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July 29, 1994

U. S. Nuclear Regulatory Commission
Washington, DC 20555

ATTENTION: Document Control Desk

SUBJECT: Calvert Cliffs Nuclear Power Plant
Unit Nos. 1 & 2; Docket Nos. 50-317 & 50-318
Reply to Notice of Violation - NRC Inspection Report Nos. 50-317(318) 93-33
and 94-12

REFERENCE: (a) Letter from Mr. T. T. Martin (NRC) to Mr. R. E. Denton (BGE), dated
July 1, 1994, Notice of Violation, NRC Inspection Nos. 50-317 and
50-318 93-33 and 94-12

In response to Reference (a), Attachment (1) details our response to the cited violations.

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ATTACHMENT (I)

REPLY TO NOTICE OF VIOLATION INSPECTION REPORT NOS. 50-317(318) 93-33 & 94-12

VIOLATION OF 10 CFR 50.9

I. DESCRIPTION AND CAUSE OF VIOLATION

Title 10 Code of Federal Regulations (CFR) 50.9(a) requires, in part, that information provided to the Nuclear Regulatory Commission (NRC) by a licensee shall be accurate in all material aspects. Contrary to the above, we submitted information to the NRC on December 15, 1993, with Revision 29 to the Calvert Cliffs Nuclear Power Plant (CCNPP) Units 1 and 2 Security Plan that was not accurate in all material aspects. Specifically, the plan's Summary of Changes document contained an inaccurate statement regarding the parking of Supplementary Designated Licensee Vehicles (SDLVs) outside of the Protected Area (PA). We accept the violation as stated.

A Root Cause Analysis (RCA) was performed in March 1994, to determine how the inaccurate information was submitted. The RCA determined the following:

Between July and December 1993, a CCNPP Security Program Specialist processed Revision 29 to the CCNPP Security Plan. As part of the revision, Security personnel intended to clarify sections in the plan to ensure the plan and the implementing procedures were consistent in guidance. At a meeting held to review the draft plan, security personnel discussed the current practice of parking SDLVs outside the PA at the end of each work day. This practice was described in the Security Plan Implementing Procedures by the words, "... parked outside of the Protected Area upon completion of use." Security personnel noted the intent of the words in the current Security Plan, "... will remain in the Protected Area until the completion of the work assignment" matched the intent of the Implementing Procedures, but believed a previous revision of the Security Plan contained more explicit words, similar to the Implementing Procedures. The Security Programs Specialist was tasked with checking to see if words similar to "parked outside the Protected Area upon completion of use" existed in a previous Plan revision and had been inadvertently omitted during the processing of the Revision 28.

In September, the Specialist reviewed the Revision 28 preparation package, did not find any notes referring to SDLVs and parking, and assumed the specific words describing parking outside of the PA had been inadvertently omitted. The Specialist did not review other revisions to see if the words ever existed. The Specialist then inserted the new words into the Plan and a Summary of Changes cover sheet. The Summary of Changes contained the inaccurate information stating the words referring to parking outside the PA had been inadvertently omitted from a previous Security Plan revision.

The final draft of Revision 29 and the Summary of Changes was then reviewed by Security personnel. The security procedure that was used to process this revision did not contain sufficient guidance for the Security reviewers with respect to verifying accuracy. Most of the reviewers' time was spent verifying the Security Plan, itself, which was accurate, and not the Summary of Changes.

For final approval, the Summary of Changes was presented to other individuals/organizations, such as the Plant Operations and Safety Review Committee and Vice President - Nuclear Energy, who reviewed its conclusions and policy implications, but did not verify its accuracy. At no point in the process was there any intent to deceive internal or NRC reviewers by providing inaccurate or incomplete information.

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II. CORRECTIVE STEPS TAKEN AND RESULTS ACHIEVED

In response to this event, the Director-Nuclear Security (D-NS) initiated the following actions: (1) A Root Cause Analysis was performed; (2) Re-emphasized to the Security Programs Specialist, and others who prepare security documents, the need for self-checking and attention to detail when preparing security documents; (3) Issued a memorandum to security personnel with expectations and guidance pertaining to the accuracy of document reviews. Additionally, an outside security consultant performed an independent review of Revision 29 to the Security Plan. Based on his comments and other identified changes, Revision 30 was generated and submitted on March 25, 1994. NRC approval of Revision 30 was received on May 17, 1994.

