

U.S. NUCLEAR REGULATORY COMMISSION

REGION III

License No. 50-346/88025(DRSS)

Docket No. 50-346

License No. NPF-3

Safeguards Group IV

Licensee: Toledo Edison Company  
Edison Plaza  
300 Madison Ave.  
Toledo, OH 42652

Facility Name: Davis-Besse Nuclear Power Station

Inspection At: Davis-Besse Site, Oak Harbor, Ohio  
Toledo Edison Corporate office, Toledo, Ohio  
and NRC Region III office, Glen Ellyn, Illinois

Inspection Conducted: April 12-15 onsite and April 18 through June 10,  
1988, In-office

Date of Last Security Inspection: January 11-15, 1988

Inspector: James R. Kniceley  
James R. Kniceley  
Physical Security Inspector

8/4/88  
Date

Approved By: James R. Creed  
James R. Creed, Chief  
Safeguards Section

8/4/88  
Date

Inspection Summary

Inspection on April 12 through June 10, 1988 (Report No. 50-346/88025(DRSS))  
Areas Inspected: Included a Special Inspection of allegations that Security Guards were not alert due to excessive overtime; vehicles were not properly searched due to exhaustion; security management is not concerned over Guard complaints, and excessive pressure was placed on an individual after reporting incidences.

Results: The licensee was found to be in compliance with NRC requirements within the areas inspected. The licensee was found to be meeting general NRC Guidance regarding nuclear plant workers and Union "agreed to" standards for security force overtime. Security plan requirements were adequately being implemented. The inspector determined that the overtime which was worked did not appear to cause problems or unalertness.

## DETAILS

### 1. Persons Contacted

In addition to the key members of the licensee's staff listed below, the inspector interviewed other licensee employees and members of the security organization.

G. Grime, Security Director, Toledo Edison (TED) - Corporate  
G. Skeel, Nuclear Security Operation Manager, TED  
C. Detray, Nuclear Security Support Manager, TED  
G. Bradley, Nuclear Licensing Specialist, TED  
A. Schumaker, Access Control Manager, TED  
J. Waddell, Security Investigator, TED - Corporate  
P. Weaver, Security Investigator, TED - Corporate  
B. O'Conner, President/Business Manager, International Brotherhood  
of Electrical Worker, L.U. 1413

P. Byron, Senior Resident Inspector, USNRC, Region III  
D. Kosloff, Resident Inspector, USNRC, Region III

### 2. Exit Meeting (MC 30703)

A telephone exit meeting with Mr. G. Grimes, Security Director, was held on June 9, 1988. The individual was advised that NRC, Region III, has completed the investigation of the allegations received. He was advised of the specific allegations and the conclusions as described in Section 3 of the Report Details. The individual was also advised that the inspection conclusions were subject to NRC, Region III, management review and that the final report would contain the formal perspective of the inspection results. The individual acknowledged the inspector's comments pertaining to the allegation review and conclusion. On August 1, 1988, the Security Director was advised that this report will only cover security allegations. The allegations relating to individuals being inappropriately put into the Employee Assistance Program or on the Denied Access List will be addressed separately.

### 3. Investigation - Allegation Review

The following information, provided in the form of allegations were reviewed by the inspector as noted below:

#### a. Background: (Closed) Allegation AMS-RIII-88-A-0025.

The NRC, Region III, telephonically received allegations on February 23, 1988, from a Davis-Besse security officer alleging that: (1) security guards were not alert due to excessive overtime, (2) vehicles were not properly searched due to guards' exhaustion, (3) management was not concerned over guard complaints, and (4) excessive pressure was placed on an individual after reporting incidents.

- (1) Allegation: Security guards were not alert due to excessive overtime.

NRC Review: The inspector reviewed the licensee's payroll (overtime) records from January-March 1988 and interviewed licensee management on overtime practices and procedures.

The NRC guidance on overtime is identified in NRC Policy Statement "Nuclear Power Stations Staff Working Hours," dated February 18, 1982 (this refers generally to plant workers and not specifically to guards), and IE Circular 80-02 and NRC Inspection Procedure 81022 (which is inspection guidance rather than performance guidance) and is as follows: (a) an individual shall not be permitted to work more than 16 hours straight; (b) an individual shall not be permitted to work more than 16 hours in any 24-hour period, nor more than 24 hours in any 48-hour period, nor more than 72 hours in any seven (7) day-period; (c) a break of at least eight hours should be allowed between work periods, and (d) the use of overtime should be considered on an individual basis and not for the entire staff on a shift.

