

Arizona Public Service Company

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EXECUTIVE VICE PRESIDENT
NUCLEAR

102-02627-WFC/TRB/JJN
September 7, 1993

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Mail Station P1-37
Washington, D.C. 20555

Reference: Letter dated August 6, 1993, from B. H. Faulkenberry, Regional Administrator, NRC, to W. F. Conway, Executive Vice President, Nuclear, APS

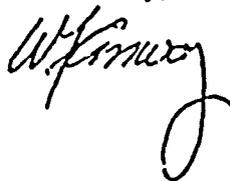
Dear Sirs:

Subject: Palo Verde Nuclear Generating Station (PVNGS)
Units 1, 2, and 3
Docket Nos. STN 50-528/529/530
Notice of Violations 50-528/93-20-01, 02, and 03
File: 93-070-026

Arizona Public Service Company (APS) has reviewed the referenced letter and the Notice of Violations, dated August 6, 1993. Pursuant to the provisions of 10 CFR 2.201, APS' response is enclosed. Enclosure 1 to this letter is a restatement of the Notice of Violations. APS' response is provided in Enclosure 2.

Should you have any questions, please call Thomas R. Bradish at (602) 393-5421.

Sincerely,



WFC/TRB/JJN/bcf

Enclosures:

1. Restatement of the Notice of Violations
2. Reply to the Notice of Violations

cc: ~~B. H. Faulkenberry~~
J. A. Sloan

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ENCLOSURE 1

RESTATEMENT OF NOTICE OF VIOLATIONS

50-528/93-20-01, 02, AND 03

NRC INVESTIGATIONS CONDUCTED

JULY 22, 1991 THROUGH FEBRUARY 26, 1993

INSPECTION REPORT NO. 50-528/529/530/93-20

Restatement of Notice of Violations 50-528/93-20-01, 02, and 03

During three NRC investigations conducted from July 22, 1991, through February 26, 1993, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C, the particular violations are set forth below:

- A. Paragraph 2.E. of Operating License Nos. NPF-41, NPF-51, and NPF-74, requires in part that the licensee fully implement and maintain in effect all provisions of the Commission-approved security training and qualification plan (T&Q Plan).

Section 3.2.3 (Duty Qualification) of the T&Q Plan requires that all security personnel successfully perform, prior to assignment, all crucial security tasks identified for that assignment, under the conditions and to the standards specified in the T&Q Plan.

Appendix B (Crucial Tasks) of the T&Q Plan in part identifies the following crucial tasks for all security personnel assigned to shift duty: Operate Communications Equipment; Conduct X-ray Package Search; Conduct Vehicle Search; and Respond To and Assess Alarms. Appendix B also identifies conditions and standards for successful performance of those tasks.

Contrary to the above, between July 1991 and February 1992, security personnel from the 1991 initial security training classes A and B were assigned to shift duty without having successfully performed the crucial tasks of Operate Communications Equipment, Conduct X-ray Package Search, Conduct Vehicle Search, and Respond to and Assess Alarms, under the conditions and to the standards specified in the T&Q Plan, in that:

- (1) Communication equipment training did not individually test students on the use of a hand-held radio to the T&Q Plan standard of being able to "communicate clearly."
- (2) X-ray equipment training did not individually test students to the T&Q Plan standard of being able to "recognize objects by image on the X-ray screen," or to "recognize explosives or incendiary devices."
- (3) Vehicle search training did not individually test students to the T&Q Plan standard of being able to "recognize unauthorized materials."



- (4) Alarm response training did not individually test students to the T&Q Plan standard of being able to "utilize techniques of deployment, tactical movement, and withdrawal," or "being a team member, operating a vehicle, running, carrying a portable radio and weapon, and wearing a bullet-proof vest and riot helmet."

- B. 10 CFR 50.9(a) requires in part that information required by a license condition to be maintained by a licensee be complete and accurate in all material respects.

Paragraph 2.E. of Operating License Nos. NPF-41, NPF-51, and NPF-74, requires in part that the licensee fully implement and maintain in effect all provisions of the Commission-approved training and qualification plan (T&Q Plan).

Section 3.2.4 (Individual Qualification) of the T&Q Plan requires that the Security Training and Support Supervisor/Designee confirm that all crucial tasks...have been successfully demonstrated, by documenting (1) identified crucial tasks, (2) the date of successful performance, and (3) the signature of the examiner and examinee.

Appendix B (Crucial Tasks) of the T&Q Plan in part identifies the following crucial tasks for security personnel assigned to shift duty: Operate Communications Equipment; Conduct X-ray Package Search; Conduct Vehicle Search; Respond To and Assess Alarms; Adjust and Test Hand-Held Metal Detectors; and Conduct Hand-Held Metal Detector Search. Appendix B also identifies conditions and standards for successful performance of those tasks.

