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PROPRIETARY 10 CFR 2.790(d)(1)  
SECURITY INFORMATION

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Tennessee Valley Authority  
ATTN: Mr. H. G. Parris  
Manager of Power  
500A Chestnut Street Tower II  
Chattanooga, TN 37401

Gentlemen:

SUBJECT: PROPOSED CIVIL PENALTY ACTION: EA 83-1  
(INSPECTION REPORT NOS. 50-259, 50-260, 50-296/82-47)

A special security inspection was conducted by Region II on December 20, 1982, at the Browns Ferry Nuclear Plant to evaluate the safeguards significance of a failure on the part of the security organization to control access to the protected area on the morning of December 16, 1982. The inspection revealed an apparent violation of NRC regulatory requirements which is presented in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty. The NRC Inspector described this violation in a meeting with the Plant Superintendent at the conclusion of the inspection. The violation and related NRC concerns were further discussed during an Enforcement Conference held at the Browns Ferry site on January 5, 1983. During that conference, members of your staff described extensive organizational changes that are being made to improve the management control and supervision of the security organization. These changes will be reviewed in subsequent inspections.

It is appropriate to note that a similar violation involving a failure to control access to a Protected Area was cited by Region II in January 1981. These violations are both attributed to guard force errors. This latest violation is particularly significant because it is the twelfth security violation in as many months. The repetitious nature of security violations illustrate the need for special attention to the management of your nuclear security organization and program. Therefore, in your response it is requested that you specifically address the organizational changes you described during the Enforcement Conference and also describe such additional actions as will be implemented in both the short and the long terms to improve access control and management supervision of the physical security program.

After consultation with the Director of the Office of Inspection and Enforcement, I have been authorized to issue the enclosed Notice of Violation and Proposed Imposition of Civil Penalty in the amount of Forty Thousand Dollars. The violation has been categorized as Severity Level III as described in Supplement III of the NRC Enforcement Policy (10 CFR Part 2, Appendix C). We propose to impose this civil penalty to emphasize the need for Tennessee Valley Authority to ensure that the full attention of its management is directed to assuring proper implementation of the security program. Consideration was given to increasing the amount of the civil penalty as provided for in the Enforcement Policy due to the number of violations found in security over the past two years. This was not done

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because you have now instituted corrective action including extensive organizational changes to improve the management control and supervision of the security organizations which are designed to prevent recurrence of these violations. However, the results of future inspections will be considered in determining whether further enforcement action is appropriate.

In accordance with the provisions of 10 CFR 2.201, you are required to respond to the Notice. You should follow the instructions specified in the Notice in preparing your response and, in doing so, you should place all Safeguards Information as defined in 10 CFR 73.21 only in enclosures, so as to allow your letter to be placed in the Public Document Room.

In accordance with Section 2.790(d) of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations, activities involving safeguards and security measures are exempt from public disclosure; therefore, the enclosure to this letter will not be placed in the Public Document Room.

The response directed by the Notice is not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, PL 96-511.

Should you have any questions concerning this letter, we will be glad to discuss them with you.

Sincerely,

James P. O'Reilly  
Regional Administrator

Enclosure:

Notice of Violation and Proposed  
Imposition of Civil Penalty  
(Exempt from Disclosure)

cc w/encl:

H. J. Green, Director of  
Nuclear Power  
G. T. Jones, Plant Superintendent  
R. E. Rogers, Plant Engineer  
H. N. Culver, Chief, Nuclear  
Safety Review Staff  
D. L. Williams, Jr.  
Supervisor, Licensing Section

bcc w/encl:

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