



South Texas Project Electric Generating Station P.O. Box 289 Wadsworth, Texas 77483

January 5, 2000
NOC-AE-000742
File No.: G26
10CFR73.71
STI: 31013423

U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, DC 20555-0001

South Texas Project
Unit 1
Docket No. STN 50-498
Safeguards Event Report 99-S05
Unescorted Access Inappropriately Granted

Pursuant to 10CFR73.71, South Texas Project submits the attached Unit 1 Safeguards Event Report 99-S05 regarding Unescorted Access Inappropriately Granted. This failure did not have an adverse effect on the health and safety of the public. The only commitments in this letter are contained in the Corrective Actions section of the attachment.

If you should have any questions on this matter, please contact Mr. S. M. Head at (512) 972-7136 or me at (512) 972-8757.

J. J. Sheppard
Vice President,
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Technical Services

WEM

Attachment: SER 99-S05 (South Texas Unit 1)

IE74

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U. S. Nuclear Regulatory Commission
Attention: Document Control Desk
Washington, D.C. 20555-0001

NRC FORM 366 (4-95)			U.S. NUCLEAR REGULATORY COMMISSION			APPROVED BY OMB NO. 3150-0104 EXPIRES 04/30/98 ESTIMATED BURDEN PER RESPONSE TO COMPLY WITH THIS MANDATORY INFORMATION COLLECTION REQUEST: 50.0 HRS. REPORTED LESSONS LEARNED ARE INCORPORATED INTO THE LICENSING PROCESS AND FED BACK TO INDUSTRY. FORWARD COMMENTS REGARDING BURDEN ESTIMATE TO THE INFORMATION AND RECORDS MANAGEMENT BRANCH (T-6 F33), 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) (See reverse for required number of digits/characters for each block)						DOCKET NUMBER (2) 05000 498		PAGE (3) 1 of 5		
FACILITY NAME (1) South Texas Unit 1						DOCKET NUMBER (2) 05000 498		PAGE (3) 1 of 5		
TITLE (4) Unescorted Access Inappropriately Granted										
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
12	09	1999	99	-- S05 --	00	01	5	00	South Texas Unit 2	05000 499
									FACILITY NAME	DOCKET NUMBER
										05000
OPERATING MODE (9)		1		THIS REPORT IS SUBMITTED PURSUANT TO THE REQUIREMENTS OF 10 CFR §: (Check one or more) (11)						
				20.2201(b)		20.2203(a)(2)(v)		50.73(a)(2)(i)		50.73(a)(2)(viii)
POWER LEVEL (10)		100		20.2203(a)(1)		20.2203(a)(3)(i)		50.73(a)(2)(ii)		50.73(a)(2)(x)
				20.2203(a)(2)(i)		20.2203(a)(3)(ii)		50.73(a)(2)(iii)		X 73.71
				20.2203(a)(2)(ii)		20.2203(a)(4)		50.73(a)(2)(iv)		OTHER
				20.2203(a)(2)(iii)		50.36(c)(1)		50.73(a)(2)(v)		Specify in Abstract below or in NRC Form 366A
				20.2203(a)(2)(iv)		50.36(c)(2)		50.73(a)(2)(vii)		
LICENSEE CONTACT FOR THIS LER (12)										
NAME Scott M. Head -Licensing Supervisor						TELEPHONE NUMBER (Include Area Code) (512) 972-7136				
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)						EXPECTED SUBMISSION DATE (15)		MONTH	DAY	YEAR
YES (If yes, complete EXPECTED SUBMISSION DATE).						X NO				
ABSTRACT (Limit to 1400 spaces, i.e., approximately 15 single-spaced typewritten lines) (16) On December 7, 1999 Units 1 and 2 were in Mode 1 at 100% power. On December 7, 1999, Access Authorization personnel discovered that derogatory information meeting the site access denial criteria delineated in site procedure OPHRP01-ZA-0001, "Unescorted Access Evaluation Process", had not been properly evaluated when reviewed on 9/30/99 and 11/10/99. Consequently, an individual had been inappropriately granted unescorted access for two periods, each lasting several weeks. The subject's protected area access was immediately placed on hold on 12/7/99, with access revocation occurring on 12/9/99. The root cause of this event is less than adequate management oversight of the Access Authorization Program. Corrective actions for this event include revoking the individuals access to the site, clarifying and documenting management expectations, increasing management oversight of the process, and performing a self-assessment of the program. The station experienced no adverse impact due to the individual's having had access during the subject time periods.										

