter alarm and closed circuit television systems. In addition, the NRC has confirmed that the vehicle barrier system being installed at Zion is adequate to protect the spent fuel pool in the fuel handling building from a large explosive device.

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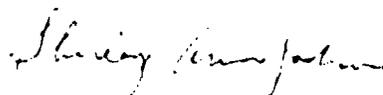
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Shirley Ann Jackson

Enclosure:

Ltr. 1/19/96 G. Grant, NRC, to  
R. Tuetken, Commonwealth Edison Co.



UNITED STATES  
 NUCLEAR REGULATORY COMMISSION  
 REGION III  
 801 WARRENVILLE ROAD  
 LISLE, ILLINOIS 60532-4351  
~~SAFEGUARDS INFORMATION~~

January 19, 1996

Mr. R. Tuetken  
 Site Vice President  
 Zion Generating Station  
 Commonwealth Edison Company  
 101 Shiloh Boulevard  
 Zion, IL 60099

SUBJECT: ZION REACTIVE PHYSICAL SECURITY INSPECTION

Dear Mr. Tuetken:

This refers to the augmented physical security inspection conducted by J. R. Creed and J. L. Belanger of this office and D. N. Orrik and M. S. Warren from the Office of Nuclear Reactor Regulation from November 13 through 22, 1995. The inspection included a review of activities authorized for your Zion Nuclear Generating Station. At the conclusion of the inspection, the findings were discussed with you and those members of your staff identified in the enclosed inspection report.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of a selective examination of procedures and representative records, observations, and interviews with personnel. The purpose of the inspection was to assess your capability to protect against radiological sabotage and to determine if you met your security plan commitments and NRC regulatory requirements.

Overall, we found your security program to be satisfactory to protect public health and safety. Based on the results of this inspection, certain of your activities appeared to be in violation of NRC requirements. We identified that your procedure to respond to certain security threat scenarios proposed by our inspectors in table top drills did not meet regulatory requirements. In response to our identification of this issue, you implemented immediate compensatory action. We are concerned with the potential significance of this violation and that we had previously identified this problem in 1989. In 1993, you discontinued your corrective actions for that 1989 problem.

You identified one violation with two examples of improper assignment of personnel to certain posts. While you identified this violation and the specific examples had low safety significance, we are concerned because effective corrective actions were not implemented. We are also concerned that a shortage of security force personnel appeared to be a contributing cause for the violation.

Although not violations, other inspection findings represented continuing challenges to overall good security performance. Staff shortages have resulted in use of staff overtime for an extended period of time. Consequently, there was a reduction in onsite response team exercises and tactical firearms training both of which are not regulatory requirements. Although we noted the actions you have initiated to alleviate the staff shortages, we are concerned that if they continue they may effect performance.

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Mr. R. Tuetken

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January 19, 1996

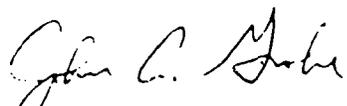
You are required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing your response. In your response you should document the specific actions taken and any additional actions you plan to prevent recurrence. In particular, please address the root cause for the removal in 1993 of corrective actions that resulted in the violation disclosed during this inspection. You should also address security management's involvement in that issue and in their apparent failure to apply corrective actions for the guard posting violations. After reviewing your response to this Notice, including your proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

Areas examined during this inspection concern a subject matter which is exempt from disclosure according to Part 73, Title 10, Code of Federal Regulations, Section 73.21(c)(2). This information must be handled and protected in accordance with the provisions of 10 CFR 73.21. Consequently, our report of the inspection and your response to the violations identified in the enclosure to this letter will not be placed in the NRC Public Document Room. Therefore, your statement of corrective action should be submitted as a separate enclosure to your transmittal letter in the manner prescribed.

The responses directed by this letter and the accompanying Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

We will gladly discuss any questions you have concerning this inspection.

Sincerely,

  
Geoffrey E. Grant, Director  
Division of Reactor Safety

Docket Nos. 50-295; 50-304

Enclosures: 1. Notice of Violation  
2. Inspection Reports  
No. 50-295/95019(DRS);  
No. 50-304/95019(DRS)  
(SAFEGUARDS INFORMATION)

See Attached Distribution

Enclosure Contains  
SAFEGUARDS INFORMATION  
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~~SAFEGUARDS INFORMATION~~

Mr. R. Tuetken

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January 19, 1996

cc w/encls: J. C. Brons, Vice President,  
Nuclear Support  
K. A. Strahm, Vice President,  
PWR Operations  
G. K. Schwartz, Station Manager  
J. Madden, Regulatory Assurance  
Supervisor  
NRR/DRIS/RSGB9D  
NMSS/HIGDON  
OE Director

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Notice of Violation

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Zion Station Post Order 04. Revision 11. Paragraph 3, subparagraph k requires additional measures to control access at a vital area door until the door is secured or visitor/vehicle/cargo escort responsibilities are ended.

Contrary to the above, on two occasions on October 5, 1995, the security force was not large enough to perform tasks as required. As a consequence, the following security plan and procedural commitments were not adhered to:

- a. On October 5, 1995, from 7:13 p.m. to 7:23 p.m., one of the required primary responders, was assigned as a compensatory measure for an unlocked/unalarmed vital area door, a post that would have prevented the individual from responding immediately in the event of a security contingency.
- b. On October 5, 1995, from 7:48 p.m. to 7:53 p.m., the Station Security Administrator (SSA), who was not 10 CFR Part 73 Appendix B qualified, posted himself at a Vital Area Zone due to a lack of available security officers.

