



UNITED STATES
NUCLEAR REGULATORY COMMISSION
REGION II
SAM NUNN ATLANTA FEDERAL CENTER
61 FORSYTH STREET SW SUITE 23T85
ATLANTA, GEORGIA 30303-8931

October 31, 2000

EA-00-199

Virginia Electric and Power Company
ATTN: Mr. David A. Christian
Senior Vice President and
Chief Nuclear Officer
Innsbrook Technical Center - 2SW
5000 Dominion Boulevard
Glen Allen, VA 23060-6711

SUBJECT: NRC INSPECTION REPORT NOS. 50-280/00-08, 50-281/00-08 AND OFFICE
OF INVESTIGATIONS REPORT NO. 2-2000-013

Dear Mr. Christian:

On August 4, 2000, the NRC Office Of Investigations (OI) completed their review of an event concerning failure of an employee at your Surry Nuclear Power Plant to report an arrest. This issue was originally inspected and documented in NRC Inspection Report Nos. 50-280/00-03 and 50-281/00-03, as an Unresolved Item pending further NRC review. The enclosed report presents the results of our additional review.

Based on the OI investigation and the inspection, a violation of NRC requirements was identified. Specifically, the employee failed to comply with the reporting requirements of procedure VPAP-0105, which is a procedure required by the Physical Security Plan. In addition the NRC concluded that the actions of the individual were willful. Due to the willful nature of the issue, it has not been assessed in accordance with the Significance Determination Process. However, the issue meets the criteria specified in Section VI.A.1.d of the Enforcement Policy issued on May 1, 2000, and is therefore identified as a non-cited violation. 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 report to the Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington DC 20555-0001, with copies to the Regional Administrator, Region II; the Director, Office of Enforcement, United States Nuclear Regulatory Commission, Washington, DC 20555-0001; and the NRC Resident Inspector at the Surry facility.

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).

VEPCO

2

ADAMS is accessible from the NRC Web site at <http://www.nrc.gov/NRC/ADAMS/index.html>
(the Public Electronic Reading Room).

Sincerely,

/RA/

Kenneth P. Barr, Chief
Plant Support Branch
Division of Reactor Safety

Docket Nos.: 50-280, 50-281
License Nos.: DPR-32, DPR-37

Enclosure: Inspection Report w/att

cc w/encl:

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(cc cont'd - See page 3)

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3

(cc cont'd)

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U.S. NUCLEAR REGULATORY COMMISSION

REGION II

Docket Nos.: 50-280 and 50-281

License Nos.: DPR-32 and DPR-37

Report Nos.: 50-280/00-08 and 50-281/00-08

Licensee: Virginia Electric and Power Company (VEPCO)

Facilities: Surry Power Station, Units 1 & 2

Location: 5850 Hog Island Road
Surry, VA 23883

Date: October 26, 2000

Inspector: D. Thompson, Physical Security Specialist

Approved by: K. Barr, Chief
Plant Support Branch

Enclosure

Summary of Findings

IR 05000280-00-08 and 05000281-00-08, on April 24-28, 2000, and subsequent in office review completed on October 26, 2000, Virginia Electric and Power Company. Surry Units 1 and 2, baseline inspection of Security Access Authorization. A non-cited violation was identified regarding an individual's failure to report an arrest. This inspection and in office review was conducted by a Physical Security Specialist. Due to the willful nature of issue, it was not assessed in accordance with the Significance Determination Process. No color has been assigned to the finding.

Cornerstone: Physical Protection

- No Color. The inspectors identified a non-cited violation for the failure to comply with the requirements of the Physical Security Plan (PSP). Specifically, an individual willfully failed to report an arrest in accordance with VPAP-0105. Based on the individual's position in the organization, lack of management involvement and no other similar events involving the individual, this finding was determined to be of very low significance.

Report Details

4. Other Activities

403A Event Followup

Unresolved Item 50-280/00003-03 and 50-281/00003-03 Failure of an employee to report arrest in accordance with VPAP-0105

As of March 2000, a Virginia Power employee failed to report an arrest, which occurred in December 1999, as required by the licensee's procedures. Further review of the matter by the NRC Office of Investigations concluded that this failure was willful. A copy of the OI synopsis is attached.

Facility Operating License Numbers DPR-32, Amendment 222, dated November 30, 1999, and DPR-37, Amendment 222, dated November 30, 1999, requires that the licensee shall 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 50.90 and 10 CFR 50.54(p).

The licensee's Physical Security Plan, Revision 5, dated March 1, 1999, Section 9.1.1. states, in part, that security procedures are maintained which document the security organization structure and the duties of security personnel and other individuals responsible for security.

Virginia Power Administrative Procedure VPAP-0105, "Fitness For Duty Program," Revision 13, requires that all individuals subject to the Virginia Power Nuclear Fitness for Duty Program shall report to supervision any felony or misdemeanor conviction and any arrest which may impact trustworthiness. This includes all arrests, except for traffic offenses for which the individual is released after signing a summons.

Contrary to the above, on or about December 17, 1999, an individual subject to the Virginia Power Nuclear Fitness for Duty Program failed to report to supervision an arrest which occurred December 17, 1999, as required by VPAP-0105, "Fitness for Duty Program." Based on the individual's position in the organization, lack of management involvement and no other similar events involving the individual, this finding was determined to be of very low significance. Due to the willful nature of the finding, it was not assessed in accordance with the Significance Determination Process. However, this violation is being treated as a Non-Cited Violation (NCV), consistent with Section VI.A.1.d of the NRC Enforcement Policy issued on May 1, 2000. This event is in the licensee's corrective action program as Plant Issue-S-2000-1024. This NCV is identified as 50-280,281/00008-01.

4OA6 Management MeetingExit Meeting Summary

On October 26, 2000, Mr. K. Barr, NRC, telephonically discussed the results of the NRC review of an Unresolved Item noted during a security inspection conducted April 24-28, 2000, with Mr. T. Sowers and members of the licensee management to clarify the findings. The licensee acknowledged the findings presented. A second teleconference was held on October 30, 2000, between NRC staff and licensee staff for additional clarification regarding how matters of this nature are dispositioned under NRC's Enforcement Policy.

ITEMS OPENED AND CLOSEDClosed

URI	50-280,281/00003-03	Failure of an individual to report and arrest in accordance with the licensee's procedure VPAP-0105.
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Opened and Closed

NCV	50-280, 281/00008-01	Willful failure of an individual to report an arrest in accordance with VPAP-0105.
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Attachment: OI Synopsis