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**LICENSEE EVENT REPORT (LER)
TEXT CONTINUATION**

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South Texas Unit 1	05000 498	99	-- S05	-- 00	2	of 5

TEXT (If more space is required, use additional copies of NRC Form 366A) (17)

DESCRIPTION OF EVENT:

On 9/29/99, Access Authorization personnel granted interim unescorted access to a contract pipefitter. Later that afternoon, a fax was received from the firm contracted to perform background checks for STPNOC containing derogatory information obtained subsequent to their issuance of the preliminary background report on this individual. Specifically, a previous employer had reported "instances" where the subject had failed drug and alcohol pre-employment screening tests. These failures, which occurred within the 3-year scope for access denial prescribed by OPHRP01-ZA-0001, were not revealed by the individual on his Personnel History Statement, or during interviews conducted as part of the initial badging process.

Access Coordinator #1 (AC1) reviewed the fax on 9/30/99 and, having been involved in granting access to this individual the previous day, recognized that it contained derogatory information which had not been previously disclosed. AC1 contacted the Access Authorization Supervisor, who was off-site that day, by phone and apprised her of the contents of the fax. When questioned as to whether the information met the criteria for denial of unescorted access, AC1 responded that she felt it did not. This incorrect conclusion was based upon her interpretation of a statement within the fax concerning the fact that the individual was eligible for rehire by the previous employer despite the positive drug and alcohol tests, contingent on his passing subsequent pre-employment screening tests. Assuming that the previous employer, a non-nuclear engineering firm, applied the same access denial criteria as a nuclear facility, AC1 concluded that the positive tests must have been mitigated and dismissed in order for the previous employer to consider re-hiring the individual. AC1 did not share the basis for her determination or the fact that the failed tests had occurred within the past three years, nor did the Access Authorization Supervisor solicit this information. The Access Authorization Supervisor, assuming that the information on the fax pertained to a previously disclosed 1985 positive drug test which she had formally evaluated the previous day, concurred that no change in the individual's access status was warranted. AC1 subsequently generated a memorandum documenting the fact that the derogatory information had been reviewed, and that the individual was afforded unescorted access. The memorandum and fax were then placed into the individual's file.

Unescorted access for the individual was revoked under favorable conditions on 10/27/99 following completion of his assigned task. On 11/8/99, he applied for access reinstatement for a second period of employment. While processing this request on the morning of 11/10/99, Access Coordinator #2 (AC2) reviewed the file and observed the fax concerning the failed tests. Upon reviewing the memorandum and discussing the issue with AC1, AC2 was satisfied that the derogatory information had been resolved. AC2 then contacted the background investigation firm seeking information regarding gaps in the individual's employment record. Prior to receipt of the requested information, AC2 interviewed the individual concerning these gaps. Satisfied by his responses, AC2 recommended access reinstatement. The file was then provided to Access Coordinator #3 (AC3) for an independent review, as per group policy. AC3 encountered the fax and memo during her review. Believing that revisiting derogatory information that had already been evaluated fell outside the required scope of her review, AC3 did not question whether the derogatory information had been properly considered or processed. In actuality, informal management expectations for access coordinators require a complete review and assessment of all information in the file, regardless of whether it had been previously evaluated. Upon completing her review of the file, AC3 approved reinstatement of the individual's interim unescorted access.

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TEXT (If more space is required, use additional copies of NRC Form 366A) (17)

DESCRIPTION OF EVENT: (continued)

On the afternoon of 11/10/99, AC1 received a fax containing the full background investigation report for the individual, as well as the employment information requested that morning by AC2. The report clearly stated that the subject had been terminated by a previous employer following failure of pre-employment drug/alcohol screening tests. AC1 placed the report into the individual's file but did not personally review the contents of the full report, due to having recently transferred responsibility for upgrading personnel to full access to Access Coordinator #4 (AC4).

On 12/1/99, AC1 provided the individual's file, along with others for which all information had been received, to AC4 for upgrading to full access. When reviewing the file in question on 12/7/99, AC4 noted information in the full background report regarding the individual's having been terminated due to a positive drug or alcohol test, and recognized it met site access denial criteria. AC4 contacted the Access Authorization Supervisor and was directed to temporarily deactivate the individual's badge pending further review. Badge deactivation was completed on 12/7/99, after first verifying that the individual was not inside the protected area.

