

GULF STATES UTILITIES COMPANY

RIVER BEND STATION POST OFFICE BOX 220 ST FRANCISVILLE, LOUISIANA 70776

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November 16, 1992

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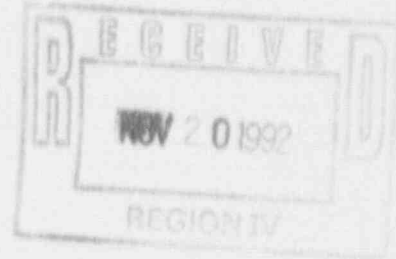
File Nos. G9.5, G15.4.1

U.S. Nuclear Regulatory Commission
Region IV
611 Ryan Plaza Drive, Suite 400
Arlington, TX 76011

Gentlemen:

River Bend Station - Unit 1

Docket No. 50-458/92-30



Pursuant 10CFR2.201, this letter provides Gulf States Utilities Company's (GSU) response to the Notice of Violation for NRC Inspection Report 50-458/ 92-30. The inspection was conducted by Messrs. Ford, Loveless, Whittemore, and Bundy on August 16 through September 26, 1992, of activities authorized by NRC Operating License N-47 for River Bend Station - Unit 1. GSU's reply to the violation is provided in the attachment.

Should you have any questions, please contact Mr. L.A. England of my staff at (504) 381-4145.

Sincerely,

W.H. Odell

Manager - Oversight

River Bend Nuclear Group

SLW
gtr *ECU* *SLW* *JHM*
LAE/KES/TCC/SLW/JHM/kvm

Attachment

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

NRC Resident Inspector
P.O. Box 1051
St. Francisville, LA 70775

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ATTACHMENT 1

Reply to Notice of Violation 50-458/9230-01 Level IV

REFERENCE

Notice of Violation from A. Bill Beach to J.C. Deddens dated October 16, 1992.

VIOLATION

10CFR Part 73.21(a) requires that, "Each licensee who . . . is authorized to operate a nuclear power reactor . . . and each person who produces, receives, or acquires Safeguards Information shall ensure that Safeguards Information is protected against unauthorized disclosure."

Furthermore, 10CFR Part 73.21(d)(2) requires that, "while unattended, Safeguards Information shall be stored in a locked security storage container."

Contrary to the above, from September 8-14, 1992, Safeguards Information was not protected against unauthorized disclosure in that three quality condition reports containing Safeguards Information were distributed via the licensee's mail processing system outside the protected area, transported inside the protected area, and left unattended in an unlocked mail box.

REASONS FOR THE VIOLATION

On August 31, 1992, at approximately 1500 hours, after having completed a quality assurance (QA) audit of security program activities, the lead auditor and lead auditor in training (LAIT) met with the director nuclear station security (DNSS) to issue the quality condition reports (QCRs) generated during the audit. During the process of issuing the QCRs, the LAIT indicated that some of the QCRs may contain safeguards information (SI). The DNSS agreed to review the documents and make a determination as soon as possible. The LAIT requested a copy of the QCRs to take back to QA Quality Systems in order to maintain a record of what had been issued since Security had the originals. The copies were taken back and given to the QA secretary for retention. The secretary not knowing the QCRs contained safeguards information, placed them in a fireproof file cabinet with a locking bar. The cabinet did not possess the required combination lock to be an official SI cabinet, however the cabinet had a padlock and keys that are strictly controlled.

On Friday, September 4, 1992, around 0900, the LAIT was called and advised that after having reviewed the QCRs, it was Security's determination that three of the QCRs (#92-08-008, #92-08-016 and #92-08-021) contained safeguards information, that QA copies needed to be destroyed and that controlled copies be obtained from the safeguards coordinator. The LAIT then retrieved from the QA files the copies of the QCRs and destroyed them. At that time it was believed that all copies had been destroyed. It was not until Monday, September 14, 1992, after Security received a call from the NRC resident inspector and the LAIT had been contacted, that it was

discovered the QA secretary had made a copy of the QCRs and sent them to the NRC resident inspector, prior to the LAIT destroying the file copies. Immediately, the LAIT checked with audit team members and other QA personnel who may have had copies and determined that all other copies had been destroyed. The LAIT also reviewed the QA tracking data base to ensure that no safeguards information had been entered into the system and found that none had been entered. The DNSS collected the resident's copy of the QCRs and the safeguards coordinator destroyed them.