III. CORRECTIVE STEPS TAKEN TO AVOID FURTHER VIOLATIONS

To ensure all future Security submittals are accurate in all material respects, the following changes are being made to the Security Licensing Documents and Procedures Control Procedure:

- A. Upgrading the procedure to the standards of the CCNPP Procedures Upgrade Project. Specific guidance will be included to clearly state the responsibilities of preparers and reviewers of security document changes. An independent reviewer at the technical level will be expected to verify the accuracy of information generated by the preparer; and,
- B. Modification of the procedure to clearly state the purpose of the Summary of Changes document and how it is to be prepared and reviewed.

Additionally, to provide added assurance that all NRC submittals and changes made to the licensing and design bases are accurate, the following steps are being taken:

- A. A memo was issued from the Vice President-Nuclear Energy Division to all General Supervisors with clear expectations for ensuring the accuracy of information provided to the NRC.
- B. To capture the above expectations for the long term, guidance is being proceduralized in a new Nuclear Regulatory Matters Section Directive. Groups on site responsible for generating NRC submittals will then adapt this guidance for their own section procedures.
- C. An internal assessment is being performed by the Operating Experience Review Unit to assess the adequacy of the processes used to change the licensing and design bases.

IV. DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Full compliance was achieved on March 29, 1994, when the D-NS issued the memorandum to security personnel providing written expectations for the preparation and review of security documents.

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VIOLATION OF NRC-APPROVED SECURITY PLAN

I. DESCRIPTION AND CAUSE OF VIOLATION

10 CFR 50.54(p)(1) requires, in part, that, "the licensee may make no changes which would decrease the effectiveness of a Security Plan . . ." Revision 28 of the CCNPP Security Plan specified SDLVs were to be designated for short periods, but not less than 24 hours and were subjected to the same controls as licensee designated vehicles. Additionally, SDLVs were to typically remain in the PA until completion of the work assignment. Contrary to the above, from about 1982 until 1994, SDLVs routinely were parked outside of the PA at the end of the work day. We accept the violation as stated.

As early as March 1980, CCNPP's Security Plan allowed for the use of supplementary vehicles in addition to the full-time plant service vehicles during periods of high activity, such as outages. In August 1982, a Security Plan revision was made which allowed such vehicles to be "designated" until the completion of their work assignment, which reduced escort requirements. The term "completion of their work assignment" was interpreted to mean the work to be accomplished in a given work day. This allowed the vehicles to be removed from the PA at night, alleviating lighting concerns and eliminating potential hiding places. This practice was considered to appropriately handle security concerns while maintaining control over the vehicles' location. We discussed this change with an NRC official at the time, and it was believed to be consistent with regulatory requirements. In 1986, these parking practices were specifically incorporated into the Security Plan Implementing Procedures. The provision of the Security Plan which specified that SDLVs were "subjected to the same controls as licensee designated vehicles" was interpreted to mean that all the controls, such as locking and removing keys which applied to licensee designated vehicles, would be equally applicable to SDLVs while they were in the PA. Removal of these vehicles for parking was not considered a deviation from this requirement. This belief that plant security concerns were best protected by these measures and that they fully complied with regulatory requirements existed until the plant was notified by NRC of its disagreement during their review of Revision 29. Upon reviewing NRC's interpretation in the context of the underlying 10 CFR Part 73 requirements, Calvert Cliffs' Security Staff agreed that our vehicle practices could constitute a nonconformance with regulations and took actions to revise them.

II. CORRECTIVE STEPS TAKEN AND RESULTS ACHIEVED

On February 28, 1994, NRC Region I informed the Plant General Manager of this issue and in response, the D-NS directed that all supplementary vehicles would either be classified as designated licensee vehicles and would remain inside the PA or would be escorted.

III. CORRECTIVE ACTIONS TAKEN TO AVOID FURTHER VIOLATIONS

On March 25, 1994, Revision 30 to the Security Plan was submitted to the NRC for approval. This revision specifically states SDLVs are authorized for short periods, but not less than 24 hours, are subjected to the same controls as licensee-designated vehicles, and will remain in the PA until completion of

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the work assignment. If there is a need to remove vehicles at the end of the day, they will be escorted during their use inside the PA. The revision was approved by the NRC on May 17, 1994.

IV. DATE WHEN FULL COMPLIANCE WILL BE ACHIEVED

Full compliance was achieved on February 28, 1994, when the D-NS implemented the new requirements for supplementary designated licensee vehicles.