

June 27, 2000

Mr. Oliver D. Kingsley
President, Nuclear Generation Group
Commonwealth Edison Company
ATTN: Regulatory Services
Executive Towers West III
1400 Opus Place, Suite 500
Downers Grove, IL 60515

SUBJECT: DRESDEN - NRC INSPECTION REPORT 50-237/2000008(DRS);
50-249/2000008(DRS)

Dear Mr. Kingsley:

On June 5-9, 2000, the NRC conducted a baseline inspection at the Dresden Nuclear Generating Plant. The enclosed report presents the results of that inspection. The results of this inspection were discussed with Mr. P. Swafford and other members of your staff on June 9, 2000.

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 performance indicator information.

Based on the results of this inspection, the NRC has determined that a violation of NRC requirements occurred. It related to granting unauthorized access to some vital areas, and is described in Section 3PP2 of the report details. The issue was determined to be of very low risk significance (Green). You are addressing the issue as part of your corrective action program, and therefore the NRC is treating the issue as a Non-Cited Violation (NCV), in accordance with Section VI.A.1 of the NRC's Enforcement Policy. If you contest the violation or severity level of the Non-Cited Violation, you should provide a response within 30 days of the date of this inspection report, with the basis for your denial, to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with a copy to the Regional Administrator, Region III, and the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001.

Our review of Dresden Nuclear Power Plant performance indicators identified that you have crossed the threshold for the Protected Area Equipment performance indicator in the Physical Protection Cornerstone. The referenced PI crossed the threshold that indicated "Increase Regulatory Performance" (White). Therefore, we planned to conduct an additional (supplemental) inspection to better understand the cause(s) contributing to your decline in performance. Your staff was informed that the inspection would be conducted on June 13-14, 2000.

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 by James Belanger Acting For/

James R. Creed
Safeguards Program Manager
Division of Reactor Safety

Docket Nos. 50-237; 50-249
License Nos. DPR-19; DPR-25

Enclosure: Inspection Report 50-237/2000008(DRS); 50-249/2000008(DRS)

cc w/encl: D. Helwig, Senior Vice President, Nuclear Services
C. Crane, Senior Vice President, Nuclear Operations
H. Stanley, Vice President, Nuclear Operations
R. Krich, Vice President, Regulatory Services
DCD - Licensing
P. Swafford, Site Vice President
R. Fisher, Station Manager
D. Ambler, Regulatory Assurance Manager
M. Aguilar, Assistant Attorney General
State Liaison Officer
Chairman, Illinois Commerce Commission

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U.S. NUCLEAR REGULATORY COMMISSION

REGION III

Docket Nos. 50-237; 50-249
License Nos. DPR-19; DPR-25

Report No: 50-237/2000008(DRS); 50-249/2000008(DRS)

Licensee: Commonwealth Edison Company (ComEd)

Facility: Dresden Nuclear Station, Units 2 and 3

Location: R. R. No.1
Morris, IL 60450

Dates: June 5–9, 2000

Inspector: T. Madeda, 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

Dresden Nuclear Power Plant
NRC Inspection Report 50-237/2000008(DRS); 50-249/2000008(DRS)

The report covers a five day inspection, by a regional security specialist. This inspection focused on the Physical Protection Cornerstone, within the Safeguards Strategic Assessment area, and included a review of the access authorization program, access control program, performance indicator verification, identification and resolution of problems, and temporary instruction 2515/144. The significance of issues is indicated by their color (green, white, yellow, red) and was determined by the Significance Determination Process in Inspection Manual Chapter 0609.

Cornerstone: Physical Protection

- Green. The inspector identified a Non-Cited Violation in that, a licensee supervisor had authorized six personnel unescorted access to two vital areas, even though their duties (work-related need) did not require access to those areas. The failure was caused by human error because the supervisor on two separate occasions failed to take the time to refer to procedural guidance when designating and reviewing vital area access status. Corrective actions were implemented. None of the referenced individuals had actually gained access to the two vital areas. (Section 3PP2).

Performance Indicator Verification

- Licensee submitted security performance indicator data for the first quarter of 2000 showed that the Protected Area Security Equipment Performance Index was in the "White" regulatory response band since the first quarter of 1999. A supplemental inspection was scheduled for June 13-14, 2000 (Section 4OA5).

Report Details

3. **SAFEGUARDS**

Cornerstone: Physical Protection

3PP1 Access Authorization (AA) Program (Behavior Observation)

.1 Access Authorization Program

a. Inspection Scope

The inspector interviewed five supervisors and five non-supervisors (both licensee and contractor employees) to determine their knowledge of fitness-for-duty (FFD) and behavior observation responsibilities. Procedures pertaining to the Behavior Observation Program and fitness-for-duty semi-annual test result reports were also reviewed.

The inspector reviewed a sample of licensee's records to verify the implementation of the licensee's problem identification and resolution program. Specifically, three self-assessments, and three calendar quarters of logged security events were randomly reviewed to determine their scope to correctly identify issues that involved the behavioral observation program.

The inspector reviewed a sample of licensee self-assessments, audits, and security logged events (see attached list of documents reviewed). In addition, the inspector interviewed licensee and contract security managers to evaluate their knowledge and use of the licensee's corrective action system.

b. Findings

No findings were identified during this inspection.

