

IE HQ FILE COPY

NOV 5 1981

IE HQ FILE COPY

2609 ✓  
Docket No. 70-2069-81-02  
Docket No. 70-2885



Commonwealth Edison Company  
ATTN: Mr. Cordell Reed  
Vice President  
Post Office Box 767  
Chicago, IL 60690

Gentlemen:

This refers to the investigation conducted by Messrs. G. A. Phillip and J. L. Belanger of this office on September 23 and 24, 1981, of activities at the LaSalle County Nuclear Station, Units 1 and 2, authorized by License No. SNM-1802 and No. SNM-1833 and to the discussion of our findings with Messrs. J. Gudak, R. Bishop and T. Borzym at the conclusion of the investigation.

The investigation was conducted regarding allegations received by Region III about the security protection of reactor fuel (SNM) being stored onsite. The enclosed copy of our investigation report identifies the items examined during the investigation which consisted of an examination of procedures and records, observations and interviews of personnel.

During this investigation, certain of your activities appeared to be in noncompliance with NRC requirements, as specified in enclosed Appendix A.

A written response, submitted under oath or affirmation, is required.

Areas examined during this investigation concern a subject matter which is exempt from disclosure according to Section 2.790 of the NRC's "Rules of Practice," Part 2, Title 10, Code of Federal Regulations. Consequently, the enclosure to this letter, our report of this investigation, and your response to the noncompliance identified in the enclosure to this letter will not be placed in the Public Document Room. Therefore, your statement of corrective action regarding the noncompliance identified in the enclosure should be submitted as a separate enclosure to your transmittal letter.

DMB:2.a.

ATTACHMENT CONTAINS  
8111180224 811105 10 CFR 2.790(d) INFORMATION  
PDR ADOCK 070-2609  
C PDR

10303

NOV 5 1981

We will gladly discuss any questions you have concerning this investigation.

Sincerely,

R. F. Warnick, Director  
Enforcement and Investigation Staff

Enclosures:

1. Appendix A, Notice  
of Violation
2. IE Investigation Reports  
No. 70-2069/81-02 and  
No. 70-2885/81-02  
(Part 2.790(d) Information)

cc w/encls:

Louis O. DelGeorge  
Director of Nuclear  
Licensing  
L. J. Burke, Site  
Construction Superintendent  
T. E. Quaka, Quality  
Assurance Supervisor  
R. H. Holyoak, Station  
Superintendent  
B. B. Stephenson  
Project Manager  
DMB/Document Control Desk (RIDS)  
Resident Inspector, RIII

cc w/encls, w/o Part 2.790(d)  
Information:

Mary Jo Murray, Office of  
Assistant Attorney General

RIII

*[Signature]*  
Phillip/so  
10/22/81

RIII

*[Signature]*  
Belanger

RIII

*[Signature]*  
Creed

RIII

*[Signature]*  
Greger  
11/5

RIII

*[Signature]*  
Novelius  
11/5

RIII

*[Signature]*  
Warnick  
11/6/81

*[Signature]*  
Reinenn  
11/6/81

ATTACHMENT CONTAINS  
10 CFR 2.790(d) INFORMATION

Appendix A

NOTICE OF VIOLATION

Commonwealth Edison Company

Docket No. 70-2069  
Docket No. 70-2885

As a result of the investigation conducted on September 23-24, 1981, and in accordance with the Interim Enforcement Policy, 45 FR 66754 (October 7, 1980), the following violations were identified:

1. Paragraph 3.0 of the Security Plan for Special Nuclear Materials Security for Commonwealth Edison Company, LaSalle County Station, Revision 1, dated July 16, 1980, states, "The design for the protection of SNM at LSCS involves the use of barriers to define the controlled access areas, and the manning of the personnel entry points of the controlled access areas to limit entry to those individuals identified as having a need to enter."

Contrary to the above, an opening in the refueling floor provided a means of uncontrolled access to the secured area.

This is a Severity Level V violation (Supplement III.E).