On 12/8/99, AC4 requested additional information from the background investigation firm regarding the failed tests. The response indicated that the individual had tested positive for drugs on 6/27/97, and for alcohol on 7/29/99. AC4 then interviewed the individual, who indicated that he had not willfully withheld information regarding the failed tests. He stated that he had simply not remembered the first incident when completing his personal history statement in September. Concerning the second incident, he attributed it to medication he received at a clinic while ill, and indicated he hadn't mentioned this earlier since the previous employer's Medical Officer appeared satisfied with this explanation. The fact that he had continued to work there following the 1999 failure contributed to his assumption that the issue was "cleared up". The employer indicated that the decision not to terminate the individual was instead based upon the needs of the company, coupled with the fact that the work he was doing for them nearly completed.

On 12/9/99, Access Authorization concluded their evaluation, having determined that the failed tests met site access denial criteria. Specifically, any violation of any Fitness For Duty (FFD) policy within 3 years of the request for unescorted access constitutes grounds for denial of access. The evaluation noted that the individual's access should have been revoked on 9/30/99, when the first information regarding drug and alcohol test failures was received. Access Authorization personnel additionally concluded that the event was reportable to the Nuclear Regulatory Commission (NRC). The individual's unescorted access was formally revoked at 1124 on 12/9/99.

CAUSE OF THE EVENT:

The root cause of this event is less than adequate management oversight of the Access Authorization Program.

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TEXT (If more space is required, use additional copies of NRC Form 366A) (17)

ANALYSIS OF EVENT:

Safeguards system failures include not only mechanical or electrical system failures but also improper security procedures or personnel practices. Discovered vulnerabilities include incidents in which the security system has not failed, but some flaw in the security system that had existed without being noticed has been discovered.

Additionally, Nuclear Regulatory Commission Generic Letter 91-03 provides guidance for reporting safeguards events as required by 10CFR73, Appendix G. If it is determined that unescorted access would have been denied based on developed information, a 1-hour report is required after discovery of the new information as stated in REG GUIDE 5.62 and NUREG-1304.

Based on these reporting guidelines, this event was determined to be a 1-hour reportable event due to a programmatic failure that resulted in an individual being authorized unescorted access on more than one occasion with a background investigation which met access denial criteria for South Texas Project. Accordingly, this event was reported to the NRC on December 9, 1999.

This failure did not have an adverse effect on the health and safety of the public.

CORRECTIVE ACTIONS:

The following corrective actions have been or will be taken as a result of this event:

1. The subject's unescorted access was revoked. The Personnel Access Data System (PADS) was updated to reflect the unfavorable information, as required by Nuclear Energy Institute Guide 95-05.
2. Management expectations for processing personnel for site access was clarified and documented.
3. The Access Authorization Supervisor will relinquish responsibilities for duties that do not pertain to the Access Authorization Program by February 15, 2000.
4. Additional supervisory oversight personnel will be provided to the Access Authorization Program until Action 5 below is completed.
5. Access Authorization will conduct a self-assessment. The scope of this assessment will include identifying all critical functions performed by the group, evaluating the adequacy of current processes for performing those functions, and identifying barriers and tools that will ensure such functions are correctly completed. This assessment will be completed by July 1, 2000.

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TEXT (If more space is required, use additional copies of NRC Form 366A) (17)

ADDITIONAL INFORMATION:

Human performance during this event was not in accordance with station and group expectations. These human performance issues were symptomatic of inadequate management oversight of the Access Authorization Program. In effect, it is the responsibility of supervision and management to be sufficiently integrated into processes such that problems of this nature are identified and corrected.

It should be noted that the position of Manager Plant Protection, under whose cognizance the Access Authorization Program would reside, had been vacant for several months prior to this event. The Access Authorization Supervisor had accepted increased responsibility for functions normally fulfilled by this position, in addition to fulfilling her responsibilities as supervisor over several workgroups. These responsibilities affected the level of direct supervision afforded Access Authorization functions and personnel.

There has been one other event in the past three years that resulted in a reportable event. Safeguards Event Report 99-S01 was submitted to the NRC on 6/28/99 describing a similar event where an individual was inappropriately granted unescorted access to the South Texas Project.