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

Pursuant to the provisions of 10 CFR 2.201, Zion Nuclear Generating Station is hereby required to submit a written statement or explanation to the U. S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington D.C. 20555 with a copy to the U.S. Nuclear Regulatory Commission, Region III, 801 Warrenville Road, Lisle, IL 60532-4351, and a copy to the NRC Resident Inspector at the Zion Nuclear Generating 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: and should include for each violation: (1) the reason for the violation, or if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. 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 this response.

Dated at Lisle, Illinois  
this 19 date of January 1996

NOTICE OF VIOLATION

Commonwealth Edison Company  
Zion Nuclear Generating Station

Docket Nos. 50-295; 50-304  
Licenses No. DPR-39; DPR-48

As a result of the inspection conducted from November 13 through 22, 1995, and in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 95 FR-15952, June 29, 1995 (Enforcement Policy), the following violations were identified.

1. 10 CFR 73.55(a) requires the licensee "to establish and maintain an onsite physical protection system and security organization which have as its objective to provide high assurance that activities involving special nuclear material. . .do not constitute an unreasonable risk to the public health and safety. The physical protection system shall be designed to protect against the design basis threat. . . ."

Section 11.3 of the security plan states that guards designated as armed response individuals shall interpose themselves between vital equipment and any adversary attempting intrusion.

10 CFR 73.55(h)(4)(iii)(A) requires that upon evidence of intrusion into the protected area responding guards interpose themselves between vital areas and any adversary attempting entry for the purpose of radiological sabotage.

10 CFR 73.55(b)(4)(i) allows that upon request of an authorized representative of the Commission, the licensee shall demonstrate the ability of the physical security personnel to carry out their duties.

Contrary to the above, during table top response exercises on November 15, 1995, the licensee failed to demonstrate an ability to interpose armed response individuals between adversaries and certain vital area target sets for certain threat scenarios.

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

2. Section 2.C.6 of Amendment 42 and 65 for Zion Operating Licenses No. DPR-39 and DPR-48 respectively, state in part, "The licensee shall maintain in effect and fully implement all provisions of the Commission approved physical security plan including amendments and changes made pursuant to the authority of 10 CFR 50.54(p)."

Section 3.2.4 of the security plan states the security force is large enough to perform assignments, such as manning entry search point(s), the security badge control area, fixed posts and patrols, and still provide standby personnel for vehicle search and other intermittent tasks as required.

Section 11.1 of the approved security plan requires members of the initial response team are not assigned duties that would prevent them from responding.

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U. S. NUCLEAR REGULATORY COMMISSION

REGION III

REPORTS NO. 50-295/95019(DRS); 50-304/95019(DRS)

FACILITY

Zion Nuclear Plant, Units 1 and 2

Licenses No. DPR-39; DPR-48

LICENSEE

Commonwealth Edison Company  
Opus West III  
1400 Opus Place - Suite 300  
Downers Grove, IL 60515

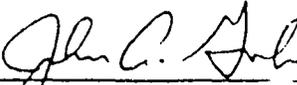
DATES

November 13 through 22, 1995

INSPECTORS

J. R. Creed, Chief, Plant Support Branch 1  
J. L. Belanger, Senior Physical Security Inspector  
D. N. Orrik, Security Specialist, NRR  
M. S. Warren, Security Specialist, NRR

APPROVED BY

  
\_\_\_\_\_  
John A. Grobe, Deputy Director  
Division of Reactor Safety

1-18-96  
Date

AREAS INSPECTED

An augmented, announced inspection of the physical security program was performed. Specifically, the areas inspected included: Audits, Corrective Actions and Management Support; Effectiveness of Management Controls; Security Program Plans; Protected Area Detection Equipment; Vital Area Access Control of Personnel and Vehicles; Alarm Stations and Communications; Testing, Maintenance and Compensatory Measures; Security Training and Qualification; and Assessment of Site Security Performance.

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RESULTS

Overall, we found your security program to be satisfactory to protect public health and safety. Two violations of NRC requirements were identified.

NRC-conducted table top, time-line drills identified a weakness in the licensee's protective strategy that resulted in a violation. Further review of this finding showed a similar weakness had been identified and corrected by the licensee in 1989. We also determined that in 1993 the licensee discontinued a specific corrective action commitment contained in a letter to the NRC dated July 28, 1989. Discontinuing that corrective action resulted in the current violation. (Section 9.3)

A violation was also cited for two minor examples of failure to implement adequate compensatory measures. Staff shortages and a security manager's actions appeared to contribute to the violation and long term corrective action did not appear to have been taken. (Section 7)

Performance tests of the perimeter alarm system and CCTV assessment system showed both systems were effective, high quality, modern systems and performed well. All tests were properly detected and assessed. (Section 9.2)

Two weaknesses were identified regarding warehouse package searches. They related to the recent absence of performance drills and package control. (Section 9.4)

Performance tests of explosive and metal detectors, and x-ray machines demonstrated each performed well and detected materials properly. Additionally, unannounced drills conducted by the licensee at the request of the NRC, demonstrated the search equipment and operators were effective in preventing prohibited articles from being brought into the protected area. The licensee is evaluating corrective measures for a generic x-ray equipment design deficiency identified at the facility. (Section 9.3)

Maintenance support for the security systems was very good. Excellent liaison between security and plant maintenance groups was noted.

No significant deficiencies in individual security force member performance were observed. Overtime was required to fill two to three positions per shift, per day, to meet plan commitments. While the licensee met all training requirements, the staff shortage resulted in a reduction of some onsite exercise training of responders and training on the Firearms Training Simulator (Section 8) both of which were not required by the security plan and were licensee initiated program enhancements. The licensee and security contractor have taken action to address the shortage through hiring.

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