2. Paragraph 6.4 of the approved security plan states, "a record of each patrol is made, which includes a verification of the continued integrity of the physical barriers. Any degradation of the physical barrier is reported and corrective actions are initiated. The area immediately adjacent to the physical barriers is maintained clear of any objects that would facilitate circumventing the barrier."

Contrary to the above, a review of documentation of barrier patrols conducted showed that there were numerous instances of barrier clear zone violations and no apparent corrective actions were initiated.

This is a Severity Level V violation (Supplement III.E.).

3. Paragraph 10.1 of the plan states, "Procedures directing involved personnel to comply with the plan are developed and maintained."

LaSalle Post Order 103 (Post - Fuel Storage Area) dated April 24, 1981 states in part, "Only authorized personnel will be granted access into the fuel storage area".

Contrary to the above, access control measures established to insure that only authorized personnel are granted access to the fuel storage area were not adequate.

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

Part 2.790(d) Information

Appendix A

- 2 -

Pursuant to the provisions of 10 CFR 2.201, you are required to submit to this office within thirty 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. Consideration may be given to extending your response time for good cause shown.

11/6/81  
Dated

15/ D.G.  
R. F. Warnick, Director  
Enforcement and Investigation Staff

U.S. NUCLEAR REGULATORY COMMISSION  
OFFICE OF INSPECTION AND ENFORCEMENT

REGION III

Report No. 70-2069/81-02; 70-2885/81-02

Docket Nos. 70-2609; 70-2885

Licenses No. SNM-1802; SNM-1833

Licensee: Commonwealth Edison Company  
Chicago, IL 60690

Facility: LaSalle County Nuclear Station, Units 1 and 2

Dates of Investigation: September 23-24, 1981

Investigation At: LaSalle Site, Seneca, IL

Investigator: G. A. Phillip  
G. A. Phillip

11/3/81  
Date

Inspector: J. L. Belanger  
J. L. Belanger

11/5/81  
Date

Reviewed By: R. F. Warnick  
R. F. Warnick, Director  
Enforcement and Investigation Staff

11/6/81  
Date

J. R. Creed  
J. R. Creed, Acting Chief  
Safeguards Section

11/5/81  
Date

Investigation Summary

Investigation on September 23-24, 1981 (Reports No. 70-2069/81-02;  
70-2885/81-02)

Areas Investigated: An investigation was conducted regarding four allegations relating to the protection being provided to the reactor fuel stored onsite. The investigation consisted of twenty-two investigator-hours by two NRC representatives.

Results: The investigation identified three items of noncompliance: (1) failure to man an entry point of the controlled access area; (2) failure to maintain areas adjacent to physical barriers clear of objects; and (3) failure to provide adequate control of the fuel storage area.

### REASON FOR INVESTIGATION

Through telephone calls on September 17 and 18, 1981, and interviews on September 21, 1981, Region III received allegations relating to the security protection being afforded the reactor fuel (SNM) being stored onsite for Units 1 and 2.

### SUMMARY OF FACTS

Region III received allegations regarding the security program at the LaSalle site during a telephone call from one individual on September 17, 1981, and from a second individual on September 18, 1981. During the second telephone call arrangements were made to meet with the two individuals and others on September 21, 1981 to discuss their concerns and to obtain additional information. Through these contacts it was determined that four allegations related to the protection of stored fuel.

Through a review of procedures and records, personal observations and interviews with personnel, three items of noncompliance were identified. These related to weaknesses in the physical barriers of the controlled access area and inadequate controls of access by personnel working within the controlled access area to the fuel storage location. No information was obtained, however, which would indicate access by unauthorized personnel had occurred.

(Details - Part 2.790(d) Information)



Part 2.790(d) Information

DETAILS

1. Personnel Contacted

Commonwealth Edison Company (CECo)

\*J. Gudak, Assistant Project Manager  
\*R. Bishop, Administrative and Support Services Assistant Superintendent  
\*T. Borzym, Station Security Administrator  
G. Hacke, Assistant Station Security Administrator

Burns International Services, Inc. (Burns)

Capt. L. Gilbert, Site Manager  
Lt. W. Kunzeman, Assistant Site Manager  
Lt. F. Whetzel, Operations Lt.  
Lt. S. Greer, Training Coordinator

Other Burns Security personnel were also contacted

NRC

\*S. Shepley, Resident Inspector

\*Indicates those present at exit meeting.

