



UNITED STATES  
NUCLEAR REGULATORY COMMISSION

REGION IV  
611 RYAN PLAZA DRIVE, SUITE 1000  
ARLINGTON, TEXAS 76011

JUL 31 1991

Docket Nos. 50-498 and 50-499  
License Nos. NPF-76 and NPF-80  
EA 91-068

Houston Lighting & Power Company  
ATTN: Donald P. Hall, Group  
Vice President, Nuclear  
Post Office Box 1700  
Houston, Texas 77251

Gentlemen:

SUBJECT: NOTICE OF VIOLATION  
(NRC INSPECTION REPORT NOS. 50-498/91-17 & 50-499/91-17)

This is in reference to the inspections conducted on May 8 and May 22, 1991, in response to Houston Lighting & Power Company's (HL&P) identification of infractions of physical security requirements at its South Texas Project (STP) nuclear power plant near Bay City, Texas. The results of these inspections were documented in a report issued on May 29, 1991, and were the subject of an enforcement conference which you and other HL&P representatives attended in NRC's Arlington, Texas office on June 21, 1991.

These inspections resulted from events that occurred on May 2, 1991, when an STP employee passed through the security control point and entered the protected area at the facility with a loaded .32-caliber handgun in her purse, and on May 15, 1991, when an STP employee circumvented security procedures by passing material through exit turnstiles and into the protected area at the facility. As required, HL&P promptly informed NRC of the May 2 event, making a one-hour report to the NRC's Operations Center, and made a record of the May 15 event in security logs.

The May 2 event occurred as the result of a failure of the security force to conduct an adequate search of the woman's purse. This failure may in part have been caused by HL&P assigning a single officer to operate the x-ray device as well as to perform physical searches of packages. The May 15 event occurred as the result of administrative employees bypassing the access control point, where the screening of such material normally takes place, and the result of the security force paying less than adequate attention to this practice. This event may have been caused, in part, by the licensee's earlier decision to remove a guard previously assigned to monitor activities at the exit portals. Each of these events is a violation of NRC requirements and STP's physical security plan, which require that material and packages be searched for contraband prior to entry to the protected area.

In reviewing the circumstances surrounding the May 2 violation, NRC notes that HL&P failed to take sufficiently comprehensive corrective actions for an event in August 1990 which involved the failure of a search to prevent the introduction of 13 rounds of .38-caliber ammunition to the protected area. Had the

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corrective actions for that event been broader, focusing on the effectiveness of the search equipment and training of the guards rather than on the individual who brought the ammunition into the protected area, the May 2 violation might not have occurred. HL&P focused its corrective actions on the individual who inadvertently brought the ammunition into the protected area, and took no actions relative to the failure to detect the material during the screening process, despite the fact that weaknesses in the screening process are likely to have contributed to the event.

Relative to the May 15 violation, NRC notes that this practice of passing material through the exit turnstiles, while not frequent, had occurred with some regularity, raising questions in NRC's view about the attentiveness of security personnel to their responsibilities and the attitude toward physical security requirements by STP staff in general.

To HL&P's credit, each of these violations was identified by STP employees and reported to the STP security organization. However, these violations also indicate an apparent lack of attention to access control requirements and an apparent lack of understanding of the objectives of the STP physical security program on the part of the involved personnel. In addition, we are concerned that HL&P's earlier reduction of guards assigned to this access portal likely contributed to these violations. In that the May 2 event resulted in the introduction of contraband to the STP protected area, and in that both events involved a failure to ensure that adequate searches were performed, these violations are classified collectively at Severity Level III, in accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (Enforcement Policy) 10 CFR Part 2, Appendix C (1991).

In accordance with the Enforcement Policy, a civil penalty is considered for a Severity Level III problem. However, after consultation with the Director, Office of Enforcement, and the Deputy Executive Director for Nuclear Reactor Regulation, Regional Operations and Research, I have decided that a civil penalty will not be proposed in this case. In reaching this decision, the staff considered the adjustment factors in the NRC Enforcement Policy.

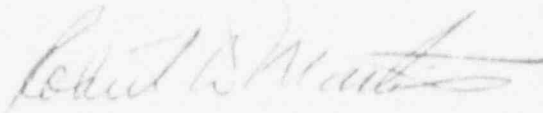
It was determined that full mitigation of this penalty was appropriate due to the licensee's identification of the May 2, 1991 violation, the corrective actions taken since the violations occurred, and the rating given STP during the most recent Systematic Assessment of Licensee Performance (SALP) period. With respect to the corrective actions, NRC recognizes that HL&P has taken corrective actions and plans additional corrective actions to ensure that these violations do not recur. These actions, which were prompt and are comprehensive when considered collectively, should be adequate to preclude a recurrence. These actions include, but are not limited to, the posting of additional security officers, physical modifications to the access control area, briefings on these incidents for the security staff, and the issuance of bulletins to all STP staff reinforcing their understanding of the requirements. The other adjustment factors in the Enforcement Policy were considered and no further adjustment to the base civil penalty was considered appropriate. While a decision has been made not to issue a civil penalty for these violations, your failures in this area are not consistent with the performance of a SALP I licensee and will be carefully considered in the next SALP period.

HL&P is required to respond to this letter and should follow the instructions specified in the enclosed Notice when preparing its response. In its response, HL&P should document the specific actions taken and any additional actions it plans to prevent recurrence. After reviewing HL&P's response to this Notice, including its proposed corrective actions and the results of future inspections, the NRC will determine whether further NRC enforcement action is necessary to ensure compliance with NRC regulatory requirements.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be placed in the NRC Public Document Room.

The responses directed by this letter and the enclosed Notice are not subject to the clearance procedures of the Office of Management and Budget as required by the Paperwork Reduction Act of 1980, Pub. L. No. 96-511.

Sincerely,



Robert D. Martin  
Regional Administrator

Enclosure:  
Notice of Violation

cc:  
Houston Lighting & Power Company  
ATTN: William J. Jump, Manager  
Nuclear Licensing  
P.O. Box 289  
Wadsworth, Texas 77463

City of Austin  
Electric Utility Department  
ATTN: J. C. Lanier/M. B. Lee  
P.O. Box 1088  
Austin, Texas 78767

City Public Service Board  
ATTN: R. J. Costello/M. T. Hardt  
P.O. Box 1771  
San Antonio, Texas 78296

Newman & Holtzinger, P. C.  
ATTN: Jack R. Newman, Esq.  
1615 L Street, NW  
Washington, D.C. 20036

Central Power and Light Company  
ATTN: D. E. Ward/T. M. Puckett  
P.O. Box 2121  
Corpus Christi, Texas 78403

cc: (Con't)  
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Records Center  
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Atlanta, Georgia 30339-3064

Mr. Joseph M. Hendrie  
50 Bellport Lane  
Bellport, New York 11713

Bureau of Radiation Control  
State of Texas  
1101 West 49th Street  
Austin, Texas 78756

Judge, Matagorda County  
Matagorda County Courthouse  
1700 Seventh Street  
Bay City, Texas 77414

Licensing Representative  
Houston Lighting & Power Company  
Suite 610  
Three Metro Center  
Bethesda, Maryland 20814

Houston Lighting & Power Company  
ATTN: Rufus S. Scott, Associate  
General Counsel  
P.O. Box 61867  
Houston, Texas 77208

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