Contrary to the above, as of September 17, 1991, the crucial task training records maintained by the licensee for members of the 1991 initial security training classes A and B were not complete and accurate in all material respects. Specifically, students and instructors signed training records for the crucial tasks of Operate Communication Equipment, Conduct X-ray Package Search, Conduct Vehicle Search, Respond To and Assess Alarms, Adjust and Test Hand-Held Metal Detectors, and Conduct Hand-Held Metal Detector Search, attesting that the students had completed "qualifying performance demonstration," when in fact there had been no such demonstrations. This information was material in that a demonstration of the ability to perform the crucial tasks is required by the licensee's NRC approved T&Q Plan in order to satisfy the training requirements.

- C. Licensee Technical Specification 6.8.1 requires that written procedures be established, implemented, and maintained covering security plan implementation.

Paragraph 3.15 of Security Plan Implementing Procedure No. 20DP-OTR01, "Security Personnel Training," dated July 1, 1989, provides for a maximum of three attempts for any individual to qualify at the firing range with any one weapon on the individual's range-day at the firing range. Further, individuals failing to qualify on the first range day in which they were permitted a maximum of three qualifying attempts, shall be retested on a second and if necessary, a third range-day.

Contrary to the above, on June 14 and 15, and July 7, 1991, two students were given more than three attempts to qualify with any one weapon on the individual's range-day at the firing range. In particular, on June 14 and 15, 1991, one student was allowed six attempts to qualify with his rifle and five attempts to qualify with his revolver. On July 7, 1991, another student was allowed four attempts to qualify with his rifle.

Violations A through C represent in the aggregate a Severity Level III problem (Supplement III).

- D. 10 CFR 73.21(a) requires that each power reactor licensee ensure that Safeguards Information (SGI) be protected against unauthorized disclosure. 10 CFR 73.21(d)(2) requires that while unattended, SGI be stored in a locked security storage container.

Contrary to the above, on July 20, 1991, the licensee failed to protect SGI against unauthorized disclosure, in that a security officer posted at Vital Door 1G-103 left his compensatory post order book containing SGI unattended for approximately two and one-half minutes.

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

- E. 10 CFR 73.71(c) and 10 CFR Part 73, Appendix G, Part II, require recording of safeguards events in a log within 24 hours of discovery of: (1) any failure in a safeguards system that could allow unauthorized or undetected access to a protected area or vital area for which compensatory measure have not been employed; and (2) any other...committed act not previously defined in Appendix G with the potential for reducing the effectiveness of the safeguards system.

10 CFR 73.71(c) requires that every three months, each licensee submit to the NRC copies of a safeguard event log for this event.

Contrary to the above:

- (1) On July 20, 1991, the licensee failed to record in a log within 24 hours of discovery, an event in which a security officer departed his assigned compensatory post. In particular, this event was not recorded until three days following discovery.
- (2) On July 20, 1991, the licensee failed to record in a log, an event in which a security officer failed to properly protect safeguards information. Further, as of February 26, 1993, the licensee had not submitted to the NRC copies of a safeguards event log for this event, a period exceeding three months.

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

ENCLOSURE 2

REPLY TO NOTICE OF VIOLATIONS

50-528/93-20-01, 02, AND 03

NRC INVESTIGATIONS CONDUCTED

JUNE 22, 1991 THROUGH FEBRUARY 26, 1993

INSPECTION REPORT NO. 50-529/93-20

Reason For The Violation

Example A:

The reason for the violation was incomplete incorporation of the Security Training and Qualification (T&Q) plan requirements into the implementing training procedures and forms. The procedures and forms were then interpreted to permit group performance and simulation without properly referencing the T&Q plan to ensure all requirements were met.

Example B:

The reasons for the violation were, in part, similar to that discussed above. The Security T&Q plan requirements were not completely incorporated into the implementing training procedures and forms. The procedures and forms were then interpreted to permit simulation of the required activity. Therefore, the instructors and trainees, who documented the training, assumed that the training given was adequate.

With regard to the metal detectors, the instructors and trainees inadvertently signed that they had completed this training when in fact this training was not conducted nor was it intended to be given. This part of the form should have been lined out and "N/A d". This was the case for most of the forms but was apparently overlooked for some of the classes when the forms were inappropriately signed following the training.

Example C:

The reason for the violation was an interpretation of the procedure that restricted more than three attempts in a day to qualify at the range. Following the initial three attempts to qualify on the firing range, PVNGS instructors and supervision reviewed the applicable procedure to determine if additional attempts could be permitted. The procedural step restricting the number of attempts to three provided additional guidance regarding the mental and physical state of the examinee. Since the restriction of three attempts is based on range safety, the determination was made that additional attempts would be permitted if the scores were improving and reasonably close to the required score. This determination was also based on the close observation provided by the range supervision.