Condition Report (CR) 92-0778 was generated by Security to ensure adequate corrective action would be implemented. The QA secretary stated that copies had been made and mailed through the Company mail to the resident inspector at the beginning of the month. Copies of all QCRs and QA finding reports (QAFRs) issued by Quality Systems are normally forwarded to the NRC resident inspector at the end of every month. This practice is a result of a long term agreement between QA and the NRC resident inspectors. The QCR package was dated as being received by the NRC resident inspector on September 8, 1992.

The results of Security's investigation revealed the following: 1) QA Systems failed to control SI documents until the materials could be properly classified and a determination statement issued. This has been attributed to either human oversight or lack of continuing training. 2) Untimely evaluation of the documents by the DNSS and the decision to classify them as SI contributed to the reason for the event since the QCRs were forwarded to the NRC during the period the documents were awaiting a determination statement. 3) Inadequate communication to individuals in possession of the documents to control them until the SI determinations could be made contributed to the event. 4) There was no deliberate or willful act to compromise security. It was determined with reasonable assurance that no unrecoverable loss or compromise of the overall security program effectiveness occurred as a result of this incident because the storage cabinet remained locked with some locking protection and the fact that the mailing envelopes remained on-site in the mail system.

GSU recognizes that the documents were not properly controlled.

CORRECTIVE STEPS WHICH HAVE BEEN TAKEN AND THE RESULTS ACHIEVED

1. An immediate search was initiated by QA to identify any other uncontrolled SI documents. None were identified.
2. An investigation was initiated to document the event and to determine the extent of compromise. This investigation was documented on CR 92-0778. It was determined that no unrecoverable loss or compromise of the security program effectiveness occurred as a result of this incident.
3. Procedural changes are being implemented to require an individual creating a document which may contain safeguards information to have it reviewed by Security management personnel knowledgeable of safeguards information requirements, and have the document classified accordingly by the director - nuclear station security/designee. Until this review is conducted, the documents

shall be controlled as safeguards information by the originator.

4. An awareness instructional program is being established and will be required to be completed prior to an individual being placed on the safeguards information access list. To remain on the list, an annual written certification will be necessary stating that a need for access is continued and that the individual understands the manner in which safeguards information is to be handled.
5. A procedural change is being made to institute a courier requirement and to prohibit transporting most safeguards documents through the Company mail. Safeguards information on-site transfer and the return of such information will primarily be the responsibility of the person requesting the safeguards information.

In addition, Security management completed declassifying approximately 50% of their current Security procedures and position instructions (only), thereby decreasing exposure to events involving safeguards information.

FURTHER STEPS WHICH WILL BE TAKEN TO AVOID FURTHER VIOLATIONS

In addition to the above steps being taken, GSU personnel will:

1. Revise the current practice of obtaining access to safeguards information and modify the access authorization list to reduce the number of persons who can possess the information. The revision will also address safeguards information inventory of satellite containers by an individual who is not directly responsible for the contents of the container, and the time frame in which it will occur. This activity will be completed through the revision of PSP-4-105, "Administration (Safeguards Information Control)", which will be revised by January 1, 1993.
2. Reduce the number of satellite storage files outside the protected area as appropriate. This action will be complete by December 15, 1992.
3. As a result of an earlier safeguards event (reference SLER 92-S03) GSU has also committed to:
 - a. Relocating the central safeguards files to the field administration building which is equipped with a fire suppression system. This action should be completed by the end of June, 1993.
 - b. In conjunction with Item 1 above, an inventory will be conducted of each safeguards information container by an individual who does not have direct responsibility for the content of the containers, in an effort to attempt to identify and retrieve any safeguards documents not previously identified or those documents which may have been inadvertently omitted or presumed lost. While performing this activity, Security will also be

attempting to reduce the remaining safeguards inventory, including the central files, by an additional 50%. These actions will be completed by the end of June, 1993.

DATE WHEN CORRECTIVE ACTION WILL BE COMPLETED

The above corrective actions involving procedural changes (items 3,4,5 beginning on page 2 and continuing on page 3 of this attachment) will be completed by the end of February, 1993.