2. Background Information

Licenses SNM-1802 and SNM-1833 were issued to Commonwealth Edison Company on September 25, 1978. These licenses authorized the receipt, possession, inspection and storage of unirradiated fuel assemblies at the LaSalle County Nuclear Power Station, Units 1 and 2. As required by 10 CFR 73.67, the licensee submitted "Security Plan for Special Nuclear Materials Security for LaSalle County Station." By letter dated August 28, 1980, the NRC advised the licensee that Revision 1 of this plan, dated July 16, 1980, with certain changes met the requirements of 10 CFR 73.67. Accordingly, both licenses were amended by adding License Conditions, one of which stated that the licensee shall follow the above-mentioned security plan.

3. Introduction

On September 17, 1981, Region III received a telephone call from an individual who expressed concerns regarding several matters relating to the security contractor's activities and the protection being afforded the reactor fuel in storage at the facility. During this conversation the individual advised that several individuals employed at the LaSalle site had these and/or similar concerns and that a second individual would call Region III the next day. On September 18, 1981, the second individual did call Region III and alluded to some of the same concerns. It was again indicated that a group of individuals

Part 2.790(d) Information

had concerns. During the latter telephone conversation it was agreed that Region III personnel would meet with some of the concerned individuals to discuss all of the concerns. This meeting was held on September 21, 1981 with four individuals.

4. Allegations

From the discussion with the individuals on September 21, 1981 four allegations which related to the protection of the stored reactor fuel (SNM) were derived. These allegations and the information obtained during the investigation regarding them are set forth below.

ALLEGATION 1 - A security officer was found sleeping while assigned to a post on the refueling floor where the fuel is stored and appropriate corrective action was not taken.

The allegers stated that on March 13, 1981 a named officer was found asleep while assigned to one of the posts established for the protection of the stored fuel. They indicated that the officer was given a three day suspension but that Burns' policy stated sleeping during working hours would result in immediate discharge. They stated that although there had been a written record made of the occurrence this record had disappeared.

An allegor stated that the same officer had also been found sleeping while manning the Production Gate but that he was not terminated. They stated that while this post had no connection with the protection of the fuel, his sleeping was still a violation of company policy. In contrast, other personnel had been terminated for lesser offenses.

Finding

It was determined that the security officer alleged to be found sleeping on post was currently employed but was on indefinite suspension regarding another matter.

A review of his personnel file showed that it contained a Supervisor's Contact Report, dated June 24, 1981, which indicated that at approximately 0447 that day a lieutenant arrived at the Production Gate where this security officer was on duty. According to the report, the lieutenant waited four or five minutes for the officer to allow him entry. The lieutenant then went to the door of the guard shack and found it was locked. Looking in he saw the officer with his head down. The lieutenant asked the officer if he was going to let him in. At that point the security officer raised his head. The lieutenant was of the opinion the security officer was asleep. The report states that the officer said he was not asleep but was "watching his feet where mice were playing." The report also contains the following statement: "Due to the fact that there is no other witness to this occurrence I see that no other action can be taken." In this regard, Lt. Gilbert stated that since there was some doubt the officer was sleeping no disciplinary action was taken.



## Part 2.790(d) Information

The security officer's personnel file contained no information regarding his having been found asleep at a post on the refueling floor on March 13, 1981. No report of the matter was found during a check of the Burns Incident Report File. It was noted that a Back Shift Report, an informal internal Burns report, contained a report dated February 12, 1981. Item 8 on that report referred to an incident regarding the officer and Item 9 of the report states the Production Gate was notified that the officer was not to be allowed onsite until further notice. In response to an inquiry concerning these entries, Lt. Gilbert advised that the officer had been found sleeping on post on the refueling floor and was given a three day suspension. She advised that any reference to that matter and any other unfavorable information regarding this security officer, as well as other security officers, had been purged from the files as of June 15, 1981 in accordance with an agreement reached with the Union on that date. As of that date all Burns personnel started with a clean record.