The inspector also interviewed the Union President of IBEW, Local 1413. On February 4, 1988, the Union entered into an overtime agreement with the Toledo Edison Company. (NOTE: This agreement has not been included in a specific security or plant procedure) The agreed to overtime policy follows NRC guidance and is briefly described as follows:

Under normal circumstances employees will work in accordance with the following, excluding shift turnover time:

- (a) Individuals should not be permitted to work more than 16 continuous hours straight, and
- (b) An individual should not be permitted to work more than a total of 16 hours in any 24-hour period, or more than a total of 24 hours in any 48-hour period, or more than 72 hours total in any 7-day period.
- (c) When Nuclear Security personnel are scheduled to work 12 hour shifts:
  1. Individuals will not normally be permitted to work in excess of 16 continuous hours straight;
  2. Individuals may be asked to work on their regularly scheduled days off either 8, 10, or 12 hours depending on the job demands.

3. Security supervisors will maintain a monthly updated list of officers willing to work overtime or their regularly scheduled days off. Officers may only be asked to work overtime on days off when all Officers have either refused or are ineligible to work under this agreement.
4. If an individual works past his/her scheduled quitting time, they will not be permitted to work in excess of 12 continuous hours the following day;
5. At no time will any individual be forced to work over 12 continuous hours except as described in Paragraph 1 of this agreement;
6. At no time will individuals be permitted to work more than 14 continuous days without two (2) consecutive days off;
7. It shall be the responsibility of both Local 1413 employee and Company personnel to closely monitor Fitness For Duty Requirements.

The records review showed that between January and March 1988, during a plant outage, ten people worked in excess of 72 hours, which exceeded the established overtime guidelines. The guidelines were exceeded by between .5 hours and 12.4 hours and these exceptions are not programmatic. The average "excessive" overtime was 3.9 hours. Of the ten people who exceeded the guidelines, six were as a result of taking offsite training classes and four were to fill required shift manning levels due to personnel being off sick or due to resignations. Overtime is continually being monitored by management and the Union to assure that established guidelines are followed except when necessary to meet manning requirements. The inspector also interviewed security officers who indicated that overtime has not been a problem and has not caused inattentiveness. Security officers are frequently and routinely released for breaks as needed and security posts are rotated frequently to help people stay alert. There were no security events or job related injuries identified which were related to inattentiveness or fatigue. Observation by the inspector while onsite showed that security personnel were alert, attentive and knowledgeable of their assigned duties.

Conclusion: Based on interviews, record review and observations the allegation that security guards were not alert due to excessive overtime was not substantiated and this matter is considered closed.

- (2) Allegation: Vehicles were not properly searched due to guards' exhaustion.

NRC Review: The inspector interviewed 15 security officers and security supervisors in reference to vehicle searches. The interviews indicated that vehicle search procedures are always followed and the security personnel indicated that they would not condone anyone who was slacking off or not performing their job adequately. The inspector reviewed security incident reports and there were no incidents reported for failure to do adequate vehicle searches. The inspector also visually observed vehicle searches on several occasions during the inspection and observed vehicles being appropriately searched according to vehicle search procedures. The officers were alert and there were no indications of exhaustion. Interviews with the security officers indicated that there were no reason why officers would be inattentive to duty. There were no noted complaints made to management that guards were too exhausted to adequately perform their duties. Additionally, as noted in Section 3.a.(1) above, overtime is closely monitored and was generally kept to acceptable levels.

Conclusion: Based on interviews, observations and record review, no evidence was developed to indicate that vehicles were not properly searched due to guards' exhaustion or for any other reason. This allegation was not substantiated and is therefore considered closed.

- (3) Allegation: Management is not concerned over guard complaints.

NRC Review: The inspector interviewed security force personnel including guards, supervisors, managers, union stewards and the local Union President in referenced to communications (complaints) between labor and management. In 1986, the company and the union recognized the need to provide qualified, motivated security personnel for the purpose of safeguarding and protecting the company's resources. A "Joint Labor/Management Committee" consisting of six individuals (three management and three labor) was established. The Committee meets monthly with the goal of improving communication between management and union personnel. The task of the committee is to resolve small items of concern and conflicts that arise before they become major problems. Over the past year, the committee has made several accomplishments (e.g., purchasing of new equipment and revising procedures) and has proven to be a beneficial forum for communication between management and union personnel. In addition, management also indicated that there has always been an open door policy for officers to bring concerns forward for resolution. Personnel interviewed during this inspection indicated that management responsiveness to concerns has been good. Complaints brought to management are reviewed, evaluated and decisions reached are communicated back to the individual.

Conclusion: Based on interviews with security personnel and review of the Joint Labor/Management Committee accomplishments, the inspector determined that the allegation that management was not concerned over guards complaints was not substantiated and this matter is considered closed.

- (4) Allegation: Excessive pressure was placed on the alleged by management after reporting security incidents.

NRC Review: The inspector reviewed the alleged's personnel file and the personnel files for other security personnel for indications of adverse job actions (job transfers etc.) or disciplinary action which might have been taken. The files showed that there was no adverse action of any type was taken against the alleged. Additionally, shift assignment records showed that the alleged was given the same job assignments and duties as other officers.

Conclusion: The allegation was not substantiated. The records showed the individual had no adverse job action or disciplinary actions placed upon him by management. This matter is considered closed.