

U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Docket No: 50-341
License No: NPF-43

Report No: 50-341/99017(DRS)

Licensee: Detroit Edison Company (DEC)

Facility: Enrico Fermi, Unit 2

Location: 6400 N. Dixie Highway
Newport, MI 48166

Dates: September 27 - October 5, 1999

Inspector: J. Belanger, Senior Physical Security Inspector

Approved by: James R. Creed, Safeguards Program Manager
Division of Reactor Safety

EXECUTIVE SUMMARY

Enrico Fermi Unit 2 Nuclear Power Plant NRC Inspection Report 50-341/99017(DRS)

The purpose of the inspection was to evaluate an incident that involved a loaded firearm in the protected area that was identified and reported on September 22, 1999. Inspection activities were conducted between September 27 and October 5, 1999.

The following is a summary of the inspection findings and conclusions:

- One apparent violation was identified regarding the failure by security force members to search a portion of the cargo area of a nondesignated vehicle that entered the protected area on two consecutive days. On the second day, the inadequate search precluded the discovery of a loaded handgun which entered the protected area.
- The lack of written guidance or procedures for conducting searches of complex vehicles involving multiple search officers contributed to the inadequate searches.
- A weakness also existed contributing to this event involving a failure to coordinate and communicate during complex vehicle searches by more than one security officer.

Report Details

IV. Plant Support

S1 Conduct of Security and Safeguards Activities

S1. Failure to Adequately Search Vehicles Prior to Protected Area Entry

a. Inspection Scope (81074)

The inspector reviewed, discussed, and evaluated the circumstances regarding a licensee reported event involving the discovery of a loaded handgun in the protected area on September 22, 1999. The gun was identified in the cargo area of a nondesignated vehicle by a contractor employee who was in the process of removing equipment. The vehicle and the two contract employees were under escort by a member of the security force at the time of discovery. Inspection activities included reviews of records, photos and documents, and interviews and observations.

b. Observations and Findings

On September 22, 1999, at approximately 7:30 a.m., a contractor nondesignated vehicle was allowed into the main vehicle gate search area. The occupants were requesting access to perform a fence post digging detail as previously arranged. Four members of the security force initiated a search of the vehicle. These members were the vehicle search officer (VSO), who conducted a search of the cargo compartment on the driver's side and rear of the vehicle, the vehicle escort officer (VEO) who searched the cargo compartments on the passenger side of the vehicle, and a newly hired security officer being trained under the supervision of the Response Force Supervisor (RFS) who searched the carriage, engine compartment, and cab. The search was completed at approximately 7:45 a.m. and the vehicle was authorized access with its two occupants (visitors) and escorted by the VEO, an armed security officer.

At approximately 8:20 a.m., on location at the job site in the protected area, the occupants of the truck began off loading equipment. One of them called over to the VEO and stated: "My hands are up! I need you to step up here and get this!" The VEO climbed on the truck and found a Glock 9mm semi-automatic pistol, loaded with an ammunition clip of ten rounds on the bed of the truck. The officer secured the weapon while keeping the two visitors under visual observation. The officer removed the magazine from the weapon, cleared the chamber and ejected one 9mm round. The VEO radioed the SAS for assistance. The response force supervisor (RFS) reported to the location and took possession of the weapon which was then stored and locked in the security armory. The two contractors were then escorted to the security building. At 8:28 a.m., the licensee declared a security event in accordance with their contingency procedures. The security force then initiated a heightened state of awareness because of the discovery of the weapon in the protected area.

The licensee contacted the Monroe County Sheriff's Department (MCSD) who arrived at the site at approximately 9:23 a.m. A check of the serial number of the weapon by the

MCSD indicated that the weapon was not stolen or registered to anyone in the Monroe County area. The two contractors, who were immediately interviewed by a member of the nuclear security department and by the MCSD, claimed no knowledge of the weapon. The response force supervisor and the MCSD deputy concluded that there appeared to be no malicious intent by the contractors. They based their conclusion on the fact that one of the contractors immediately and emphatically identified the presence of the weapon to a security officer, the individuals did not attempt to handle the weapon, and both were cooperative in the investigation. The licensee turned over the weapon and the ammunition to the MCSD who subsequently turned the weapon over to the Michigan State Police crime laboratory to have fingerprints and ballistics checked on the weapon. The licensee requested assistance from the Bureau of Alcohol, Tobacco and Firearms (ATF) to determine the owner of the pistol and/or transfer history of the gun.

Security force personnel escorted the two contractors back to their vehicle and processed the vehicle out of the protected area at 11:23 a.m. (Note: Security force personnel re-searched the vehicle on the scene after the weapon and ammunition were discovered with no additional prohibited items located.) The two contractors were escorted by the sheriff's deputy to the MCSD where they were fingerprinted and released.

