

ENCLOSURE 1

NOTICE OF VIOLATION

TU Electric

Dockets: 50-445

50-446

Comanche Peak Steam Electric Station

Licenses: NPF-87

NPF-89

During an NRC inspection conducted April 29 through May 3, 1996, one violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

License Condition 2.H of the Comanche Peak Steam Electric Station, Unit 1, Facility Operating License states, in part, "TU Electric shall fully implement and maintain in effect all provisions of the physical security plan . . . previously approved by the Commission"

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

Paragraph 3.1 of the physical security plan states, in part, that the licensee "access authorization program complies with . . . 10 CFR 73.56 . . . and NRC Regulatory Guide 5.66."

Paragraph 7.1a of NRC Regulatory Guide 5.66 states, "the utility shall consider information obtained during the background investigation In making a determination of trustworthiness or reliability, the following must be considered . . . Willful omission or falsification of material information submitted in support of employment or request for unescorted access authorization."

Contrary to the above, the licensee failed to consider all information obtained during the background investigation. Specifically, the criminal history records were not compared to the personnel history questionnaires in order to determine if the applicants had willfully omitted or falsified information.

This is a Severity Level IV violation (Supplement VII) 445/9607-01:
446/9607-01.

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, TU Electric (Licensee) is required to respond to the provisions of 10 CFR 2.201 if the description therein does not accurately reflect the licensee's corrective actions or position. In that case, or if the licensee

chooses to respond, clearly mark the 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, 611 Ryan Plaza Drive, Suite 400, Arlington, Texas 76011, 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).

Dated at Arlington, Texas
this 29th day of May 1996