

UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

BEFORE THE ATOMIC SAFETY AND LICENSING BOARD

In the Matter of)
) Docket No. 50-344
PORTLAND GENERAL ELECTRIC COMPANY, ET AL.) (Control Building)
)
(Trojan Nuclear Plant))

STIPULATION - CONSOLIDATED INTERVENORS' CONTENTION 1

The NRC Staff (Staff), Portland General Electric Company (Licensee) and the Consolidated Intervenors (CI), by their respective attorneys or authorized representatives, hereby stipulate and agree as follows:

1. CI contention 1, as filed on February 26, 1979, and as supplemented on July 31, 1979 in "Consolidated Intervenors Responses to NRC Staff Interrogatories: Set 2," states

Licensee has not submitted sufficient information to determine whether security at the Trojan plant during modifications will be maintained with respect to the following:

- (a) Adequate screening of personnel.
- (b) Physical security measures to accommodate additional workers for both the general plant and the modification areas.
- (c) The addition of security personnel for all work shifts in the general plant vicinity and in high-security areas.
- (d) The lack of training for workers in the area of plant equipment.
- (e) Protection against sabotage whether deliberate or inadvertent is a function of security measures and security personnel but also of supervision by a person knowledgeable about the work being done. In other words security personnel or supervisors cannot guard against acts they themselves do not recognize as sabotage.
- (f) The level of intelligence and training of security personnel can affect security. This is partially addressed in (e) above. In general, the matter of training and thoroughness is an indicator of the

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degree of protection available from security personnel. Security measures are only as good as those who implement them.

2. Pursuant to the direction of the presiding Atomic Safety and Licensing Board, the Staff has undertaken an evaluation of security at the Trojan facility as affected by proposed modifications to the Trojan Control Building Complex to be made to correct design deficiencies in the shear walls of the Control Building which are the subject of the NRC's Order for Modification of License of May 26, 1978. The Staff's security evaluation included a consideration of the matters raised in CI contention 1 as set forth above.
3. Pursuant to the direction of the presiding Atomic Safety and Licensing Board, the results of the Staff's security evaluation are set forth in the Affidavit of William J. Ross, dated August 10, 1979 (Ross Affidavit). As set forth therein, the Staff has determined that adequate industrial security, in accordance with the requirements of 10 CFR Part 73, will be maintained at the facility both during and after the proposed modifications to the Trojan Control Building Complex.
4. Based on the determinations made by the Staff as set forth in the Ross Affidavit, the undersigned hereby agree that the matters raised in CI Contention 1 have been adequately evaluated and are properly provided for by the Trojan Physical Security Plan and its implementing measures and that CI Contention 1 should be dismissed as an issue in the captioned proceeding, subject to the reservations set forth in paragraph 5 below:
5. Nothing in this Stipulation itself:
 - (a) shall be deemed to prevent CI from filing new or amended contentions upon a showing of good cause as required by §2.714 of the Commission's regulations;

(b) shall be deemed an admission by the Staff or the Licensee of the merits of CI Contention 1 or the validity of any allegation of fact or law stated in that contention.

(date)

Nina Bell
Representative of Consolidated
Intervenors

(date)

Counsel for Licensee

(date)

Counsel for NRC Staff

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