

## NOTICE OF VIOLATION

Boston Edison Company  
Pilgrim Nuclear Power Station, Unit 1

Docket No. 50-293  
License No. DPR-35

During an NRC inspection conducted on September 16-20, 1996, violations of NRC requirements were identified. In accordance with the "General Statement of Policy and Procedure for NRC Enforcement Actions," (60 FR 34381; June 30, 1995), that violation is listed below:

- A. The Pilgrim Nuclear Power Station Physical Security Plan, Issue 2, Revision 11, dated December 22, 1993, Section 5.1.1, states, in part, that the requirements for unescorted access shall include conformance to all elements of Regulatory Guide 5.66 to satisfy the requirements of 10 CFR 73.56. NRC Regulatory Guide 5.66, states, in Section 13.0, paragraph 13.1, that an independent evaluation of the unescorted access authorization program and its conformance must be made within 12 months of the effective date of implementation of the access authorization program. Thereafter, an independent evaluation must be conducted at least once every 24 months. The utility shall retain all reports of evaluation for a period of three years. The Code of Federal Regulation, 10 CFR 73.56(g)(1), states, in part, that licensee's shall audit its Access Authorization Program within 12 months of its effective date of implementation of this program and at least every 24 months thereafter to ensure that the requirements of this section are satisfied.

Contrary to the above, during this inspection, it was determined that Boston Edison Company failed to audit its access authorization program within 12 months of its implementation (April 27, 1992). The first audit of the program was conducted October 11 - November 19, 1993, 19 months after implementation of its program. Additionally, as of the date of this inspection, no other audit of the Access Authorization Program had been conducted. Therefore, the requirement to perform an audit of the program at least 24 months after the audit performed within 12 months of implementation was also not performed.

This is a Severity Level IV Violation (Supplement III).

- B. The Pilgrim Nuclear Power Station Physical Security Plan, Issue 2, Revision 11, dated December 22, 1993, Section 5.1.1, states, in part, that the requirements for unescorted access shall include conformance to all elements of Regulatory Guide 5.66 to satisfy the requirements of 10 CFR 73.56. NRC Regulatory Guide 5.66, states, in Section 13.0, paragraph 13.2, that the utility or its designated representative shall conduct annual audits of contractor or vendor access authorization programs to ensure compliance with these guidelines. Other utilities may accept the originating utility's audit and need not reaudit the same contractor or vendor for the same period of time providing the scope of the audit meets the minimum auditing criteria contained in Attachment A. A copy of the audit report to include findings, recommendations, and corrective action must be provided to the sharing utility. The Code of Federal Regulation, 10 CFR 73.56(g)(2), states, in part, that each licensee who accepts the Access Authorization Program of a contractor or vendor shall have access to records and shall audit contractor/vendor programs

every 12 months to ensure that the requirements are satisfied. Licensees may accept audits of contractor/vendor program conducted by other licensees. Each sharing utility shall maintain a copy of the audit report, to include findings, recommendations and corrective actions.

Contrary to the above, during this inspection, it was determined that Boston Edison Company failed to conduct audits of the nine accepted contractor and vendor access authorization programs every 12 months and could not produce a copy of another utility's audit of the same contractor or vendor.

This is a Severity Level IV Violation (Supplement III).

Pursuant to the provisions of 10 CFR 2.201, the Boston Edison Company is hereby required to submit a written statement or explanation to the U. S. Nuclear Regulatory Commission, ATTN: Document Control Desk, Washington, D.C. 20555 with a copy to the Regional Administrator, Region I, and a copy to the NRC Resident Inspector at the facility that is the subject of this Notice, within 30 days of the date of the letter transmitting this Notice of Violation (Notice). This reply should be clearly marked as a "Reply to a Notice of Violation" and should include for each violation: (1) the reason for the violation, or, if contested, the basis for disputing the violation, (2) the corrective steps that have been taken and the results achieved, (3) the corrective steps that will be taken to avoid further violations, and (4) the date when full compliance will be achieved. Your response may reference or include previous docketed correspondence, if the correspondence adequately addresses the required response. If an adequate reply is not received within the time specified in this Notice, an order or a Demand for Information may be issued to show cause why the license should not be modified, suspended, or revoked, or why such action as may be proper should not be taken. Where good cause is shown, consideration will be given to extending the response time.

Because your response will be placed in the NRC Public Document Room (PDR), to the extent possible, it should not include any personal privacy, proprietary, or safeguards information so that it can be placed in the PDR without redaction. However, if you find it necessary to include such information, you should clearly indicate the specific information that you desire not to be placed in the PDR, and provide the legal basis to support your request for withholding the information from the public.

Dated at King of Prussia, Pennsylvania  
this 11th day of October, 1996