

## NOTICE OF VIOLATION

Southern Nuclear Operating Company, Inc.  
Farley Nuclear Plants, Units 1 and 2

Docket Nos. 50-348, 50-364  
License Nos. NPF-2, NPF-8  
EA 99-172

During an NRC inspection conducted March 8-10, 1999, a violation of NRC requirements was identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," NUREG-1600, the violation is listed below:

Facility Operating Licenses NPF-2, Amendment 90, and NPF-8, Amendment 83, dated November 22, 1991, require the licensee to fully implement and maintain in effect all provisions of the Commission approved physical security, guard training and qualification, and safeguards contingency plans including amendments made pursuant to the provisions of the Miscellaneous Amendments and Search Requirements revisions to 10 CFR 73.55 and to the authority of 10 CFR 50.90 and 10 CFR 50.54(p).

10 CFR 73.55(a) requires licensees, in part, to have a physical protection system designed to protect against the design basis threat of radiological sabotage. Section 73.55 also requires, in part, that licensees have an onsite physical security protection system and security organization with capabilities to achieve this general objective.

Section 1.3 of the Physical Security Plan, Revision 0, dated September 29, 1997, defines an armed response individual whose primary duty, in the event of attempted radiological sabotage, is to respond, armed and equipped, to delay or prevent such an act.

Section 7.1.2 of the Physical Security Plan, Revision 0, dated September 29, 1997, provides that under normal conditions, from the time of receipt of an alarm until arrival at any vital area, security force members have sufficient time to intercept and engage an adversary force.

Contrary to above, on two occasions on March 9, 1999, from the time of receipt of an alarm until arrival at three different vital areas, the response objective of 10 CFR 73.55 and the Physical Security Plan were not met in that security force members failed to intercept and engage a mock adversary force to protect against radiological sabotage.

This is a Severity Level IV Violation (Supplement III).

Pursuant to the provisions of 10 CFR 2.201, Southern Nuclear Operating Company is required to submit a written statement of explanation to the U.S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555 with a copy to the Regional Administrator, Region II, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days from 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

Enclosure 1

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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.

In accordance with 10 CFR 19.11, you may be required to post this Notice within two working days.

Dated this 23rd day of July 1999  
at Atlanta, Georgia

Timeline -- FNP Security

Initial Condition: Prior to 1200 hrs. on March 11, the Foot Patrol responder was posted for approx. 75% of the time at the current location of the new static response post inside the Main Protected Area.

Wednesday, March 10, 1999

1100-1130 hrs. -NRC exit  
1130-1200 hrs. (approx.) -FNP management discussion of issues.  
1230-1430 hrs. (approx.) -Security group personnel & Jerry Sims discuss strategy & options  
1506-1523 hrs -Tour of diesel bldg. by Sims, Dyar, Leach, to evaluate possible barrier enhancements and other strategies.  
1600-1800 hrs. (approx.) -Began drafting Response Plan revision

Thursday, March 11, 1999

0600-0900 hrs (approx.) -Discussed proposed Response Plan changes with Security staff and supervision.  
0900-1100 hrs. (approx.) -Finalized strategy & response changes incorporating new response posts and new strategies.  
1200 hrs. Posted new response post inside Main Protected Area. Briefed on new duties. Briefed other affected response posts on revised strategy. Disseminated new response requirements in the form of a directive, to all personnel. Personnel begin signing off immediately.

Security personnel were trained on the new requirements on the 11<sup>th</sup> if they were on duty or as soon as they returned to duty. Approximately 80% of Security personnel were trained March 11, 12, & 13. The remainder were trained thereafter as they reported for duty.

Ken Dyar  
7/15/99



SNC

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(cc w/encls cont'd)

J. D. Woodard  
Executive Vice President  
Southern Nuclear Operating  
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Birmingham, AL 35201-1295

State Health Officer  
Alabama Department of Public Health  
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Montgomery, AL 36130-1701

M. Stanford Blanton  
Balch and Bingham Law Firm  
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Chairman  
Houston County Commission  
P. O. Box 6406  
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Rebecca V. Badham  
SAER Supervisor  
Southern Nuclear Operating Company  
P. O. Box 470  
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Distribution w/encls:

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PUBLIC

NRC Resident Inspector  
U. S. Nuclear Regulatory Commission  
7388 N. State Highway 95  
Columbia, AL 36319

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NAME	*LHAYES:tj	*KBARR	BMALLET	*SSPARKS	*EVANS	*LPLISCO
DATE	7/23/99	7/23/99	7/23/99	7/23/99	7/23/99	7/23/99
COPY?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO

*Bm for via 7/23/99  
in mail from  
J. Evans*

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OFFICE	OE	
Signature	<i>BS-12/23/99</i>	
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DATE	12/23/99	/ /99
COPY?	YES NO	YES NO

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DATE	/ /99	/ /99	/ /99	7/9/99	/ /99	/ /99	
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*E. concurrence provided by  
J. Canedy via e-mail*

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Signature		
NAME	JLIEBERMAN	
DATE	/ /99	/ /99
COPY?	YES NO	YES NO



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DATE	/ /99	/ /99	/ /99	7/23/99	/ /99	/ /99
COPY?	YES NO	YES NO	YES NO	<u>YES</u> NO	YES NO	YES NO

OFFICE	OE
Signature	<i>W. Lieberman</i>
NAME	*JLIEBERMAN
DATE	7/23/99
COPY?	YES NO

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~~G. Rapp, RII~~ *Stt*

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~~J. Zimmerman, NRR~~

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Signature	<i>L. Plisco</i>	<i>Stt</i>			<i>NLO</i>	<i>LMP</i>
NAME	LHAYES	KBARR	BMALLETT	ABOLAND	EVANS	LPLISCO
DATE	7/2/99	7/2/99	1/1/99	1/1/99	7/6/99	7/2/99
COPY?	YES NO	YES NO	YES NO	YES NO	YES NO	YES NO

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Signature		
NAME	JLIEBERMAN	LREYES
DATE	1/1/99	1/1/99
COPY?	YES NO	YES NO