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

a. Inspection Scope

The inspector reviewed the licensee's protected area access control testing and maintenance procedures. The inspector observed licensee testing of all protected area access control equipment to determine if testing and maintenance practices were performance based. On two occasions during peak ingress periods, the inspector observed in-processing search of personnel, packages, and vehicles to determine if search practices 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 implemented. Also the inspector reviewed the licensee's process for limiting access to only authorized personnel to the protected area or vital equipment by a review of access control records and interviews with 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 licensee self-assessments, audits, and security logged events (see attached list of documents reviewed). In addition, the inspector interviewed security managers to evaluate their knowledge and use of the licensee's corrective action system.

b. Findings

Section 7.3.3 of the Dresden security plan requires that access to vital areas is restricted to authorized individuals who require such access in the performance of their duties. Six badged personnel were selected from licensee vital area access control records to determine if the program was effective in limiting vital area access. The inspector's review of those records identified that one of the six selected individuals was authorized access to two vital areas even though he had no work-related activities in those areas. The inspector's identification of that deficiency led to the identification of five other badged personnel being granted access authorization to the same vital areas even though their duties did not require access to those vital areas. The Inspector determined that the cognizant licensee supervisor assigned to designate vital area access status level for the six individuals did not take the time to ensure, review procedure guidance, that the assigned status levels were appropriately based on a work-related need. The supervisor also failed to recognize his error while performing a monthly access review, because he focused strictly on whether the six individuals should remain badged. The supervisor's action violated the security plan commitment noted above. The finding was also evaluated using the NRC Significance Determination Process (SDP) for Physical Protection. Licensee review of personnel access control records determined that none of the six individuals had gained access to the two vital areas identified. The finding was determined to be Green.

The licensee entered this violation into their corrective action program (Problem Identification Form (PIF), No. D2000-03302). 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 50-237/2000010-01; 50-249/2000010-01).

4. **OTHER ACTIVITIES**

40A5 Other

.1 Temporary Instruction 2515/144, "Performance Indicator Data Collecting and Reporting Process"

a. Inspection Scope

The inspector reviewed the performance indicator data collecting and reporting process for the "Fitness-For-Duty Personnel Reliability," "Personnel Screening Program," and "Protected Area Security Equipment" performance indicators. This procedure was conducted in conjunction with the performance indicator verification performed per Inspection Procedure 71151, "Performance Indicator Verification." The review included data collecting, reporting process, definition of terms, calculation method, and consistency with industry guidance document NEI-99-02, Revision 0.

b. Findings

Review of the licensee's submitted data for the first quarter 2000 for the Protected Area Security Equipment Performance Indicator showed the indicator to be in the "White" regulatory response band for each reporting periods through the first quarter of 2000. By Region III letter dated May 11, 2000, the licensee was advised that we plan to conduct an additional (supplemental) inspection to understand the cause(s) that contributed to the indicator's' performance, and review licensee corrective action(s) to improve indicator performance. This inspection was scheduled for June 13-14, 2000.

.2 (Closed) Inspection Followup Item (Report 50-237/99022-03; 50-249/99022-03)

A procedure deficiency could allow for the search of uncontaminated Sea Vans inside the protected area instead of prior to protected area access. The procedure was revised to address the vulnerability.

4OA6 Management Meetings

Exit Meeting Summary

The inspector presented the inspection results to Mr. Swafford, Site Vice President, and other members of licensee management at the conclusion of the onsite inspection on June 9, 2000. The licensee's representatives acknowledged the inspector's remarks. No proprietary or safeguards information was discussed.

PARTIAL LIST OF PERSONS CONTACTED

Licensee

P. Swafford, Site Vice President
J. Ludwig, Assistance to Site Vice President
R. Fisher, Site Manager
J. Messana, Service Manager
W. Lipscomb, Training Manager
R. Lane, Nuclear Generation Group-Security, Director
G. Kusnik, Station Security Administrator
R. Kelly, NRC Coordinator
S. Butterfield, NRC Coordinator

Security Contractor - Wackenhut

F. Sadnick, Security Force Manager
L. O'Donnell, Operations Coordinator
D. Tielbur, Training Coordinator

Nuclear Regulatory Commission

D. Roth, Resident Inspector
B. Dickson, Resident Inspector
R. Zuffa, IDNS

ITEMS OPENED, CLOSED, AND DISCUSSED

Opened and Closed During This Inspection

50-237; 249/2000008-01	NCV	Inadequate personnel authorization to vital areas.
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Previous Items Closed

50-237; 249/99022-03	IFI	Search procedure deficiency.
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LIST OF DOCUMENTS REVIEWED

Nuclear - General Employee Training, Revisions 3 and 22
ComEd Fitness-For-Duty Program, SY-AA-102, Revision 2
Continual Behavioral Observation Program, SY-AA-103, Revision 0
Monthly Self-Assessments, Security, January-April 2000
NGG Security Performance Indicators, January-April 2000
Security Event Logs, July 1999-April 2000
Security Equipment Testing, Security Post Order 19, Revision 5
Nuclear Oversight - Field Observation, Security, May 18 and May 22, 2000
Security Assessment Plan - No. A-12-99-PS 05, June 30, 1999
Performance Indications Procedures - Personnel Screening, RS-AA-122-188, Revision 0;
FFD/Personnel Reliability, RS-AA-122-119, Revision 0; PA Security Equipment
Performance Index, R5-AA-122-117, Revision 2
ComEd Access Authorization Program, SY-AA-103-500, Revision 0
Problem Identification Forms, January–May 2000
Security Badge Status List, June 8, 2000
Dresden Security Guideline (DSG-10), Revision 2, “Control and Replacement of Security Vital
Area Keys”
DSG-16, Revision 4, “Administrative Hold, Temp Hold, and Denied Access”