

Alabama Power Company
 600 North 18th Street
 Post Office Box 2641
 Birmingham, Alabama 35291-0400
 Telephone 205 250-1835

R. P. McDonald
 Senior Vice President



Alabama Power
the southern electric system

May 18, 1988

Docket No. 50-348
 Docket No. 50-364

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

SUBJECT: Reply to a Notice of Violation
 J. M. Farley Nuclear Plant NRC Inspection of March 21 - 24, 1988

RE: Report Number 50-348/88-09-01
 50-364/88-09-01

Dear Sir:

This letter refers to the violation cited in the subject inspection reports which state:

"During the Nuclear Regulatory Commission (NRC) inspection conducted on March 21-24, 1988, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," 10 CFR Part 2, Appendix C (1988), the violations are listed below:

"10 CFR 73.21(a) requires protection of safeguards information against unauthorized disclosure. Information to be protected includes: (b)(1)(vii) documents and other matter that contain lists or location of certain safety-related equipment explicitly identified in the documents as vital for the purposes of physical protection, as contained in physical security plans; (b)(3)(i) portions of safeguards inspection reports, evaluations, audits, or investigations that contain details of the licensee's physical security system or that disclose uncorrected defects, weaknesses, or vulnerabilities in the system.

10 CFR 73.21(d)(2) requires that safeguards information shall be stored in a locked security container while unattended.

Farley Nuclear Plant (FNP) Procedure AP-4, dated February 19, 1987, Revision 12, states in paragraph 6.1.1, safeguards information will be stored in a locked security storage container when unattended. The procedure, additionally states, in paragraph 6.2.1, that safeguards information is required to be under the control of an authorized individual while it is in use to preclude unauthorized disclosure to persons who do not have a need to know.

8805260169 880518
 PDR ADOCK 05000348
 Q DCD

LEOA
 10

Contrary to the above, on February 25, 1988, a Region II Nuclear Regulatory inspector found a cabinet containing safeguards information insecure and unattended.

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

Admission or Denial

Alabama Power Company denies that a violation occurred. 10 CFR 73.21(d) states "(1) While in use, matter containing Safeguards Information shall be under the control of an authorized individual. (2) While unattended, Safeguards Information shall be stored in a locked security storage container. Knowledge of lock combinations protecting Safeguards Information shall be limited to a minimum number of personnel for operating purposes who have a "need to know" and are otherwise authorized access to Safeguards Information in accordance with the provisions of this section."

NUREG-0794, Protection of Unclassified Safeguards Information, provides guidance for establishing a protection system that satisfies the requirements of 10 CFR 73.21. Sections 4.1 and 4.2 of NUREG-0794 address the requirement of 10 CFR 73.21(d)(2). Section 4.2 states in part that "Safeguards Information must be under the control of an authorized individual while it is in use in order to limit access to persons who have a need to know. This requirement is satisfied if the matter is attended by an authorized individual even though the information is in fact not constantly being used." Section 4.2 further states that, "Under certain conditions the general control exercised over protected or controlled access areas would be considered to meet this requirement. The primary consideration is limiting access to those who have a need to know. Some examples would be:

- An engineering or drafting area if visitors are escorted
- Certain nuclear power plant vital areas such as the control room or security office
- Plant maintenance areas if access is restricted
- Administrative offices such as central records or purchasing if visitors are escorted."

FNP-0-AP-72, Protection of Safeguards Information, Alabama Power Company's implementing procedure, states in paragraph 6.2.1 that "SGI is required to be under the control of an authorized individual while it is in use to preclude unauthorized disclosure to persons who do not have a need to know. The requirement for control of SGI is met if the matter is attended by an authorized individual even though the information is not constantly being used." Paragraph 6.2.3 states that, "SGI also need not be maintained in locked storage containers while in use if located in protected or controlled access where visitors are escorted. This includes the following FNP site locations: (1) control rooms, (2) document control offices."

The room containing the safeguards information in question is located within the document control area which is located in the Service Building within the confines of the FNP controlled area. Access to the Service Building is controlled by (1) security personnel at the owner controlled area gate and (2) security personnel at Central Security Control, where visitors are logged and issued a visitor's badge. Visitors must be authorized to enter the controlled area by an FNP supervisor or above. Access to the document control area is administratively controlled. Special access is authorized for supervisors and above and certain other personnel where routine work functions require frequent access to the area. All other personnel must obtain permission to enter the area behind the document issue counter. Safeguards material is secured when document control is unattended.

Alabama Power Company disagrees with this violation for the following reasons:

- (1) The document control area was attended by authorized personnel at the time in question.
- (2) There were no unescorted visitors in document control during the time in question.
- (3) The statement that the inspector entered the document control area unchallenged is irrelevant since he was being escorted by an SAER individual who is authorized in writing to have special access to the area.
- (4) There is no procedural or regulatory requirement to keep the door leading to the room in question in a locked condition. The door is normally locked to ensure that acceptable environmental conditions for that area are maintained.

Reason for Violation

Not applicable

Corrective Action Taken and Results Achieved

Not applicable

Corrective Steps Taken To Avoid Further Violations

Not applicable

Date of Full Compliance

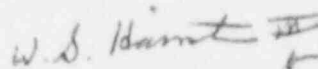
Not applicable

U. S. Nuclear Regulatory Commission
May 18, 1988
Page 4

Affirmation

I affirm that this response is true and complete to the best of my knowledge, information, and belief. The information contained in this letter is not considered to be of a proprietary nature.

Yours very truly,

A handwritten signature in cursive script, appearing to read "W. S. Hamt" with a flourish at the end.

R. P. McDonald

RPM:emb

cc: Mr. L. B. Long
Dr. J. N. Grace
Mr. E. A. Reeves
Mr. W. H. Bradford