

# CATEGORY 2

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 AUTH. NAME AUTHOR AFFILIATION  
 DAUDON, J.P. Region 2 (Post 820201)  
 RECIP. NAME RECIPIENT AFFILIATION  
 ROBINSON, W.R. Carolina Power & Light Co.

SUBJECT: Forwards insp rept 50-400/98-02 on 971208-12. Apparent violation re failure to follow procedures which allowed 4 contractors to receive unauthorized access to plant, being considered for escalated enforcement action.

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January 23, 1998

EA 98-020

Carolina Power and Light Company  
ATTN: Mr. W. R. Robinson  
Vice President - Harris Plant  
Shearon Harris Nuclear Power Plant  
P. O. Box 165, Mail Code: Zone 1  
New Hill, NC 27562-0165

SUBJECT: NRC INSPECTION REPORT NO. 50-400/98-02

Dear Mr. Robinson:

This refers to the inspection conducted on December 8-12, 1997, at the Shearon Harris Nuclear Power Plant. A telephone conference call was held with your staff on January 21, 1998, to clarify further the inspection findings.

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 Procedures for NRC Enforcement Actions" (Enforcement Policy), NUREG-1600. The apparent violation concerned multiple instances of the failure to follow procedures which allowed four contractors to receive unauthorized, unescorted access to the Harris Protected and Vital Areas. Only two of the contractors, retrospectively failed to meet the requirements for unescorted access. Additionally, 14 individuals were granted unescorted access prior to review and adjudication of all pertinent information listed on the Personal History Questionnaire. Accordingly, no Notice of Violation is presently being issued for these inspection findings. In addition, please be advised that the characterization of the apparent violation described in the enclosed inspection report may change as a result of further NRC review.

A predecisional enforcement conference to discuss the apparent violation has been scheduled for February 19, 1998, at 1:00 p.m. The decision to hold a predecisional enforcement conference does not mean that 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 violations sooner, corrective actions, significance of the issues and the need for lasting and effective corrective action. In particular, we expect you to address the actions taken by you to assure that the Access Authorization Program will be correctly implemented. 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 violations, 2) the

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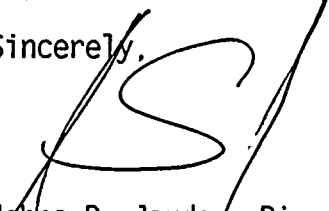
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application of the factors that NRC considers when it determines the amount of a civil penalty that may be assessed in accordance with Section VI.B.2 of the Enforcement Policy, and 3) any other application of the Enforcement Policy to this case, including the exercise of discretion in accordance with Section VII. The conference will be open to public observation.

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.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

Sincerely,

  
John P. Jaudon, Director  
Division of Reactor Safety

Docket No. 50-400  
License No. NPF-63

Enclosure: NRC Inspection Report

cc w/encl:  
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Margaret Bryant Pollard, Chairman  
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 U. S. Nuclear Regulatory Commission  
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← Add J. Lieberman, OE  
B. Summers, OE (2 ltrhd)

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U. S. Nuclear Regulatory Commission  
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