

SAFEGUARDS INFORMATION

NOV 15 1983

Carolina Power and Light Company
ATTN: Mr. E. E. Utley
Executive Vice President
Power Supply and Engineering
and Construction
411 Fayetteville Street
Raleigh, NC 27602

Gentlemen:

SUBJECT: PROPOSED CIVIL PENALTY ACTION: EA 83-94 (REFERENCE INSPECTION
REPORT NO. 50-261/83-22)

This refers to the special safeguards inspection conducted by Mr. B. L. Hall of this office on July 29, 1983, of activities authorized by NRC License No. DPR-23 at H. B. Robinson Steam and Electric Plant and to the discussions of our findings held with Mr. R. Connolly, Assistant to the Plant General Manager, at the conclusion of the inspection.

The purpose of this inspection was to evaluate the significance of the licensee's failure to control access to a vital area and corrective actions taken in response to a security event reported to the NRC on July 28, 1983. The findings revealed that, on July 27, 1983, access to a vital area was not controlled in that an individual gained undetected access to it. Following notification of the contract security service of this event, the contract security service supervisor failed to immediately notify Carolina Power and Light Company (CP&L) of the event as specified in procedures implementing the facility physical security plan. This resulted in two apparent violations of regulatory requirements. The security service contractor failed to demonstrate its ability to fully implement required procedures. The violations and related NRC concerns were further discussed during an Enforcement Conference conducted telephonically on August 16, 1983.

The violations identified in the enclosed Notice of Violation and Proposed Imposition of Civil Penalty have been categorized in accordance with NRC Enforcement Policy, 10 CFR Part 2, Appendix C. The failure to control personnel access into a vital area from inside the protected area has been categorized as a Severity Level III violation (Supplement III). The failure of the contract security service supervisor to notify CP&L of the event has been categorized as a Severity Level IV violation (Supplement III). Collectively, these violations are evidence of a security weakness, specifically the failure to communicate to your contract security service force the importance of maintaining an adequate level of security. 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 a Civil Penalty in the amount of Twenty Thousand Dollars. The base Civil Penalty amount for a Severity Level III violation of this type is \$40,000. Because CP&L, when informed of the event, initiated prompt, responsive, and extensive corrective action consisting of disciplinary action

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against responsible personnel, revision of procedures and "post instructions", and awareness training of contract service personnel on procedural requirements, this base penalty has been reduced 50% as permitted by the Enforcement Policy. We propose to impose this civil penalty in the amount of \$20,000 to emphasize the need for Carolina Power and Light Company to ensure that its security program is adequately managed to prevent violations of this nature from occurring in the future.

You are required to respond to the Notice of Violation. You should include in your response a specific discussion as to how CP&L will monitor the activities of the security service contractor to ensure compliance with security procedures. You should follow the instructions specified 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 your reply you should give particular attention to those actions designed to increase the effectiveness of the management of your security program, particularly with regard to delineation of responsibilities of contract security service officers in order to ensure continuing compliance with NRC requirements in this area. Your reply to the Notice and the results of future inspections will be considered in determining whether further enforcement action is appropriate.

The material enclosed herewith contains Safeguards Information as defined by 10 CFR 73.21 and its disclosure to unauthorized individuals is prohibited by Section 147 of the Atomic Energy Act of 1954, as amended. Therefore, the material, with the exception of the Inspection Report cover page which is an inspection summary, will not be placed in the Public Document Room.

The responses directed by the Notice of Violation are 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

Enclosures:

1. Notice of Violation
(Safeguards Information)
2. Inspection Report No. 50-261/83-22
(Safeguards Information)

cc w/encl:

R. E. Morgan, Plant
General Manager
G. T. Beatty, Jr., Manager
Robinson Nuclear Project Dept.

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bcc w/encl:
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bcc w/Inspection Summary:
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NRC Resident Inspector
State of South Carolina

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