

ENCLOSURE 1

NOTICE OF VIOLATION

Entergy Operations, Inc.
Waterford Steam Electric Station, Unit 3

Docket No.: 50-382
License No.: NPF-38
EA 97-236

During a reactive inspection conducted on April 21-25, 1997, four violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violations are listed below:

License Condition 2.E of the Waterford Steam Electric Station, Unit 3, Operating License NPF-38, dated December 19, 1995, requires that the licensee fully implement and maintain in effect the Commission approved Physical Security Plan, including amendments and changes made pursuant to the authority of 10 CFR 50.54(p).

- A. Waterford 3 Physical Security Plan, Revision 17, dated August 1996, Chapter 2, paragraph 2.3.1, "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." In addition paragraph 5.2.1, "Personnel Access Authorization," states, in part, "Unescorted access into the protected area is limited to those individuals who meet the Entergy screening requirements and who have a legitimate reason for entry. . . . Authorizations for unescorted personnel access to the protected area are issued by the General Manager, Plant Operations, his designee, or Duty Plant Manager(s), after a reason for entry has been established."

Attachment NUMARC 89-01, to Regulatory Guide 5.66, June 1991, paragraph 3.0, "Responsibility," states, in part, "The final granting and controlling of unescorted access authorization is the responsibility of the utility. Each nuclear utility will inform contractors and vendors of the existence of these guidelines and of the necessity to follow these guidelines."

Waterford 3 Procedure OM-106, "Unescorted Access Authorization Program," Revision 2, April 28, 1996, paragraph 5.8 states, in part, "All company officers, directors, managers, superintendents, supervisors and their appointed designees are responsible for: Taking appropriate action to ensure that individuals under their authority with unescorted access, . . . who no longer need unescorted access, have their unescorted access terminated"

Site directive W2.102, "Employee Termination and Resignation Practices," Revision 1, April 29, 1994, paragraph 4.3 states, in part, "The Director, General Manager-Plant Operations and/or concerned Manager or Supervisor is responsible for: ensuring that information pertaining to the reason and condition associated with all terminations and resignations is relayed to the Waterford 3 Security Superintendent prior to or concurrently with the employee's departure from the plant site."

Contrary to the above, on April 18, 1997, the licensee determined that the Waterford 3 Security Superintendent had not been notified prior to or concurrently with the departure from the plant site of approximately 10 contract employees. Active badge/key cards were available to those employees who no longer had a need for unescorted access into the protected area.

This is a Severity Level IV violation (Supplement III)(382/97-09-01).

- B. Waterford 3 Physical Security Plan, Revision 17, dated August 1996, paragraph 5.2.2 states, in part, "A list of personnel authorized unescorted access to the protected and vital areas is located at the Primary Access Point for use by the security department and is reviewed by cognizant supervisors/managers every 31 days and updated as applicable."

Waterford 3 Procedure OM-110, "Continual Behavioral Observation Program," Revision 0, March 31, 1995, paragraph 6.2.3a. states, in part, "Each month, an unescorted access verification report is generated by the site access or security section and provided to the cognizant department heads. The purpose of the report is to verify that individuals with current unescorted access continue to have a valid need for unescorted access."

Contrary to the above, on April 23, 1997, the NRC inspector identified that on April 1, 1997, a contractor supervisor signed a 31-day access review record, which was not updated as applicable. Specifically, the record had approximately four individuals listed who had not used their unescorted access in excess of 30 days and two individuals who had been terminated several days prior to the required review. None of these individuals continued to require unescorted access into the protected area.

This is a Severity Level IV violation (Supplement III)(382/9709-02).

- C. Waterford 3 Physical Security Plan, Revision 17, dated August 1996, Chapter 5, paragraph 5.2.1, Personnel Access Authorization states, in part, "Unescorted access into the protected area is limited to those individuals who meet the Entergy screening requirements and who have a legitimate reason for entry. . . . Authorizations for unescorted personnel access to the protected area are issued by the General Manager, Plant Operations, his designee, or Duty Plant Manager(s), after a reason for entry has been established."

Attachment NUMARC 89-01, to Regulatory Guide 5.66, June 1991, paragraph 3.0, "Responsibility," states, in part, "The final granting and controlling of unescorted access authorization is the responsibility of the utility. Each nuclear utility will inform contractors and vendors of the existence of these guidelines and of the necessity to follow these guidelines."

Security Procedure PS-011-107, Badge/Key Card Assignment and Control, Revision 10, February 16, 1995, paragraph 5.2.1 states, in part, "... photo badge/key cards shall be assigned to individuals by a badging and in-processing administrative specialist after the following criteria have been met: 1. A supervisor requests that the individual be authorized unescorted access ... In addition paragraph 5.10 states, in part, the security department must be notified whenever ... the access authorization of the assigned person is terminated."

Contrary to the above on April 23, 1997, the NRC inspector identified that on March 25, 1997, a photo badge/key card had been assigned to a contractor employee who had been terminated four days earlier, March 21, 1997, by the contractor and, therefore, did not have a legitimate reason for entry.

This is a Severity Level IV violation (Supplement III)(382/9709-03).

- D. Waterford 3 Physical Security Plan, Revision 17, dated March 1996, Chapter 10 states, in part, "Exterior doors to vital areas utilized for the movement of special equipment during refueling and major maintenance operations are controlled, when in use, by security personnel. When frequent access to containment is permitted during refueling or major maintenance, positive access control will be maintained for access from the protected area into containment."

Licensee Administrative Procedure UNT-004-036, "Security Requirements for Penetrating PA & VA Barriers," Revision 3, January 7, 1997, paragraph 4.3, "PA & VA Barriers," states, in part, "The Security Officer (S.O.) posted for a security barrier penetration or approved activity in an outer isolation zone is responsible for access control to the affected area."

Security Procedure PS-016-101, "Security Procedure During Refueling and Major Maintenance Operations," Revision 8, June 19, 1996, paragraph 5.2.3 states, in part, "When frequent access to containment is permitted during refueling or major maintenance, positive access control will be maintained from the protected area into containment (which is a vital area). If the door at the protected area to vital area barrier is circumvented it must then be posted by an armed security officer who must control entry and exit through the door."

Contrary to the above, on April 23, 1997, an NRC inspector, accompanied by a licensee employee, found a security officer posted as a compensatory measure at the open vital area doors inattentive to his duties such that he could not provide positive access control of a vital area used to support the refueling outage.

This is a Severity Level IV violation (Supplement III)(382/9709-04).

Pursuant to the provisions of 10 CFR 2.201, Entergy Operations, Inc., is hereby required to submit a written statement or explanation 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). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued as to why the license should not be modified, suspended, or revoked, or why such other action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your 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 you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at Arlington, Texas
this 29th day of May 1997