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SUBJECT: Responds to NRC 960516 ltr re violations noted in insp rept
 50-261/96-03 on 960331.C/A:safeguards info taken under
 control & disciplinary actions taken w/specific individuals.
 New Security Unit mgt enforcing higher expectations.

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CP&L

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JUN 14 1996

C. S. Hinnant
Vice President
Robinson Nuclear Plant

Robinson File No: 13510E
Serial: RNP-RA/96-0107

United States Nuclear Regulatory Commission
ATTN: Document Control Desk
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H. B. ROBINSON STEAM ELECTRIC PLANT, UNIT NO. 2
DOCKET NO. 50-261/LICENSE NO. DPR-23
NRC INSPECTION REPORT NO. 50-261/96-03
REPLY TO A NOTICE OF VIOLATION

Gentlemen:

This provides the Carolina Power & Light (CP&L) Company reply to the Notice of Violation identified in NRC Inspection Report No. 50-261/96-03 for the H. B. Robinson Steam Electric Plant (HBRSEP), Unit No. 2, which was transmitted by NRC letter dated May 16, 1996. The Violation involves a failure to properly control safeguards information. As requested in the letter transmitting the Notice of Violation, this response addresses the corrective actions associated with the findings by the Nuclear Assessment Section related to the control of safeguards information. Enclosure 1 provides an affidavit associated with our reply. Enclosure 2 provides our reply, which is required to be submitted to the NRC by June 17, 1996.

Should you have any questions regarding this matter, please contact Mr. R. M. Krich at (803) 857-1802.

Very truly yours,



C. S. Hinnant
Vice President

240023

Enclosures

c: Mr. S. D. Ebnetter, Regional Administrator, USNRC, Region II
Ms. B. L. Mozafari, USNRC Project Manager, HBRSEP
Mr. W. T. Orders, USNRC Senior Resident Inspector, HBRSEP

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Affidavit

State of South Carolina
County of Darlington

C. S. Hinnant, having been first duly sworn, did depose and say that the information contained in letter RNP-RA/96-0107 is true and correct to the best of his information, knowledge and belief; and the sources of his information are officers, employees, contractors, and agents of Carolina Power & Light Company.

C. S. Hinnant

Sworn to and subscribed before me

this 14th day of June, 19 96

(Seal) David Clark
Notary Public for South Carolina

My commission expires: 3/21/2005

REPLY TO A NOTICE OF VIOLATION

Violation

10 CFR 73.21(d) requires that safeguards information, while in use, shall be under the control of an authorized individual. 10 CFR 73.21(d)(2) requires that safeguards information be stored in a locked security storage container when unattended.

Technical Specification 6.5.1.1.1.a requires, in part, that procedures be implemented covering the activities recommended in Appendix A of Regulatory Guide 1.33, Revision 2, dated February 1978. Appendix A recommends administrative procedures for security.

Administrative Procedure, AP-028, Revision 12, dated June 16, 1995, Paragraph 5.6.1, states, "Safeguards information shall be protected from unauthorized disclosure. While unattended, safeguards information shall be stored in a locked security storage container."

AP-028, Paragraph 5.12 further states, "Safeguards information shall be under the control of an authorized person while in use in order to limit access to those persons who have a 'need-to-know.' This requirement is satisfied if the material is attended by an authorized person even if the information is in fact not being used."

Contrary to the above, the licensee failed to assure that safeguards information was under the control of an authorized person or stored in a locked security storage container. Specifically, on February 19-20, 1996, safeguards information was left unattended and unsecured for approximately 24 hours in an area outside the protected area, and on March 19, 1996, a safeguards document was left unattended and unsecured for approximately 10 minutes in an area outside the protected area.

Reply

Carolina Power & Light (CP&L) agrees that the violation occurred as described.

1. The Reason for the Violation

The cause of this violation was personnel error. Plant management failed to establish and enforce expectations for strict compliance with programmatic controls for protecting safeguards information. Additionally, existing physical controls, as well as the previously implemented programmatic controls, were not adequate to preclude recurrence of events concerning inadequate control of safeguards information.

During March 1995, an assessment performed by our Nuclear Assessment Section (NAS) identified a lack of sensitivity on the part of plant personnel to protect safeguards information in computer memory. Our investigation revealed the existence of an attitude of complacency, and an acceptance of the status quo, by Security Unit management and Security Unit personnel. In response to this concern, we established new Security Unit management, and tasked them with instilling a professional environment and establishing and enforcing higher expectations for Security Unit personnel. During the March 1996 NAS assessment, the assessors identified a continued laxness by Security Unit personnel. Based on this finding, we concluded that Security Unit management had not accomplished the programmatic improvements it had been tasked in 1995 to achieve. Subsequently, during February and March 1996, we identified two occurrences of Security Unit personnel failing to properly control safeguards information due to a lack of attention to detail and failure to self-check on the part of the involved individuals.

The corrective actions taken to address the causes of the violation as well as the causes of the NAS findings are described below.

2. The Corrective Steps That Have Been Taken and the Results Achieved

The safeguards information involved in the two occurrences was taken under control, and appropriate disciplinary actions have been taken with the specific individuals involved in the failures to control safeguards information.

3. The Corrective Steps That Will Be Taken to Avoid Further Violations

New Security Unit management has been put in place and has established, and is enforcing, higher expectations regarding the handling and control of safeguards information. Security Unit management is also emphasizing the use of critical self-assessment to identify improvement opportunities as well as verify compliance with applicable regulations and procedures.

The number of documents containing safeguards information, as well as the number and locations of safeguards information storage containers, have been reduced. Additional physical controls within the Security Unit office area have been implemented for handling safeguards information. Specifically, a room has been established within the Security Unit office that has been designated as a safeguards information working room. This room is locked, and will alarm if an unauthorized entry is attempted. An Issue Log has been established to maintain accountability for the opening and closing of the safeguards information storage container within the room, and a record is maintained of safeguards information removed from the storage container. The existing stand-alone computer that is maintained in this room has been upgraded by adding a removable hard drive, and a dedicated printer has been installed in the room. A pre-departure walkdown of the Security Unit office area to ensure proper storage of material containing safeguards information is now required by procedure.

Increased observations and in-depth assessments by the Nuclear Assessment Section, as well as improved Security Unit self-assessments, will continue to be performed.

Increased communication will occur with the Security Unit as well as with Plant personnel regarding expectations for compliance with the procedure covering the proper control and protection of safeguards information. We will continue to enforce these expectations and will take appropriate disciplinary action for personnel errors related to the control and protection of safeguards information.

4. The Date When Full Compliance Will Be Achieved

Full compliance has been achieved with the corrective actions that have been taken.