



ZRA99018
May 27, 1999

U. S. Nuclear Regulatory Commission
ATTN: Document Control Desk
Washington, DC 20555

Zion Nuclear Power Station, Units 1 and 2
Facility Operating License Nos. DPR-39 and DPR-48
NRC Docket Nos. 50-295 and 50-304

Subject: Response to Apparent Violations in OI Investigation Report No. 3-98-017
Reference: NRC letter, "NRC Office of Investigations Report No. 3-98-017," dated April 27, 1999

This letter provides our written response to the apparent violation described in the referenced NRC letter. The apparent violation involved the detection of a firearm by security personnel during a routine search of a contractor employee attempting to enter Zion Nuclear Power Station and the failure to immediately report it to supervision.

On May 6, 1999, Mr. Robert Godley (Commonwealth Edison Company) informed Mr. J. L. Belanger (U.S. NRC Region III) of our decision to respond to the apparent violation in writing within thirty days in lieu of requesting a predecisional enforcement conference.

Attachment A to this letter provides the reason for the apparent violation, the corrective steps that have been taken and the results achieved, the corrective steps that will be taken to avoid further violation, and the date when full compliance will be achieved.

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Attachment B to this letter identifies all commitments made in this response.

Should you have any questions concerning this response, please contact K. A. Ainger at (630) 663-7350.

Respectfully,

A handwritten signature in dark ink, appearing to read 'R. M. Krich', written in a cursive style.

R. M. Krich
Vice President – Regulatory Services

Attachments

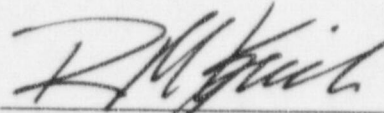
cc: Director, Office Of Enforcement, Washington DC, 20555
Region III Regional Administrator, U.S. NRC
Region III Enforcement Officer, U.S. NRC

STATE OF ILLINOIS)
COUNTY OF DUPAGE)
IN THE MATTER OF)
COMMONWEALTH EDISON COMPANY) Docket Nos.
ZION NUCLEAR POWER STATION,) 50-295 and 50-304
UNITS 1 AND 2)

SUBJECT: Response to Apparent Violations in OI Investigation Report No. 3-98-017

AFFIDAVIT

I affirm that the content of this transmittal is true and correct to the best of my knowledge, information and belief.

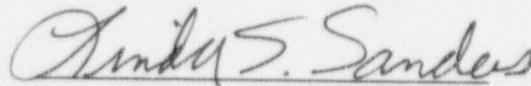


R. M. Krich
Vice President - Regulatory Services

Subscribed and sworn to before me, a Notary Public in and

for the State above named, this 27 day of

May, 1999.



Notary Public



Response to Apparent Violations In
OI Investigation Report No. 3-98-017

Apparent Violation Synopsis:

This investigation was initiated by the U. S. Nuclear Regulatory Commission, Office of Investigations (OI), Region III, on April 6, 1998, to determine whether security guards at Zion Generating Station (ZGS), Zion, Illinois, deliberately violated site security procedures.

Based upon evidence developed during this investigation, OI:RIII did not substantiate the allegation that a security guard at ZGS deliberately violated security procedures by bringing a weapon into ZGS. It was, however, determined that the same security guard deliberately attempted to cover up the fact that the weapon was brought into ZGS. Furthermore, based on the evidence developed during this investigation, OI:RIII did substantiate that two other guards deliberately failed to report the incident as required.

Admission or Denial of the Violation

We agree the violation occurred as described.

Reason for the Apparent Violation

The reason for the apparent violation is that two security guards who were aware that a firearm had been detected made a conscious decision to not follow procedure in order to protect the guard who inadvertently had brought a firearm into the gatehouse with his personal effects.

On February 24, 1998, at approximately 14:10, a Zion Nuclear Power Station (ZNPS) security guard (Guard 1) placed a duffel bag containing his personal effects and a firearm onto the gatehouse x-ray belt for inspection prior to entering the ZNPS protected area. Guard 1 did not intend to bring the firearm into the gatehouse and had forgotten that the weapon was in the bag. The security officer assigned x-ray belt inspection (Guard 2) identified the weapon on the x-ray screen. The x-ray image of a weapon was observed by a second security guard (Guard 3) who was inside the gatehouse and assigned to vehicle search responsibilities. Guard 1 then took possession of the bag, exited the gatehouse, and returned the weapon to his vehicle. The firearm never entered the protected area of ZNPS.

Guard 2 failed to secure the item and did not report the identification of the item to security supervision as required by ZNPS Security Post Order 02," Hand Carried Items/Package Search," revision 15, when the firearm was identified on the x-ray machine screen.

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Guard 1 then returned to the gatehouse and attempted to convince Guard 2 to not report the event to security supervision. At the prompting of Guard 1, the firearm event was not immediately reported as required. After waiting approximately ninety minutes, Guard 3 decided to report the event to security supervision. Guard 3 notified Guard 2 of her intent to report the event and together they notified ZNPS security supervision of the event. This delay was not in accordance with the guidance of ZNPS Security Post Order 02, "Hand Carried Items/Package Search."

At 15:40, the ZNPS Security Shift Supervisor was informed of the event. The Security Force Manager and the Station Security Administrator reviewed the circumstances of the event and at 16:35 determined that it was reportable to the NRC. At 17:16, the NRC operations center was notified of the event through event notification number 33781. At 18:24, an event update was provided to the NRC operations center, which notified them that there was no malevolent intent involved in the incident.

The firearm never entered the protected area of ZNPS. It was determined that there was no malevolent intent by Guard 1 regarding the inadvertent introduction of the firearm into the gatehouse.

Corrective Steps That Have Been Taken and The Results Achieved

The three security guards' unescorted access to all Commonwealth Edison (ComEd) Company nuclear stations was put on temporary hold on February 25, 1998.

Corrective Steps That Will be Taken to Avoid Further Violations

Security guard 1 resigned from the contract security vendor on February 25, 1998. Security Guards 2 and 3 were terminated from employment with the contract security vendor on February 25, 1998.

Security Guards' 1 and 2 unescorted access to all ComEd nuclear stations was denied on March 12, 1998. The Personnel Access Database System (PADS) was updated to indicate that Security Guards 1 and 2 did not have their access terminated favorably.

With respect to Security Guard 3, the temporary hold on her unescorted access to all ComEd nuclear stations was removed on March 12, 1998. The PADS was updated to indicate that her access was terminated favorably.

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A Security Department Lesson Learned report (LL-98-004) was prepared to describe the circumstances of the event. This report was provided to the ZNPS Security Force and to the other ComEd nuclear station security forces to inform them of the circumstances of the event.

Date When Full Compliance Will be Achieved

We are currently in full compliance.

The following table identifies those actions committed to by ComEd in this document. Any other actions discussed in this submittal represent intended or planned actions by ComEd. They are described to the NRC for the NRC's information, and are not regulatory commitments. Please contact Mr. Robert Godley, Zion Nuclear Power Station Regulatory Assurance Manager, if there are any questions regarding regulatory commitments associated with this document.

Commitment:
None