The licensee determined through interviews and records that this vehicle had also entered the protected area on the previous day, September 21, 1999. A member of the licensee's security management staff interviewed the security officers involved in searching the vehicle on the 21st. Both security officers involved in the search stated that they thought the other person searched the interior truck bed cargo area. (The area where the weapon was discovered on the 22nd.) Consequently, the security officers confirmed that this area was not searched on September 21, 1999. They also stated that they did not communicate with each other to assure that all areas of the vehicle were searched. The licensee also interviewed each of the three officers and the supervisor involved in the search on September 22, 1999, and concluded that no one searched the truck bed cargo area. Each officer interviewed assumed the other person did the search. The inspector also interviewed the supervisor and the two officers involved in the search of the cargo compartments. Each stated that they did not search the truck bed cargo area where the weapon was found inside the protected area. The failure to conduct a search of a portion of the cargo area of the truck is an apparent violation of Section 3.3.2 of the Fermi Physical Security Plan which requires that vehicles be searched prior to allowing them entry to the protected area and that the vehicle areas to be searched are the cab, engine compartment, undercarriage, and cargo areas. (EEI 50-341/99017-01)

The licensee concluded through their interviews with the security officers involved that a breakdown in communications led to the inadequate vehicle search. The licensee also determined that a lack of written guidance addressing complex vehicle searches involving multiple search officers contributed to the cause of the event. On September 23, 1999, security management initiated the practice of a "pre-job" briefing when a vehicle search is performed by more than one officer. The "pre-job" briefing will assign search responsibilities to the officers involved and confirm areas were searched upon completion. Security management also established their expectations that the vehicle search officer is the position responsible for ensuring that the vehicle has been searched prior to granting it entry into the protected area. In addition, a "solution team"

including an individual independent of nuclear security department trained in root cause analysis was established for the purpose of analyzing the incident, processes used and developing corrective action to prevent recurrence.

"Stand-down" sessions were conducted by security supervision with each shift to review the incident and discuss observations, potential break-downs and solutions to prevent recurrence. Training sessions on vehicle search procedures and activities were conducted for all shift personnel.

c. Conclusions

One apparent violation was identified by the licensee. Inadequate searches of a nondesignated vehicle occurred on September 21 and 22, 1999. The inadequate search of the truck bed cargo area of a nondesignated vehicle on September 22, 1999, resulted in the introduction of a loaded pistol into the protected area. The inadequate searches were the result of weak procedural guidance and a lack of coordination and communication among those security officers involved in the search on both days. The licensee's immediate actions were appropriate to address the known cause. Further corrective actions will be dependent on the results of the "solution team."

V. Management Meetings

X1 Exit Meeting Summary

The inspector presented the inspection results to licensee management at the conclusion of the inspection on October 5, 1999 by telephone. The licensee was briefed on the apparent violation.

PARTIAL LIST OF PERSONS CONTACTED

Licensee

T. Duffy, Nuclear Security General Supervisor Security
P. Fessler, Assistant Vice President & Plant Manager
R. Fitzsimmons, Access Control Supervisor
D. Gipson, Senior Vice President
J. Korte, Director, Nuclear Security
A. Kowalczyk, Nuclear Support Manager

NRC

S. Campbell, Senior Resident Inspector
J. Lara, Resident Inspector
T. Vogel, Chief, Reactor Projects Branch

INSPECTION PROCEDURES USED

IP 81074: Access Control - Vehicles

ITEMS OPENED, CLOSED, DISCUSSED

Opened

50-341/99017-01	EEI	Failure to conduct adequate vehicle search
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Closed

None

Discussed

None

LIST OF ACRONYMS USED

ATF	Federal Bureau of Alcohol, Tobacco, and Firearms
CAS	Central Alarm Station
CFR	Code of Federal Regulations
DRS	Division of Reactor Safety
EEI	Escalated Enforcement Item
MCSD	Monroe County Sheriff Department
SAS	Secondary Alarm Station
VEO	Vehicle Escort Officer
VSO	Vehicle Search Officer

PARTIAL LIST OF DOCUMENTS REVIEWED

Nuclear Security Safeguards Event Report No. 99-453 dated 9/22/99, Event Description: Prohibited Item - Unauthorized Weapon in P.A.

Memorandum dated September 23, 1999, from T. Duffy, Subject: Vehicle Searches

Memorandum dated September 23, 1999, from T. Duffy, Subject: Security Stand Down Meetings

CAS/SAS Contingency Event Worksheet dated 9/22/99, Event Description: Weapon in Vehicle

Security Department Property Record 4-1485 (Physical Evidence) dated 9/22/99

Nuclear Security Department Fermi Drive Gate Visitor Register

Detroit Edison Condition Assessment Resolution Document No. 99-17056 dated 9/22/99