



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION IV
611 RYAN PLAZA DRIVE, SUITE 1000
ARLINGTON, TEXAS 76012

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November 9, 1979

TEIRA

In Reply Refer To:
Docket Nos. 50-72
50-407

The University of Utah
ATTN: Dr. Richard E. Turley
Reactor Administrator
College of Engineering
Salt Lake City, Utah 84112

Gentlemen:

This IE Information Notice is provided to inform licensees of a possible significant matter. It is expected that recipients will consider dissemination of the information to all persons working at their licensed facilities. No specific action or response is requested at this time. If further NRC evaluations so indicate, an IE Circular or Bulletin will be issued to recommend or request specific licensee actions. If you have any questions regarding this matter, please contact the Director of the appropriate NRC Regional Office.

Sincerely,

Karl V. Seyfrit
Director

Enclosures:

1. IE Information Notice
No. 79-12A
2. IE Information Notices
Issued in Last Six Months

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United States
Nuclear Regulatory Commission
Office of Inspection and Enforcement
Washington, D.C. 20555

SSINS No.: 6300
Accession No.:
7910250490

DUPLICATE

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Date: November 9, 1979
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ATTEMPTED DAMAGE TO NEW FUEL ASSEMBLIES

This notice provides supplemental information concerning the identification and conviction of the persons responsible for the introduction of a possibly damaging substance to the new fuel stored at the Virginia Electric and Power Company's Surry Power Station in Surry County, Virginia.

Investigation of this incident by the FBI culminated in the surrender of William E. Kuykendall and James A. Merrill, Jr., both VEPCO employees at that time, to Surry County authorities on June 19, 1979.

A grand jury hearing was held in Surry, Virginia on July 24, 1979. The certified charges of breaking and entering with intent to damage electrical facilities (felony); and willful destruction of utility company equipment (felony) were returned on a true bill for trial. An earlier charge for willful damage (misdemeanor) which had not been certified to the grand jury was reapplied, certified and returned on a true bill for trial. Two additional charges against both men were introduced for conspiracy regarding the two felonies and returned on a true bill for a total of four felonies and one misdemeanor against each man.

Trial commenced on October 10, 1979 in the Circuit Court, Surry County, Virginia. The presiding judge ruled that the prosecution failed to supply sufficient evidence to support the charges of conspiracy, breaking and entering, and damage to property as a misdemeanor. The primary reason for dropping the charges was that the subjects had been authorized unescorted access to Vital Areas by VEPCO. On October 17, 1979, the jury returned a verdict of guilty (both Kuykendall and Merrill) for violation of Virginia Code 18.2-162 (Intentional damage to a facility which furnishes electric service to the public) and set punishment at two (2) years in the State Penitentiary for both subjects, the minimum sentence provided by law.

This Information Notice is provided to inform licensees of a possibly significant matter. It is expected that recipients will consider dissemination of the information to all persons working at their licensed facilities. If you have questions regarding this matter, please contact the Director of the appropriate NRC Regional Office.

No written response to this Information Notice is required.

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LISTING OF IE INFORMATION NOTICES
ISSUED IN 1979

Information Notice No.	Subject	Date Issued	Issued To
79-14	NRC Position of Electrical Cable Support Systems	6/11/79	All Power Reactor Facilities with a Construction Permit (CP)
79-15	Deficient Procedures	6/7/79	All Holders of Reactor Operating Licenses (OLs) and Construction Permits (CPs)
79-16	Nuclear Incident at Three Mile Island	6/22/79	All Research Reactors and Test Reactors with Operating Licenses (OLs)
79-17	Source Holder Assembly Damage From Misfit Between Assembly and Reactor Upper Grid Plate	6/20/79	All Holders of Reactor Operating Licenses (OLs) and Construction Permits (CPs)
79-18	Skylab Reentry	7/5/79	All holders of Reactor Operating Licenses (OLs)
79-19	Pipe Cracks in Stagnant Borated Water Systems at PWR Plants	7/17/79	All Holders of Reactor Operating Licenses (OLs) and Construction Permits (CPs)
79-20	NRC Enforcement Policy NRC Licensed Individuals	8/14/79	All Holders of Reactor Operating Licenses (OLs) and Construction Permits (CPs), Research Reactors, Test Reactors Licensees with Licensed Operators
79-21	Transportation and Commercial Burial of Radioactive Material	9/7/79	All power and research reactors with Operating License (OL)
79-22	Qualification of Control Systems	9/14/79	All power reactor facilities with an Operating Licenses (OL) and Construction Permits (CP)

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79-23	Emergency Diesel Generator Lube Oil Coolers	9/26/79	All power reactor facilities with an Operating License (OL) or Construction Permit (CP)
79-24	Overpressurization of Containment of a PWR Plant After a Main Stream Line Break	9/28/79	All power reactor facilities with a Construction Permit (CP)
79-25	Reactor Trips at Turkey Point Unit 3 and 4	10/1/79	All power reactor facilities with an Operating License (OL) or a Construction Permit (CP)
79-26	Breach of Containment Integrity	11/5/79	All power reactor holding Operating License (OL) and Construction Permits (CPs)

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