

November 6, 2000

Mr. R. P. Powers  
Senior Vice President  
Nuclear Generation Group  
American Electric Power Company  
500 Circle Drive  
Buchanan, MI 49107-1395

SUBJECT: D. C. COOK - NRC INSPECTION REPORT 50-315/00-24(DRS) 50-316/00-24  
(DRS)

Dear Mr. Powers:

On October 20, 2000, the NRC completed an inspection at your D. C. Cook Nuclear Power Station. The enclosed report documents the inspection findings which were discussed on October 20, 2000, with Mr. C. Bakken and other members of your staff.

The inspection was an examination of activities conducted under your license as they relate to the Safeguards Strategic Performance Area and compliance with the Commission's rules and regulations and with the conditions of your license. Within this area, the inspection consisted of a selected examination of procedures and representative records, observations of activities, and interviews with personnel. Specifically, this inspection focused on performance involving your access control and access authorization programs, and your program for collecting and reporting Physical Protection performance indicator information.

Based on the results of this inspection, the inspector identified two findings of very low safety significance. One Green finding related to inadequate personnel authorization to several vital areas and was determined to involve a violation of a NRC requirement. However, because of its very low safety significance, and because it has been entered into your corrective action program, the NRC is treating the issue as a Non-Cited Violation, in accordance with Section VI.A.1 of the NRC's Enforcement Policy. If you deny the Non-Cited Violation, you should provide a response with the basis for your denial, within 30 days of the date of this inspection report, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, DC 20555-0001; with copies to the Regional Administrator, Region III; the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at the D. C. Cook facility.

The other finding related to ineffective licensee corrective action for a non-cited violation that involved inadequate personnel authorization to several vital areas identified during your last security inspection.

In accordance with 10 CFR 2.790 of the NRC's "Rules of Practice," a copy of this letter and its enclosure will be available electronically for public inspection in the NRC Public Document Room or from the *Publicly Available Records (PARS) component of NRC's document system (ADAMS)*. *ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html>* (the Public Electronic Reading Room).

Sincerely,

***/RA/***

James R. Creed  
Safeguards Program Manager  
Division of Reactor Safety

Docket Nos. 50-315; 50-316  
License Nos. DPR-58; DPR-74

Enclosure: Inspection Report 50-315/00-24(DRS); 50-316/00-24(DRS)

cc w/encl: A. C. Bakken III, Site Vice President  
J. Pollock, Plant Manager  
M. Rencheck, Vice President, Nuclear Engineering  
R. Whale, Michigan Public Service Commission  
Michigan Department of Environmental Quality  
Emergency Management Division  
MI Department of State Police  
D. Lochbaum, Union of Concerned Scientists

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U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Docket Nos: 50-315; 50-316  
License Nos: DPR-58; DPR-74

Report No: 50-315/00-24(DRS); 50-316/00-24(DRS)

Licensee: American Electric Power Company

Facility: Donald C. Cook Nuclear Plant, Units 1 and 2

Location: 1 Cook Place  
Bridgman, MI 49106

Dates: October 16 - 20, 2000

Inspector: T. Madedo, Physical Security Inspector

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

# NRC's REVISED REACTOR OVERSIGHT PROCESS

The federal Nuclear Regulatory Commission (NRC) recently revamped its inspection, assessment, and enforcement programs for commercial nuclear power plants. The new process takes into account improvements in the performance of the nuclear industry over the past 25 years and improved approaches of inspecting and assessing safety performance at NRC licensed plants.

The new process monitors licensee performance in three broad areas (called strategic performance areas) reactor safety (avoiding accidents and reducing the consequences of accidents if they occur), radiation safety (protecting plant employees and the public during routine operations), and safeguards (protecting the plant against sabotage or other security threats). The process focuses on licensee performance within each of seven cornerstones of safety in the three areas:

## Reactor Safety

- Initiating Events
- Mitigating Systems
- Barrier Integrity
- Emergency Preparedness

## Radiation Safety

- Occupational
- Public

## Safeguards

- Physical Protection

To monitor these seven cornerstones of safety, the NRC uses two processes that generate information about the safety significance of plant operations: inspections and performance indicators. Inspection findings will be evaluated according to their potential significance for safety, using the Significance Determination Process, and assigned colors of GREEN, WHITE, YELLOW or RED. GREEN findings are indicative of issues that, while they may not be desirable, represent very low safety significance. WHITE findings indicate issues that are of low to moderate safety significance. YELLOW findings are issues that are of substantial safety significance. RED findings represent issues that are of high safety significance with a significant reduction in safety margin.

Performance indicator data will be compared to established criteria for measuring licensee performance in terms of potential safety. Based on prescribed thresholds, the indicators will be classified by color representing varying levels of performance and incremental degradation in safety: GREEN, WHITE, YELLOW, and RED. GREEN indicators represent performance at a level requiring no additional NRC oversight beyond the baseline inspections. WHITE corresponds to performance that may result in increased NRC oversight. YELLOW represents performance that minimally reduces safety margin and requires even more NRC oversight. And RED indicates performance that represents a significant reduction in safety margin but still provides adequate protection to public health and safety.