Lt. Gilbert stated an Incident Report had been prepared regarding the officer sleeping on post. When informed that it was not found in the file, Lt. Gilbert said the CECO Security Administrator was probably still holding it. A subsequent check with him, however, failed to locate it.

Regarding the three day suspension vs. termination of employment as a remedial measure, Lt. Gilbert advised that at the time of the occurrence Burns had no written policy that was applicable. She said the current policy, which all Burns personnel have read and signed, does stipulate that sleeping will result in termination. A copy of this policy was examined and it was noted that it was dated June 4, 1981.

ALLEGATION 2 - There are unattended points of possible access to the refueling floor controlled access area.

The allegers advised that plugs have been removed from openings in the refueling floor and these openings provide a possible means of access to the Controlled Access Area (CAA). They also stated there are openings in the lower levels of the reactor cavity (actually drywell) and ladders in the cavity which provide access to the CAA. They indicated that some individuals had used these avenues to gain access to the refueling floor. As a result, the frequency of security patrols on the refueling floor were increased from once every two hours to every half hour. Later, two stationery posts were established on the refueling floor to control the movements of workmen to and from the drywell. The allegers stated, however, there are other holes in the floor of the CAA which are uncovered or have only loose grating or plywood covering them. The security personnel stationed at the fixed posts cannot maintain adequate surveillance of these openings.

### Finding

It was determined that some workmen had on occasion entered the CAA without going through the normal access point. It was also determined that an NRC Resident Inspector had gained unchallenged access to the

CAA via the reactor drywell on August 7, 1981. These entries occurred prior to the establishment of the two additional fixed posts. The latter occurrence was the basis for an item of noncompliance in Inspection Report No. 50-373/81-30 which was transmitted to the licensee by letter dated October 2, 1981. The fixed posts constituted the licensee's immediate corrective action.

During a tour of the refueling floor on September 23, 1981, it was noted that there was an opening in the floor with scaffolding positioned under it from a lower elevation. The opening was located near the south wall and was in excess of seventy-five feet from either of the fixed posts established to control traffic into and out of the drywell. While this opening was in line of sight of the security officers manning these posts, undetected access would be possible, particularly when the security officers are occupied in checking workmen entering or leaving the drywell. This condition is not in compliance with Section 3.1 of the approved Security Plan for Special Nuclear Materials Security for the Commonwealth Edison Company, LaSalle Station. This is a repeat of the item of noncompliance which was identified in Inspection Report No. 50-373/81-30. This is a repeat item of noncompliance because the reactor drywell opening through which the NRC resident inspector gained access, and the floor opening near the south wall, both represented uncontrolled access points into the CAA. The licensee's corrective action regarding controlling access via the reactor drywell would not preclude unauthorized entry through the floor opening.

ALLEGATION 3 - Scaffolding and other items have been located within five feet of the CAA fence on the refueling floor which provided an easy means of access to the CAA.

The allegers stated that scaffolding has been erected on occasion adjacent to the security fence on the refueling floor. The presence of the scaffolding was recorded on Barrier Patrol Reports by the security officers but the scaffolding remains there for extended periods of time, several hours and sometimes days. They indicated other items have also been placed close to the fence.

#### Finding

A review of Barrier Patrol Reports for the month of August and part of September 1981 showed that items including scaffolding were repeatedly reported as being located within five feet of the CAA fence on the refueling floor. The following are a few examples of the items reported. Barrier Patrol Report for August 13, 1981, contained the following entry: "2205-Scaffolding is set up against the fence. Anyone can climb into the security area with this setup without being readily seen." An entry in the Barrier Patrol Report at 0335 on August 21, 1981, showed that there were "scaffolding and ladder by the Unit 1 elevator shaft and southwest fence making it easy to get into security area." An entry at 0600 on August 21, 1981 states: "wood along east side of fence could make for easy

entry into secure area. Pieces of metal along east side of fence which could also make for easy entry into secure area." Barrier Patrol Report entries on September 2, 1981, show that from 0010 to 1615 hours scaffolding was located outside the secure area at A-14.

