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Vice President

**Duke Power**

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November 17, 1999

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

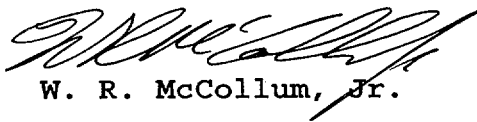
Subject: Oconee Nuclear Station  
Docket Nos. 50-269, -270, -287  
Licensee Event Report 269/1999-S02, Revision 0  
Problem Investigation Process No.: 0-99-04196

Gentlemen:

Pursuant to 10 CFR 73.71, attached is Licensee Event Report 269/1999-S02, concerning the falsification of pre-employment screening records by a vendor employee.

This report is being submitted in accordance with 10 CFR 73.71. This event is considered to be of no significance with respect to the health and safety of the public.

Very truly yours,



W. R. McCollum, Jr.

Attachment

IE74

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Date: November 17, 1999

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cc: Mr. Luis A. Reyes  
Administrator, Region II  
U.S. Nuclear Regulatory Commission  
61 Forsyth Street, S. W., Suite 23T85  
Atlanta, GA 30303

Mr. D. E. LaBarge  
U.S. Nuclear Regulatory Commission  
Office of Nuclear Reactor Regulation  
Washington, D.C. 20555

INPO Records Center  
700 Galleria Parkway, NW  
Atlanta, GA 30339-5957

Mr. M. C. Shannon  
NRC Resident Inspector  
Occonee Nuclear Station

ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS INFORMATION COLLECTION REQUEST: 50.0 HRS. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH (MNBB 7714), U.S. NUCLEAR REGULATORY COMMISSION, WASHINGTON, DC 20555-0001, AND TO THE PAPERWORK REDUCTION PROJECT (3150-0104), OFFICE OF MANAGEMENT AND BUDGET, WASHINGTON, DC 20503.

### LICENSEE EVENT REPORT (LER)

FACILITY NAME (1) Oconee Nuclear Station, Unit 1		DOCKET NUMBER (2) 05000269	PAGE (3) 1 of 5
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TITLE (4)  
Security Access revoked for falsification of criminal record

EVENT DATE (5)			LER NUMBER (6)			REPORT DATE (7)			OTHER FACILITIES INVOLVED (8)	
MONTH	DAY	YEAR	YEAR	SEQUENTIAL NUMBER	REVISION NUMBER	MONTH	DAY	YEAR	FACILITY NAME	DOCKET NUMBER(S)
10	25	99	1999	S-02	0	11	17	99	Unit 2	05000270
									Unit 3	05000287

OPERATING MODE (9) 1

POWER LEVEL (10) 100%

THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR (Check one or more of the following) (11)

<input type="checkbox"/> 20.402(b)	<input type="checkbox"/> 20.405(c)	<input checked="" type="checkbox"/> 50.73(a)(2)(iv)	<input type="checkbox"/> 73.71(b)
<input type="checkbox"/> 20.405(a)(1)(i)	<input type="checkbox"/> 50.36(c)(1)	<input type="checkbox"/> 50.73(a)(2)(v)	<input type="checkbox"/> 73.71(c)
<input type="checkbox"/> 20.405(a)(1)(ii)	<input type="checkbox"/> 50.36(c)(2)	<input type="checkbox"/> 50.73(a)(2)(vii)	<input type="checkbox"/> OTHER (Specify in Abstract below and in Text, NRC Form 366A)
<input type="checkbox"/> 20.405(a)(1)(iii)	<input type="checkbox"/> 50.73(a)(2)(i)	<input type="checkbox"/> 50.73(a)(2)(viii)(A)	
<input type="checkbox"/> 20.405(a)(1)(iv)	<input type="checkbox"/> 50.73(a)(2)(ii)	<input type="checkbox"/> 50.73(a)(2)(viii)(B)	
<input type="checkbox"/> 20.405(a)(1)(v)	<input type="checkbox"/> 50.73(a)(2)(iii)	<input type="checkbox"/> 50.73(a)(2)(x)	

LICENSEE CONTACT FOR THIS LER (12)

NAME Terry w. King, Security Manager	TELEPHONE NUMBER AREA CODE (864) 885-3019
---	--

COMPLETE ONE LINE FOR EACH COMPONENT FAILURE DESCRIBED IN THIS REPORT (13)

CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NPRDS	CAUSE	SYSTEM	COMPONENT	MANUFACTURER	REPORTABLE TO NPRDS

SUPPLEMENTAL REPORT EXPECTED (14)

YES (if yes, complete EXPECTED SUBMISSION DATE)  NO

EXPECTED SUBMISSION DATE (15)

MONTH	DAY	YEAR

**ABSTRACT** (Limit to 1400 spaces, i.e. approximately fifteen single-space typewritten lines) (16)

On 10/25/99 at approximately 1610 hours, with Unit 1 at 99% power and Unit 2 & 3 at 100% power, the licensee received information from a FBI criminal history check that a contract employee had a prior criminal record that was not disclosed by the individual on the background investigation questionnaire. The contract employee had been granted temporary unescorted access on 09/27/99 in accordance with 10 CFR 73.56. The contract employee was removed from the protected area by Security and the individual's unescorted access to the protected and vital areas was restricted on 10/25/99 at 1633 hrs. Further investigation completed on 10/25/99 at 1650 hours disclosed that the contract employee had intentionally failed to report criminal offenses on the pre-employment screening record. The intentional falsification does not appear to be due to any malicious intent with respect to the health and safety of the public. Unescorted access was terminated for the contract employee upon determination of unreliability on 10/25/99. Additional data was added to the individual's record in the Personnel Access Data System (PADS) to indicate that pertinent information should be obtained from Duke Energy before processing a request for access from this individual.

