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SUBJECT: Responds to NRC 940610 ltr re violations noted in insp rept
50-259/92-09 & 50-260/92-09 & 50-296/92-09. Corrective
actions: meeting was conducted by site security manager.

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R. D. (Rick) Machon
Vice President, Browns Ferry Nuclear Plant

July 11, 1994

U.S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Gentlemen:

In the Matter of)	Docket Nos. 50-259
Tennessee Valley Authority)	50-260
		50-296

BROWNS FERRY NUCLEAR PLANT (BEN) - NRC INSPECTION REPORT NOS. 50-259/92-09, 50-260/92-09, AND 50-296/92-09 AND NRC OFFICE OF INVESTIGATIONS REPORT NO. 2-92-003R - REPLY TO NOTICE OF VIOLATION (NOV)

This letter provides TVA's reply to the NOV transmitted by letter dated June 10, 1994, from S. D. Ebnetter to O. D. Kingsley. The NOV cites TVA for a Severity Level IV violation in connection with a failure to comply with procedural requirements governing control of access to protected and vital areas. The enclosure to this letter contains TVA's response to the cited violation.

If you have any questions regarding this response, please telephone Pedro Salas at (205) 729-2636.

Sincerely,

R. D. Machon
Site Vice President
PAB 1G-BFN

Enclosure
cc: See page 2

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U.S. Nuclear Regulatory Commission
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Enclosure

cc (Enclosure):

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ENCLOSURE 1

TENNESSEE VALLEY AUTHORITY
BROWNS FERRY NUCLEAR PLANT (BFN)
REPLY TO NOTICE OF VIOLATION (NOV)

INSPECTION TO NOTICE OF VIOLATION NUMBERS
50-259/92-09, 50-260/92-09, 50-296/92-09
AND
OFFICE OF INVESTIGATIONS REPORT NUMBER
2-92-003R

VIOLATION

"During an NRC inspection conducted on March 9 through 13, 1992, and an investigation completed on April 15, 1993 by the NRC Office of Investigations, a violation of NRC requirements was identified. In accordance with the General Statement of Policy and Procedure for NRC Enforcement Actions, 10 CFR Part 2, Appendix C, the violation is listed below:

Section 6.8.1 of the licensee's Technical Specifications requires that written procedures shall be established, implemented and maintained regarding security plan implementation.

Browns Ferry Nuclear Plant Site Director Standard Practice SDSP-11.5, Revision 6, dated February 2, 1991, a procedure which implements, in part, the access provisions of the Security Plan, requires:

In Section 6.15, that personnel who are terminating employment shall check-out with Plant Access during normal operating hours and with the Nuclear Security Shift Supervisor during off shift, weekends and holidays.

In Section 7.0, that supervisors immediately notify Nuclear Security of any action that affects escorted or unescorted access to the protected area and ensure that contractors follow check-out procedures.

Contrary to the above, as of May 22, 1991, two contract employees whose employment at the BFN was terminated on April 15 and 19, 1991, respectively, failed to check-out with Plant Access as required by SDSP-11.5, and the supervisors of the two terminated contract employees failed to notify Nuclear Security of the employees' termination and did not ensure that the terminated contract employees followed check-out procedures. Termination of an employee is an action that revokes the employee's unescorted access



to the site protected and vital areas. As a result, the terminated employees' security badges and vital area key cards remained active and were subsequently used by the terminated contract employees to gain unauthorized access to the protected area on two occasions.

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

1. Reason for the Violation

On May 22, 1991, TVA identified, through use of a 31-day authorization access list, two individuals who had terminated their contract obligations with Bechtel Corporation, yet whose picture identification badges authorizing unescorted access remained available for use. Records reviewed at the time of discovery showed that one individual had used his badge to enter the Protected Area (PA) on two occasions subsequent to contract termination. It was later determined that the other contract employee also had entered the PA on two occasions subsequent to contract termination. Plant Access immediately pulled the individuals' badges and notified Site Security.

The reason for the Severity Level IV violation is two-fold. First, the employees' supervisors lacked knowledge of out-processing requirements and failed to ensure that terminated employees complied with out-processing procedures. Second, the two Bechtel employees failed to follow SDSP-32.6, "Processing Employee in and out of Nuclear Power," upon termination. They had been informed of their check-out responsibility and corresponding procedural requirements, but did not follow them.

