

APRIL 25, 1996

EA 96-120

Carolina Power and Light Company
ATTN: Mr. C. S. Hinnant
Vice President
H. B. Robinson Steam Electric Plant
Unit 2
3581 West Entrance Road
Hartsville, South Carolina 29550

SUBJECT: NRC INSPECTION REPORT NO. 50-261/96-03 AND NOTICE OF VIOLATION

Dear Mr. Hinnant:

This refers to the inspection conducted from March 11 to April 4, 1996, in connection with the H. B. Robinson Facility. The purpose of the on site portion of the inspection conducted from March 11-15, 1996, was to determine whether activities authorized by the license were conducted safely and in accordance with NRC requirements. At the conclusion of the inspection, the findings were discussed with those members of your staff identified in the enclosed report. On March 20, 1996, you staff notified the NRC that on March 19, 1996, there had been another failure by the security section to control safeguards information properly; this was in addition to those safeguards failures discussed in the enclosed report. On March 27, 1996, we notified you by telephone that we intended to consider the March 19, 1996, event concerning failure to control safeguards information properly along with the other failures to control safeguards information identified during the inspection. On April 4, 1996, you were informed that the repeated failures to control safeguards information properly was being considered an apparent violation and that a predecisional conference would be held. We also informed you that the report ending date would be changed to April 4, 1996, based on the additional failures to control safeguards information.

Areas examined during the inspection are identified in the report. Within these areas, the inspection consisted of selective examinations of procedures and representative records, interviews with personnel, and observation of activities in progress.

Based on the results of this inspection, one apparent violation was identified and is being considered for escalated enforcement action in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. The apparent violation concerns the repeated failure to handle and control safeguards information properly, specifically, on April 5, 1995, the NRC discovered safeguards information unattended and unsecured; on June 22, 1995, there were four licensee identified findings concerning the improper handling or controlling of safeguards information; on February 19-20, 1996, a safeguards document was left unattended and unsecured for approximately 24 hours outside the protected area; and on March 19, 1996, a safeguards document was left unattended and unsecured outside the protected area. Accordingly, no Notice of Violation is

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presently being issued for these inspection findings. In addition, please be advised that the number and characterization of apparent violations described in the enclosed inspection report may change as a result of further NRC review.

A predecisional enforcement conference to discuss this apparent violation has been scheduled for May 9, 1996 in the NRC Region II Office. The decision to hold a predecisional enforcement conference does not mean the NRC has determined that a violation has occurred or that enforcement action will be taken. This conference is being held to obtain information to enable the NRC to make an enforcement decision, such as a common understanding of the facts, root causes, missed opportunities to identify the apparent violation sooner, corrective actions, significance of the issues, and the need for lasting and effective corrective action. In addition, this is an opportunity for you to point out any errors in our inspection report and for you to provide any information concerning your perspectives on 1) the severity of the violation, 2) the application of the factors the NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. Additionally, we request that your presentation include a discussion of the safeguards information findings from your last two self audits of the security program.

You will be advised by separate correspondence of the results of our deliberations on this matter. No response regarding the apparent violation is required at this time.

Additionally, based on the results of this inspection, the NRC has determined that a violation of NRC requirements occurred, which was failure to test security equipment properly. The violation is cited in the enclosed Notice of Violation (Notice), and the circumstances surrounding it are described in detail in the subject inspection report.

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. Your response may reference or include previously docketed correspondence, if the correspondence adequately addresses the required response. 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.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter, its enclosure(s), and your response will be placed in the NRC Public Document Room (PDR). To the extent possible, your response should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction.

Sincerely,
ORIGINAL SIGNED BY
JOHNS JAUDON FOR:

Albert F. Gibson, Director
Division of Radiation Safety

Docket No. 50-261
License No. DPR-23

Enclosures: 1. Notice of Violation
2. Inspection Report

cc w/encls:
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Control
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(cc w/encls cont'd - See page 4)

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NRC Resident Inspector
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 Hartsville, SC 29550

OFFICE	RII:DBS	RII:DBS	RII:DRP	RII:RCS		
SIGNATURE						
NAME	THOMPSON	FREDRICKSON	SHYMLOCK	URYC		
DATE	04/22/96	04/22/96	04/25/96	04/17/96	04 / / 96	04 / / 96
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO