

U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Report Nos. 50-315/95011(DRS); 50-316/95011(DRS)

Docket Nos. 50-315; 50-316

License Nos. DPR-58; DPR-74

Licensee: Indiana Michigan Power Company
1 Riverside Plaza
Columbus, OH 43216

Facility Name: Donald C. Cook Nuclear Power Plant, Units 1 and 2

Inspection At: Donald C. Cook Site, Bridgman, MI

Inspection Conducted: September 19, 1995

Inspector: James L. Belanger
James L. Belanger
Senior Physical Security Inspector

10-13-95
Date

Approved By: Jim R. Creed
James R. Creed, Chief
Plant Support Section 1

10-13-95
Date

Inspection Summary

Inspection on September 19, 1995 (Report Nos. 50-315/95011(DRS); 50-316/95011(DRS))

Areas Inspected: Included a review of the license's investigation of circumstances involving the granting of unescorted access authorization to a contract employee prior to the satisfactory completion of pre-access chemical testing under 10 CFR Part 26.24(a)(1).

Results: Based on the results of this inspection, one apparent violation was identified relating to the licensee's Fitness-for-Duty/Access Authorization program. Specifically, an individual was inappropriately granted unescorted access after testing positive for a controlled substance. There was no medical or management evaluation of the positive test result conducted before granting access because an access control clerk incorrectly identified the employee as having passed the drug test rather than another contractor employee with the same last name but different first name and social security numbers. The individual gained access to the protected area and vital areas August 18 and 22, 1995.

REPORT DETAILS

1. Key Persons Contacted

*W. M. Hodge, Plant Protection Superintendent
K. E. Burkett, Access Control Supervisor
P. Anderson, Access Control Clerk
S. R. Gane, Fitness-for-Duty Administrator
*J. Bell, Licensing Coordinator

*Denotes those present at the Exit Interview conducted on September 19, 1995.

2. Entrance and Exit Interviews

- a. At the beginning of the inspection, Mr. W. M. Hodge, Plant Protection Superintendent was informed that the purpose of this inspection was to review the results of the licensee's investigation into the improper granting of unescorted access authorization to a contract employee on August 17, 1995. The event was the subject of a one hour report to the NRC on August 22, 1995.
- b. The inspector met with the licensee representatives, denoted in Section 1, at the conclusion of onsite inspection activities on September 19, 1995. The inspector detailed the scope of the inspection as a review of the licensee's investigation into the August 17, 1995 improper granting of unescorted access.

The inspector described an apparent violation relating to the licensee's Fitness-for-Duty and Access Authorization program. Specifically, the licensee improperly granted a contract employee unescorted access authorization to plant protected and vital areas because an access control clerk failed to ensure that a negative drug test result had been received. The inspector stated that this case had the potential for escalated enforcement because the contract employee would have been denied access if the licensee had evaluated the test results which were positive for a controlled substance.

The inspector stated that his review of the licensee investigation showed a weakness in the access authorization program in that there were no written instructions which required that the access control clerk to verify the social security number of each individual listed on the specimen log report prior to documenting the negative drug screen on the Cook Plant Access Processing Form. The inspector noted that this weakness was addressed by a revised form.

The licensee acknowledged the apparent violation. They noted that the contract employee did not work on safety related equipment and the work was done in teams with direct supervision. The licensee concluded that although this individual was granted unescorted access to the plant, the activities conducted and observed



provided reasonable assurance that there was no significant safety issue.

3. Access Control - Personnel (IP 81070): One apparent violation was identified in the area of Identification and Authorization (02.04) in that on August 17, 1995, the licensee failed to ensure that a negative pre-access chemical test result was received for a contractor employee prior to authorizing unescorted access to the protected area. As a result of this failure, this individual, whose test results were confirmed positive for a controlled substance by the Medical Review Officer on August 23, 1995, worked in an unescorted status in the plant's protected and vital areas from August 19-22, 1995. (Violation 50-315/316-95011-01(DRS))

10 CFR 73.56(b)(3) requires that a licensee base its decision to grant, deny, revoke, or continue an access authorization on review and evaluation of all pertinent information developed. 10 CFR 73.56(a) requires the licensee to incorporate the required access authorization program into the site physical security plan. Section 2.1.1 of the security plan states that Plant Access Authorization Procedures shall be followed to provide high assurance that individuals granted unescorted access to protected and vital areas are trustworthy and reliable. 10 CFR 26.24(a)(1) requires that a licensee provide a means to deter and detect substance abuse by implementing chemical testing programs for persons subject to this part...including testing within 60 days prior to the initial granting of unescorted access to protected areas or assignment to activities within the scope of this part. Paragraph 12.2 of Implementing Procedure 12 PMP 2060 SEC. 010 requires Cook Plant Security to review available data pertaining to the individual and proceed with processing in accordance with access requirements including Fitness-for-Duty testing. Section 12.2.5 of this procedure states that the licensee may grant temporary unescorted access authorization if chemical testing has been performed with no indications of chemical abuse. Attachment 1 to the D. C. Cook Control Administrative Guideline No. AC-003 outlines adverse FFD data which, unless refuted, shall result in denial or suspension of unescorted access authorization. Item 1 of this attachment identified positive results for the presence of alcohol and/or drugs when pre-access testing is conducted as "adverse data" resulting in denial of unescorted access authorization.

On August 16, 1995, a contract employee completed protected area access authorization requirements with the exception of chemical testing requirements. On August 17, 1995, this employee was improperly granted unescorted access to the protected and vital areas prior to the satisfactory completion of chemical testing results. The error was discovered on August 22, 1995, when the Medical Review Officer (MRO) requested assistance of the Access Control Supervisor (ACS) in contacting the employee. The ACS's review of the employee's personnel security file in an attempt to obtain a phone number from the employee's screening records disclosed that the employee had been granted unescorted access. The employee's supervisor was contacted and the employee was escorted from the protected area. Unescorted access was suspended because of the absence of negative chemical test results. The MRO contacted the employee and provided him the opportunity to discuss the results of the chemical test collected on August 16, 1995. On

August 23, 1995, the Medical Review Officer notified licensee management of his verification of the positive test results for THC consistent with the licensee's confirmatory test cut-off level for the marijuana metabolite.

The licensee's investigation showed that the event was caused by an access control clerk who incorrectly documented a test result on the employee's Cook Plant Access Processing Form from her review of the on site testing lab's "Specimen Log Report for all Negatives."

The date listed on the specimen log was for an individual with the same last name (only one person with that last name existed on the negative drug test list), who worked for the same contractor, and who had chemical testing on the same date as the employee who was improperly granted access. However, the first name and social security number, both of which were identified on the negative specimen log were different. The clerk failed to compare this identifying information other than the last name and company. Licensee management and the NRC inspector in separate interviews questioned the clerk regarding her failure to compare identifying information other than the last name. In both interviews, she explained that due to only one similar name on the list, the balance of the information was overlooked, but she would check this additional information if the name was a common name such as Smith or Miller. The inspector determined through interviews with security management that there was no specific written or verbal instructions or guidance to the clerk which required verification of all the provided identifying information on the specimen log report prior to documenting negative test results on the access processing form. Licensee management stated that their expectations were that this identifying information was to be verified to ensure that the negative tests results matched the individual on the access control processing form.

The contract employee's supervisor provided documentation to the licensee that the employee's work was under his direct supervision and that the employee had not displayed character traits or behavior patterns adverse to the goals of the unescorted access authorization program. This documentation also provided a review of the work activities for the contract employee from August 17, 1995 to August 22, 1995. The employee did not work on safety related equipment. The duties of the employee consisted of transporting equipment into containment.

To prevent recurrence, the access processing form was revised to require verification of names, dates, and social security numbers by clerical and supervisory personnel prior to the granting of unescorted access. Meetings between management and access control personnel were held to discuss the event and to emphasize the necessity of verifying all identifying information for each required element prior to granting access.