## LICENSEE EVENT REPORT (LER) TEXT CONTINUATION

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		1999	S02	0	

### EVALUATION:

#### Background

Personnel access authorization activities for the Oconee Nuclear Station are performed by Duke Energy Access Services located in Charlotte, North Carolina. Duke's Nuclear Access Authorization Program consists of a background investigation, psychological evaluation, and continual behavior observation. As part of the background investigation, a Background Investigation Questionnaire must be completed by the individual applying for an unescorted access authorization. The Background Investigation Questionnaire requires the individual to list any criminal charges, any arrests and any convictions that have occurred since the individual's 18th birthday. In addition, the individual is fingerprinted and the fingerprints are submitted to the Federal Bureau of Investigation. A temporary unescorted access authorization may be granted to individuals on an interim basis, not exceeding a period of 180 continuous days pending the completion of the five year background investigation. This 180 day temporary unescorted access authorization may be granted only once per individual based upon satisfactory completion of the following conditions:

1. Identity verification through one photo identification.
2. Conduct a credit check.
3. Recommendation of one developed character reference who has had frequent and direct association with the applicant.
4. Conduct an employment check and suitable inquiry for the past 365 days.
5. Passing a psychological evaluation within the past 365 days.
6. Evidence that a request for fingerprint history has been submitted.

This temporary status will remain in effect until the five year background investigation and fingerprints results have been processed and reviewed favorably. Requirements for temporary unescorted access were met for the contract individual on 9/27/99 and unescorted access was granted on 9/27/99.

Upon receipt of a criminal history record, it is reviewed by Access Services to determine either to continue to grant or to deny further unescorted access. If the information in the criminal history record is

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TEXT CONTINUATION**

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not discovered during the unescorted access authorization process, a determination is made by the Access Services Group whether or not the arrests/convictions adversely affect the reliability or trustworthiness of the individual. In circumstances where an individual's trustworthiness and reliability is questionable, unescorted access authorization is restricted/revoked.

**Description of Event**

The following is a chronology of the security event reported by Oconee Nuclear Station to the NRC Operations Center via the Emergency Notification System at 1736 hours October 25, 1999.

9/07/99 Background Investigation Questionnaire (BIQ) completed by the contract individual.

09/13/99 Individual was fingerprinted.

09/14/99 The BIQ was received and reviewed by Access Services staff and faxed to a background investigation agency for completion of suitable inquiry.

09/15/99 Fingerprints were sent to the FBI

09/27/99 The suitable inquiry report was received from the investigation agency by Access Services with satisfactory results.

09/27/99 Individual was issued a security badge with Oconee Nuclear Station protected/vital area unescorted access.

09/29/99 Individual entered protected area unescorted for the first time to report to work assignment.

10/25/99 Individual's unescorted access restricted pending interview  
1610 Hrs. with individual concerning results of criminal history check.

10/25/99 Individual's unescorted access authorization terminated.  
1633 Hrs.

**LICENSEE EVENT REPORT (LER)  
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10/25/99 Personnel Access Data System updated.  
1650 Hrs.

### Causal Factors

The investigation of this event did not indicate any malevolent intent to harm plant equipment on the part of the contract employee. The contract employee failed to disclose all criminal offenses in order to gain unescorted access.

The individual was authorized Vital Area Access to perform testing on containment tendons. A review of Security computer transactions for the individual indicates that the Standby Shutdown Facility was the only vital area accessed. The individual accessed the Standby Shutdown Facility vital area of the plant on several occasions for short periods of time to utilize the restroom and break facilities. During the time period the individual had unescorted access to the protected area, information from the individual's supervisor indicated the individual was a conscientious worker who was always punctual. At no time did the contract employee display any form of aberrant behavior.

A review of the authorization process concluded that all requirements and established processes were followed regarding the granting of temporary authorization of unescorted access.

The evaluation of the facts of this event leads to the conclusion that the cause of this event was an inappropriate action of intentional falsification of information. The willful falsification may have been motivated by a desire for employment.

### CORRECTIVE ACTION:

Immediate:

The individual was escorted from the protected area and the individual's unescorted access was restricted.

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### Subsequent:

1. Individual's unescorted access authorization was terminated in accordance with Duke Energy's Access Authorization Program.
2. Indicated unfavorable termination on individual's record in the Personnel Access Data System with additional data added to indicate that pertinent information should be obtained from Duke Energy before processing a request for access from this individual.

### Planned:

NONE

There are no NRC Commitment items contained in this report.

### SAFETY EVALUATION:

There was no safety significance associated with this event, as the investigation of this event did not indicate any malevolent intent on the part of the contract employee.

### ADDITIONAL INFORMATION:

There were no releases of radioactive materials, no personnel injuries, and no reportable equipment failures associated with this event.

LER 269/1998-S02, dated December 17, 1998, reported a similar event where an applicant for temporary employment failed to report prior offenses in order to gain employment. Therefore, this is a recurring event. Since the current event involved an intentional act by a different applicant, corrective actions from the previous event could not be expected to have prevented this event.