The assessment process integrates performance indicators and inspection so the agency can reach objective conclusions regarding overall plant performance. The agency will use an Action Matrix to determine in a systematic, predictable manner which regulatory actions should be taken based on a licensee's performance. The NRC's actions in response to the significance (as represented by the color) of issues will be the same for performance indicators as for inspection findings. As a licensee's safety performance degrades, the NRC will take more and increasingly significant action, which can include shutting down a plant, as described in the Action Matrix.

More information can be found at: <http://www.nrc.gov/NRR/OVERSIGHT/index.html>.

## SUMMARY OF FINDINGS

IR 50-315/00-24(DRS); IR 50-316/00-24, on 10/16-20,2000; American Electric Power Company, D. C. Cook Nuclear Generating Plant, Units 1 and 2. Access authorization, access controls, performance indicator verification, and performance indicator data collection and reporting process.

The inspection was conducted by a regional security specialist. This inspection identified one Green finding, which was a Non-Cited Violation. The significance of issue is indicated by the color (Green, White, Yellow, Red) using IMC 0609 "Significance Determination Process" (SDP). Finding for which the SDP does not apply are indicated by "No Color" or by the severity level of the applicable violation.

### A. Inspector Identified Findings

#### **Cornerstone: Physical Protection**

Green. The inspector identified a Non-Cited violation involving the failure of two licensee supervisors to properly follow licensee procedural guidance regarding personnel vital area access authorization that resulted in four badged contractor personnel being authorized access to three specific vital areas even though their duties (work-related need) did not require them to access those areas.

This finding was of very low safety significance because none of the individuals had gained access to the three specific vital areas (3PP2).

#### **Cross-cutting Issues: Problem Identification and Resolution**

No Color. The inspector determined that licensee corrective actions for a previously identified finding regarding inadequate personnel authorization to vital areas was not totally effective to prevent recurrence

While the risk of unauthorized access was very low, the finding showed that the scope and focus of licensee corrective action was not totally effective to prevent reoccurrence (Section 40A2).

## Report Details

### **3. SAFEGUARDS**

Cornerstone: Physical Protection (PP)

#### **3PP1 Access Authorization (AA) Program (Behavior Observation Only) (71130.01)**

##### **a. Inspection Scope**

The inspector interviewed five supervisors and five non-supervisors to determine their knowledge level and practice of implementing the licensee's behavior observation program responsibilities. Selected procedures pertaining to the Behavior Observation Program and associated training activities were also reviewed.

The inspector reviewed a sample of licensee access authorization records to verify the implementation of the licensee's corrective action program. In addition, three calendar quarters of security event logs were reviewed to determine their scope to correctly identify issues that involved the behavioral observation program. The inspector also reviewed the licensee corrective action program to determine that it was properly focused in the areas of identification, evaluation of risk significance, root cause analysis, performance trending, and corrective actions regarding behavioral observation activities.

##### **b. Findings**

No findings of significance were identified.

#### **3PP2 Access Control (Identification, Authorization and Search of Personnel, Packages, and Vehicles) (71130.02)**

##### **a. Inspection Scope**

The inspector reviewed the licensee's protected area access control testing and maintenance programs. The inspector observed licensee testing of all protected area access control equipment to determine if testing and maintenance practices were performance based. On at least four occasions, during peak and routine ingress periods, the inspector observed the in-process search of personnel, packages, and vehicles to determine if search activities were conducted in accordance with regulatory requirements. Interviews were conducted and records were reviewed to verify that security staffing levels at protected area entry points were consistently and appropriately implemented. Also, the inspector reviewed the licensee's process for limiting access to only authorized personnel to the protected area and vital equipment by a review of personnel access lists and interviews with cognizant security management personnel. The inspector reviewed the licensee's program to control hard-keys and computer input of security related personnel data.

The inspector reviewed a sample of records to verify the implementation of the licensee's corrective action program. Specifically, three calendar quarters of security event logs that involved protected area access control were reviewed to determine their

scope to correctly identify issues that involved the protected area access control program. The inspector also reviewed the licensee corrective action program to determine that it was properly focused in the areas of identification, evaluation of risk significance, root cause analyses, performance trending, and corrective actions regarding protected area access control.

b. Findings

Section 4.2 of the D. C. Cook Security Plan requires that badged personnel requiring unescorted access to vital areas be limited to individuals who require access in order to perform their duties. On October 20, 2000, the inspector identified, through a review of licensee access authorization records, that four contractor personnel had been authorized unescorted access to three vital areas that they did not have an identified need for access. A review of their job functions and actual work assignments showed that access to the areas identified was not, in fact needed. This condition existed since June 7, 2000, when two licensee supervisors authorized access for the four contractor personnel even though access was not needed. This deficiency could have allowed undetected vital area access to personnel who did not need it. Subsequent to the finding, licensee review of access control records of the four individuals noted above showed that none of them actually entered the vital areas.

