

Appendix A

NOTICE OF VIOLATION

Dairyland Power Cooperative

Docket No. 50-409

As a result of the inspection conducted on October 1-31, 1980, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980), the following violations were identified:

1. 10 CFR 73.55(b)(4) states, in part, "the licensee shall not permit an individual to act as a guard. . . .or armed response person. . . . unless such individual has been trained. . . .and qualified to perform such. . . .duty. . . .the licensee shall demonstrate the ability of. . . security personnel. . . ."

The security plan in Section 1.4.1 states, in part, "the criteria provided in Regulatory Guide 5.20(2). . . .have been followed. . . . (2) where the term should and may are used in the guide, these terms are interpreted to mean shall and will."

The security plan in Section 1.4.4 states, in part, "the criteria provided in Regulatory Guide 5.20. . . .have been followed with the following exceptions: (3) testing and requalification, items (b) (c) - frequency once every 6 months to once every 12 months."

Regulatory Guide 5.20, Appendix C, states for the "Short Course" that "guards must achieve a minimum point total of 175. . . ."

Contrary to the above, during the midnight shift on October 22, 1980, one individual was permitted to act as a guard, who had demonstrated his inability to meet the minimum firearms score listed in Regulatory Guide 5.20. The individual fired for requalification on the afternoon of October 21, 1980, and achieved a score of less than 175. (Note: the qualification was given at this time, approximately two months early in order to finish qualifying during good weather). The individual was permitted to perform duties as a search officer, monitor, and security base guard which required carrying and the use of a firearm should the need arise.

2. Technical Specification 3.8.1 states, in part, "Written procedures and administrative policies shall be established, implemented, and maintained. . . ."

Contrary to the above are the following examples of noncompliance with this requirement:

- a. LACBWR Administrative Control Procedure (ACP) paragraph 4.1.2.3 states, in part, "LACBWR Shift Supervisor. . . is responsible for routinely touring the entire plant area for evidence of normal and unusual activities as conditions permit."

Contrary to the above, a review of the LACBWR records of personnel exits from the reactor containment on October 8, 9, 15, 16, 21, and 22, 1980, indicate that of the ten shifts reviewed, there were no tours of the containment performed by the Shift Supervisors.

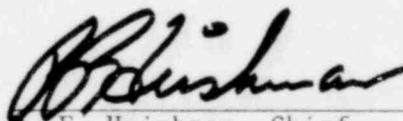
- b. LACBWR Administrative Control Procedure (ACP) 2.4 states, in part, "The purpose of this procedure is to establish the requirement for LACBWR management to conduct backshift and weekend inspections of the reactor. This procedure applies to those personnel designated as Shift Technical Advisors. . . ." "All Shift Technical Advisors shall make random backshift and weekend inspections of the plant facilities to monitor and assess operations. . . ."

Contrary to the above, a review of the LACBWR records of personnel exits from the reactor containment on October 8, 9, 15, 16, 21, and 22, 1980, indicate that of the eight shifts reviewed, there were no tours of the containment performed by the Shift Technical Advisors.

Both of the above items are Severity Level V violations.

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within twenty-five days of the date of this Notice a written statement or explanation in reply, including for each item of noncompliance: (1) corrective action taken and the results achieved; (2) corrective action to be taken to avoid further noncompliance; and (3) the date when full compliance will be achieved. Under the authority of Section 182 of the Atomic Energy Act of 1954, as amended, this response shall be submitted under oath or affirmation.

12/12/80
Dated _____


R. F. Heishman, Chief
Reactor Operations and
Nuclear Support Branch