Corrective Steps That Have Been Taken And Results Achieved

Students in both initial and annual requalification are required to demonstrate knowledge in the use of hand held communications equipment by performing a radio check and using the PA system. This is accomplished by having each student use a radio and phone for this demonstration.

Students currently participate in hands on training of the x-ray equipment. Each student physically performs a hands on demonstration by recognizing objects by image to include explosives and incendiary devices. Security Training is developing a training video which will actually project images run through the x-ray machine to be used as further enhancement training for requalification and initial training purposes. This project has a final completion date of September 30, 1993.

Students currently conduct a vehicle search in accordance with procedures. The vehicle search also includes the requirement for identifying firearms, explosives, and incendiary devices. This is being accomplished by strategically placing these devices on the vehicle prior to the search. The student is required to locate and identify all such devices.

The requirement to train students in alarm response training has been enhanced to include the following areas:

- Wearing of the riot helmet during alarm response training conducted as part of the stress fire course. This training includes tactical deployment from a stationary vehicle as well as room clearings and engaging simulated targets.
- The stress fire course will include the wearing of a bullet proof vest and carrying of a portable radio and weapon. This course will also include tactical withdrawal, running as part of the tactical deployment while engaging discriminating targets, and team hand signals.

In addition to the previous stated actions, additional upgrades to the PVNGS Security Training Program include rewrite of the Security T&Q Plan, development of a computer based training program for annual requalification training, development of range tactical enhancements to include a firearms training simulator and tactical firing range which duplicate conditions found in the plant.

A memorandum to file was issued for each member of the security training classes A & B stating that possible errors may exist for the initial training records and to reference the current training record for a given qualification.

A memorandum was issued to the training instructors informing them that no more than three attempts were permitted on any one day to qualify.

Corrective Steps That Will Be Taken to Avoid Further Violations

As discussed above, Security Training is developing a training video which will actually project images run through the x-ray machine to be used as further enhancement training for requalification and initial training purposes. This project has a final completion date of September 30, 1993.

Date When Full Compliance Will Be Achieved

Full compliance was achieved on September 1, 1993, a memorandum was added to the class A & B training files.

Reply to Notice of Violation 50-528/93-20-02

Reason For The Violation

The reason for the violation was personnel error. The individual left the post orders uncontrolled for several minutes while making a telephone call. APS has subsequently reviewed the post orders and determined that the post orders were not safeguards material.

Corrective Steps That Have Been Taken And Results Achieved

The individual was counseled regarding the control of safeguards information.

Corrective Steps That Will Be Taken to Avoid Further Violations

APS is currently investigating other events involving the loss of control of safeguards information (Reference letter 102-02622- FC/TRB/JJN dated August 30, 1993). This investigation is expected to develop and implement further corrective actions

to remind individuals that they are using and are responsible for controlling safeguards material.

Date When Full Compliance Will Be Achieved

Full compliance was achieved on July 20, 1991, when the officer returned to his post and regained control of the post orders.

Reason For The Violation

Example (1)

The reasons for the violation were improper handling of the initial event report and backup documentation and miscommunication between the Security Sergeant and Captain.

Example (2)

The reason for the violation was APS's interpretation of the regulations for reporting. For example if an officer fell asleep on post, APS would log the event as such but would not include that the officer lost control of his keys and weapon, nor failed to compensate for the post. APS had extrapolated this logic to any loggable event and reported the most significant aspect of the event in the log.

As noted in response to Violation 50-528/93-20-02, the post orders which were not properly controlled have been evaluated and determined to not be safeguards information.

Corrective Steps That Have Been Taken And Results Achieved

The Captain and the Sergeant were counseled regarding proper communications and document closure.

Based on discussions with the NRC, APS will continue to log inattentive officers as a single event since it is logical to assume that the loss of control of keys and weapons etc. are a natural consequence. However, for events where multiple loggable events occur, all aspects of the event will be reported except as noted above.

A lesson plan was developed on February 5, 1993, that incorporates the requirements associated with 10CFR73.71 reporting. A class was given to security supervision and staff on February 25, 1993. The requirement to report additional events will be incorporated into the lesson plan by September 30, 1993.

Security Supervisors have been briefed to ensure all events are reported and to verify if other events are associated with the incident being reported. Procedure 20DP-OSK10 will be revised to address the double reportability by September 30, 1993.

Quarterly training was conducted with Shift Supervision on May 20, 1993, and on August 5, 1993. The supervisory training class has been developed which includes 10CFR73.71 reporting criteria. One class was held June 14 through June 17. Two more

classes are being planned in September of 1993. All training will include the 24-hour reporting criteria and the reportability of multiple events.

Corrective Steps That Will Be Taken to Avoid Further Violations

As discussed above, the requirement to report additional events will be incorporated into the lesson plan by September 30, 1993, and procedure 20DP-OSK10 will be revised by September 30, 1993.

Date When Full Compliance Will Be Achieved

Full compliance was achieved on July 23, 1991, when the event was logged.