

ENCLOSURE 1

NOTICE OF VIOLATION

Entergy Operations, Inc.
Waterford Steam Electric Station

Docket: 50-382
License: NPF-38

During an NRC inspection conducted on November 13-17, 1995, one violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions." (60 FR 34381; June 30, 1995) the violation is listed below:

10 CFR 73.56(a) requires, in part, that licensees follow an access authorization plan incorporated into their site Physical Security Plan.

Waterford 3 Physical Security Plan, Revision 13, Change 3, dated September 28, 1994, paragraph 2.4.1 "Personnel Screening and Access Authorization," states, in part, "Entergy Operations, Inc., Waterford 3, commits to Regulatory Guide 5.66, Access Authorization Program for Nuclear Power Plants dated June 1991. All regulatory elements have been implemented to satisfy the requirements of 10 CFR 73.56."

Paragraph 5.2.1 of the Security Plan states, in part, "A list of personnel authorized unescorted access to the protected and vital areas is located at the PAP for use by the Security Department and is reviewed by cognizant supervisors and managers every 31 days and updated as applicable."

Appendix (NUMARC 89-01) to Regulatory Guide 5.66, dated June 1991, Guideline 9.0, requires that each individual granted unescorted access shall be subject to a continual behavior observation program.

Regulatory Guide 5.66, dated June 1991, paragraph B.3, states, "The NUMARC Guidelines allow reinstatement of unescorted access authorization within 365 days of its termination if the authorization was terminated under favorable conditions. Requiring a complete psychological assessment and background investigation after every break of 365 days or less in the behavioral observation program is not feasible. However, there is information available to the licensee from other sources. For example, if an authorization lapses because an employee took a leave of absence, it is reasonable to assume that the licensee has some indication of the intended activities of the employee during such leave. Furthermore, prior to reinstatement of the access authorization, it is reasonable to expect that the licensee will ascertain what activities the employee engaged in during his or her absence would not have the potential to affect the employee's trustworthiness and reliability."

Industry proposed, in NUMARC 91-03, "Nuclear Power Plant Personnel Access Authorization Data Exchange Guidelines," paragraph III.B.4, that this action should only have to be taken if the break is more than 30 days. The NRC subsequently agreed with that time frame when it advised NUMARC that the guidelines met the intent of 10 CFR 73.56 and Regulatory Guide 5.66.

Contrary to the above, the inspector identified, that during late 1994 eight individuals with valid keycards had not been under the licensee's continuous behavioral observation program for a period in excess of 30 days. The individuals had not been on site for several months, and no longer had a need to enter the protected area. These eight individuals could have entered the plant at any time even though their trustworthiness and reliability may have been in question.

This is a Severity Level IV violation (Supplement VII) (382/9518-02).

The NRC has concluded that information regarding the reason for the violation, the corrective actions taken and planned to correct the violation and prevent recurrence is already adequately addressed in the enclosed report. However, you are required to respond to the provisions of 10 CFR 2.201 if the description, therein, does not accurately reflect your correct actions or your position. In that case, or if you choose to respond, clearly mark your response as a "Reply to a Notice of Violation," and send it to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D. C. 20555 with a copy to the Regional Administrator, Region IV, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice).

If you choose to respond, the response will be placed in the NRC Public Document Room (PDR). to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if it is necessary to include such information, it should clearly indicate the specific information that should not be placed in the PDR, and provide the legal basis to support the request for withholding the information from the public.

Dated at Arlington, Texas
this 29th day of December 1995.