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DUKE POWER

June 17, 1992

U.S. Nuclear Regulatory Commission
Washington, D.C. 20555
Attention: Document Control Desk

Subject: Catawba Nuclear Station
Docket Nos. 50-413 and 50-414
NRC Inspection Report No. 50-413,414/ 92-12
Reply to Notice of Violation

Enclosed is the reply to Notice of Violation 50-413, 414/
92-02-01 and 92-12-02, issued May 19, 1992. These violations
concerned the failure to report, in the Safeguards Event Log,
unlocked vital area doors and an inadequate departmental
directive that would have led to certain events not being
reported in the Safeguards Event Log. The practices cited as
violations have been in effect at our three nuclear stations for
several years.

I sincerely appreciate the additional guidance but I do not
conclude that this represents a decline in security program
oversight or the overall performance level of security at
Catawba.

If you have any questions concerning this reply contact David
Smith at (803) 831-3000, ext 2076.

Very truly yours,

M.S. Tuckman, Vice President
Catawba Generation Department

DNS/RES92-12

xc:W/Attachment

S.D. Ebnetter
Regional Administrator, Region II

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CATAWBA NUCLEAR STATION

REPLY TO NOTICE OF VIOLATION

50-413 AND 50-414/92-12-01 AND 92-12-02

The following 2 violations were identified during an inspection on April 13-16, 1992.

Violation A:

10 CFR Part 73.71 and 10 CFR 73, Appendix G, II, require, in part, "Any failure, degradation or discovered vulnerability in a safeguards system that could have allowed unauthorized or undetected access to a ... vital area ... had compensatory measures not been established," to be recorded within 24 hours and submitted in quarterly logs.

10 CFR 73.55(b) (3) (i) requires written security procedures be implemented.

The licensee's Nuclear Generation Department Directive No. 3.7.1 (S) "Reporting and Trending of Safeguards and Security Events" (Revision No. 3 dated January 1, 1992) states, in Paragraph 1.0 Purpose, "The purpose of this directive is to describe the safeguards reportability requirements of 10 CFR 73.71 ..." and requires, in Paragraph 5.1.2, "Events Reported in Quarterly Log ... any failure or degradation of a security system or discovered vulnerability in a system that could have allowed unauthorized or undetected access to the vital area shall be reported in the safeguards event log". The Directive goes on to give an example of a loggable event as a vital area door found unlocked (Enclosure 2, page 20).

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Contrary to the above, the licensee has not been reporting in its quarterly logs the failure or degradation of its security system, in that, events of vital area doors being found in the unlocked condition are not logged.

This is a Security Level iv violation (Supplement III).

Reason for the Violation:

The reason for the violation is one of interpretation. Catawba has never considered a controlled access door or alarm door found to be unlocked, subsequent to a security officer's response to an alarm, an event requiring a Safeguards Event Log entry.

In every case when an alarm is received, associated with an unlocked door, a security officer was dispatched. The officer ensures no forceable entry had occurred, assessed the area for unauthorized personnel, ensured the door was secure and cleared the alarm. Catawba security management considered this action as a normal and proper part of alarm response and logging the door status as a degradation or vulnerability was not considered to be within the scope or purpose of the Event Log entries.

Alarm occurrences in which the alarm could not be cleared or the door would not relock, would be considered a failure or

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Corrective Actions Taken and Results Achieved:

As an immediate corrective action Catawba Security amended a copy of NGD Directive 3.7.1 (S) requiring that events, such as those included in the Notice of Violation, be recorded in the Safeguards Event Log at Catawba. This amended copy of the directive was placed in the CAS and the Security Shift Supervisors instructed in its use. Because this Directive is a departmental directive, copies of the changes to the directive were sent to McGuire and Oconee Security and Licensing Services at the General Office. All parties were made aware of the inspection results.

Corrective Actions Taken to Avoid Further Violations:

Based upon guidance and recommendations received during the June 5, 1992 meeting at Region II offices, Atlanta, GA, the Nuclear Generation Department Directive 3.7.1 (S) will be reviewed and revised. The revised directive will incorporate logging requirements based on the guidance received in reference to the interpretation of Appendix G II (b) as it pertains to deviations from Security plan commitments.

Date of Full Compliance:

The NGD Directive will be revised and implemented by August 1, 1992.

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Violation B:

10 CFR Part 73.71, Appendix G, II (b) states, in part,
"Events to be ... submitted in Quarterly Log ... Any other
... committed act not previously defined ... with the
potential for reducing the effectiveness of the safeguards
system below that committed to in a licensed physical
security program ..."

The above, Department Directive 3.7.1 (S), as
indicated above in Violation A, is inadequate in that it
exempts the licensee from submitting in its quarterly logs
those regulatory failures which reduce the effectiveness of
the safeguards system below that committed to in its Plans
with respect to failing to test communications equipment,
failing to qualify officers, failure to medically test
officers and failure of alarm stations. These regulatory
failures had the potential for reducing overall
effectiveness of the security program.

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

Reason for the Violation:

The reason for the violation was based upon Duke Power
Company's interpretation of 10 CFR 73.71 Appendix G II (b)
which states "Any other threatened attempted or committed
act not previously defined in Appendix G with the potential
for reducing the effectiveness of the safeguards system

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below that committed to a licensed physical security or contingency plan or the actual condition of such reduction in effectiveness."

Duke Power Company's interpretation of events referenced in section II (b) was that these events must be precipitated by a deliberate act or reduce the effectiveness of the safeguards system below that committed to in the security plan such that unauthorized or undetected access could be allowed. This interpretation was the rationale from which the Nuclear Generation Department (NGD) 3.7.1 (S) directive for reporting security events was based. The majority of events listed in the Notice of Violation were not considered deliberate acts or events which reduced the effectiveness of the safeguards system but rather as administrative errors or omissions. These would include the failure to test communication equipment, failure to qualify officers and the failure to medically test officers.

The remaining item, failure of alarm stations, was not considered an event that significantly decreased the effectiveness of the safeguards system due to having a backup alarm station which would receive and assess all alarms.

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degradation which would warrant compensatory measures and subsequently be recorded in the Safeguards Event Log. In addition, any other condition involving the failure or malfunction of a door, or the component of a door, which could have allowed unauthorized or undetected access would have been recorded in the Safeguards Event Log.

Corrective Actions Taken:

On April 16, 1992 instructions were given to all Security Shift Supervisors to immediately begin recording, in the Safeguards Event Log, doors discovered to be unlocked as a result of alarm response. Subsequent reviews of the Safeguards Event Log verified these type of events are being logged.

Corrective Actions Taken to Avoid Further Violations:

The corrective actions taken should avoid further violations.

Date of Full Compliance:

Catawba was in full compliance on April 16, 1992.