Three factors contributed to the violation. First, existing procedures were not effectively implemented because they were unclear and contradictory in terms of assigning check-out responsibility. The procedures did not provide for a single point of responsibility. The supervisors placed the responsibility for check-out solely on the two Bechtel employees and did not follow-up to determine whether the employees had in fact checked-out.

Second, the procedures inadequately ensured the proper check-out of terminated employees. There was no formal Bechtel check-out procedure and the BFN procedure did not require that Human Resources be notified of employees who were required to check-out. Finally, the contractors apparently entered the PA deliberately in order to keep their access/badges active and, for this reason, did not adhere to the established check-out process. Regardless of the contractors' intentions or the deliberate nature of their actions, however, the situation should have been prevented by an effective, clearly-defined process.



2. Corrective Actions Taken and Results Achieved

Immediately following discovery of the contract employees' failure to adhere to access control procedures, their badges were removed from the badge rack. In addition, an investigation of the events was promptly initiated.

Subsequent corrective actions were taken to ensure that (1) supervisors understand out-processing requirements and ensure that terminated employees comply with such requirements; and (2) personnel granted unescorted access to the protected areas of BFN are trained and sensitized to the responsibilities inherent in authorized access.

- A meeting was conducted by the Site Security Manager in July 1991, with Restart Managers regarding proper access authorization control (the check-in/check-out process). The managers were advised about the failure of terminated contract employees to adhere to check-out procedures which resulted in unescorted badges remaining in an active status in the access control portals. The significance of the issue, as well as the importance of procedure adherence, was emphasized by the Security Manager.
- Bechtel and other major contractors developed procedures, subject to TVA approval, for in-processing and check-out of terminated employees. The purpose in doing so was to ensure compliance with SDSP-32.6 and BP-108. As part of this process, TVA contractors were required to assign sponsors for professional support personnel who are directly accountable for access control.
- The Site Vice President issued a follow-up memorandum in March 1992, re-emphasizing the check-out requirements of BP-108. In addition, BP-108, a corporate business practice, was made site-specific to BFN through the issuance of BP-308 in May 1992.



- The following corrective actions were initiated pursuant to CAQR BFP 910192:
 - The proper methodology for out-processing was clarified in Employee Check-out Procedures (BP-108/SDSP-32.6). BP-108 was revised in November 1991, to clarify that all Supervisors, whether contract, salary policy, hourly, TVA permanent, or temporary, are responsible for ensuring that terminated personnel under their supervision are out-processed in accordance with procedures on a timely basis.
 - On August 20, 1991, a BFN Dispatch was issued to site employees summarizing the revised check-out requirements specified in BP-108 and noting the BP ensures that supervisors verify that employees complete the check-out process.
 - On July 22, 1991, Site Security requested that the BFN Training Section inform employees, in the context of General Employee Training (GET), about the serious consequences (five year employment block at TVA facilities) that will occur if an employee fails to adhere to the check-out procedures specified in BP-108. The requested addition of check-out requirements in GET was accomplished through the GET 10 revision in September 1991.
 - By memorandum dated September 6 and 10, 1991, the BFN Interim Security Manager contacted TVA and contract administrators and informed them of the need for employees and supervisors to complete the check-out process specified in BP-108. Included in the memorandum was a copy of BP-108 and a summary briefing outlining (1) employee and supervisor check-out responsibilities; and (2) the corrective actions that will be taken against any employee/supervisor who fails to adhere to BP-108. The memorandum further directed the contractors to brief their personnel about the procedures and penalties. In conjunction with distribution of the memoranda, TVA conducted a contractors meeting on September 6, 1991, in which it discussed contractors' organizational responsibilities for adherence to proper check-in/check-out processes.
- Another memorandum, dated October 10, 1991, from the Interim Security Manager to all contract administrators advised them of the need to attend a briefing to discuss methods to prevent recurrence of check-out violations. The meeting was held, as scheduled, on October 29, 1991.
- A Security instruction bulletin has been prepared for issue to each new employee upon check-in. The purpose



of the instruction is to assist new employees using the Security Access Control System. Among the subjects addressed in the instruction are check-out requirements.

3. Corrective Actions That Will Be Taken To Avoid Further Violations

No additional corrective steps are required in connection with this violation.

4. Date When Full Compliance Will Be Achieved

TVA believes that full compliance has been achieved.