Burns supervisory personnel stated that their responsibility is limited to identifying and reporting such matters to the licensee. The Barrier Patrol Reports are supplied to the licensee on a daily basis.

The licensee's Security Administrator acknowledged that he or his assistant receive and review the Barrier Patrol Reports. He indicated that when he becomes aware of items being present adjacent to the fence he evaluates the condition. In some instances, such as a fire extinguisher being reported as hanging on the fence or loose hoses running through the fence on the floor, he has concluded that no action is necessary. He has not advised Burns of this decision, however, or otherwise documented these evaluations. As a result these items continue to appear on the Barrier Patrol Reports. In other instances, such as the presence of scaffolding, he contacts the construction supervisor responsible for the erection of the scaffold to determine how long the scaffold will be required and to gain assurance it will be removed as soon as it is no longer needed. He indicated that the erection of scaffolds near the fence cannot be prohibited because they are necessary for ongoing construction activities. He indicated there is no procedure or arrangement which requires that the security office be advised when scaffolds or other items are required to be located adjacent to the fence. He also indicated no specific compensatory measures are taken while the scaffolds are present. The presence of a scaffold and other items adjacent to the fence which could provide access into the CAA is in noncompliance with the Section 6.4 of the security plan which, in part, states: "The area immediately adjacent to the physical barrier is maintained clear of any objects that would facilitate circumventing the barrier."

ALLEGATION 4 - Some security officers who are assigned to posts established for the protection of stored fuel are not adequately trained.

#### Finding

On September 23, 1981, three security officers were interviewed on the second shift. These individuals were randomly selected from a group of personnel who had been recently hired and who had been assigned to posts on the refueling floor.

During these interviews, the individuals all stated the training they received was adequate to perform the duties involved in the refueling floor post assignments. Their responses to questions indicated they understood their responsibilities when assigned to those posts and how they were to be carried out.



Through these interviews and through observations made during visits to the refueling floor, it was noted, however, that the means of limiting access to the stored fuel to personnel on an access list is inadequate. The security officer stationed at the desk at the primary access point to the CAA on the refueling floor has an access list which is compromised of approximately 1500 names on rotating card files. This list is used to control access to the CAA. Each person entering must have his name on file or be otherwise specially authorized access. Each individual entering must also sign his name on the Log and record the time of entry. As individuals leave the area they must be identified by the security officer who fills in the exit time on the Log.

Section 10.1 of the security plan states: "Procedures directing involved personnel to comply with this plan are developed and will be maintained." One of these procedures, LPO 103, Revision 0, dated April 24, 1981, is a post order for the fuel storage area as distinct from the refueling floor CAA. It states: "Only authorized personnel will be granted access into the fuel storage area. Attachment A, identifies personnel authorized routine access." Attachment A lists thirty individuals. The security officer stationed at the entrance to the CAA has this second access list for controlling access to the fuel storage area from within the CAA. There are no physical barriers separating the fuel storage area from the remainder of the CAA. Although the post controlling access to the CAA is located near the stored fuel there is an avenue of access to the stored fuel from within the CAA approximately fifty feet from this post. The security officer manning this post is primarily occupied with controlling access to the CAA. It was observed that on one occasion the security officer was totally occupied by a group of workmen desiring access to the CAA and their presence at his desk blocked his line of sight so that he could not maintain visual surveillance of the fuel storage area and the above-mentioned avenue of access. It was also noted that if an unauthorized individual approached the stored fuel from the far side of the CAA, the security officer would have to abandon the CAA access point to effectively challenge him. This arrangement is in noncompliance with LPO 103 and Section 10.1 of the security plan in that adequate control is not being exercised over access to the fuel storage area.

5. Exit Meeting

On September 24, 1981, the investigation findings were discussed with those findings personnel identified by an asterisk in the Persons Contact section of this report.