Licensee review determined that the failure occurred because two licensee supervisors, assigned the responsibility to determine vital area access need, failed to properly implement licensee procedural requirements to authorize personnel access to vital areas. Subsequent licensee review also identified that another licensee supervisor had not properly implemented the procedure requirement to control personnel access to vital areas. The licensee determined that each of the supervisors were knowledgeable of the program requirement for work-related need, but did not recognize that they had authorized access to more areas than required for the work-related need. Licensee corrective action was to heighten the awareness of supervisors regarding the proper process (work-related need) to determine vital area personnel status. This finding was evaluated using the NRC Significance Determination Process (SDP) for Physical Protection. The acts were not malevolent, and there has not been greater than two similar findings in the last four quarters. Therefore, the finding was determined to be Green.

The inadequate personnel authorization to vital areas was in violation of the security plan commitment noted above. The failure was attributed to human error. The licensee entered this violation into their corrective action program (Condition Report No. 00294017). This severity level IV violation is being treated as a Non-Cited Violation (NCV), consistent with Section VI A.1 of the May 2000 NRC Enforcement Policy (NCV 50-315; 316-00-24-01).

#### 4. OTHER ACTIVITIES (OA)

##### 4OA1 Performance Indicator Verification

###### a. Inspection Scope

The inspector reviewed the licensee's Physical Protected Performance Indicators (PI) for the purpose of verifying PI accuracy and completeness pertaining to the Protected Area Equipment, Personnel Screening, and Fitness-for-Duty/Personnel Reliability Programs. The inspector reviewed a sample of plant reports generated for the current four calendar quarters related to security and fitness-for-duty events and other applicable records to validate the accuracy and completeness of licensee submitted PI data.

###### b. Findings

No findings of significance were identified.

##### 4OA2 Identification and Resolution of Problems

###### Ineffective Corrective Action

During our review of the finding identified in Section 3PP2, the inspector identified that a similar finding (Non-Cited Violation) was identified in NRC Inspection Report 50-315;316/ 2000012-01. The inspector also determined that previous licensee corrective action had primarily focused on deficient procedure guidance and improving oversight activities. The inspector verified that additional licensee corrective action will focus on increasing awareness training for licensee supervisors who authorize personnel vital area status levels, and program oversight activities will be further evaluated to determine if additional oversight activities are necessary.

##### 4OA5 Performance Indicator Data Collecting and Reporting Process Review (TI2515/144)

###### a. Inspection Scope

The inspector reviewed the licensee's process for identifying, gathering, and submitting data for the Physical Protection PI pertaining to Protected Area Equipment Index.

###### b. Findings

No findings of significance were identified.

##### 4OA6 Management Meeting

###### Exit Meeting Summary

The inspector presented the inspection results to Mr. C. Bakken, Site Vice President, and other members of licensee management at the conclusion of the onsite inspection on October 20, 2000. The licensee representatives acknowledged the inspector's remarks. No proprietary information was discussed.

## PARTIAL LIST OF PERSONS CONTACTED

### Licensee

C. Bakken, Site Vice President  
J. Pollock, Plant Manager  
M. Rencheck, Vice President, Engineering  
F. Timmons, Manager, Site Protective Services  
A. Rodriguez, Manager, Security and Support Services  
K. Burkett, Access Control Supervisor  
H. Torberg, Security, Operations Supervisor

### NRC

B. Bartlett, Senior Resident Inspector  
J. Maynen, Resident Inspector  
K. Coyne, Resident Inspector

## LIST OF ITEMS OPENED, CLOSED, AND DISCUSSED

### Opened and Closed During This Inspection

50-315; 316/00-24-01(DRS)	NCV	Inadequate Personnel Authorization to Vital Areas
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## LIST OF DOCUMENTS REVIEWED

Fitness-For-Duty Program Performance Data, January - June 2000  
Onsite Accident Reports, January - September 2000  
For Cause Testing Procedure, Revision 14  
General Employee Training - Fitness-For-Duty, Revision 1, July 2000  
General Employee Training - Fitness-For-Duty Requalification, Revision 25, July 2000  
Testing of Security Related Equipment, 12PPP 2060 Section 008, Revision 6, September 23, 1999  
Security Requirements for Plant Personnel, Revision O, 12 PMP 2060, Section 006, August 3, 1999  
Quarterly Security Event Log, January - September 2000  
Corrective Action Program Process Flow, PMP - 7030, GAP.001, Revision xx, September 2000  
Protected Area Out-of-Service Log, October 2000  
Editing of Cardholders Records, Section 055.002, Revision 13, August 12, 1999  
Access Authorization Program 12PMP 2060 ACS.002, Revision 1  
Vital Area Clearance List, October 19, 2000  
Action Request Forms, Incident Reports, July - October 2000 (Random Review)