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REGULATORY GUIDE

OFFICE OF NUCLEAR REGULATORY RESEARCH

REGULATORY GUIDE 5.66

ACCESS AUTHORIZATION PROGRAM FOR NUCLEAR POWER PLANTS

A. INTRODUCTION

In 10 CFR Part 73, "Physical Protection of Plants and Materials," Section 73.56, "Personnel Access Authorization Requirements for Nuclear Power Plants," requires a licensee to establish and implement a program, as a part of its Physical Security Plan, for granting unescorted access to protected and vital areas of a nuclear power plant. The program objective is to provide high assurance that individuals granted unescorted access are trustworthy and reliable and do not constitute an unreasonable risk to public health and safety, including the potential to commit radiological sabotage.

This regulatory guide provides an approach acceptable to the NRC staff by which the licensee can meet the requirements of 10 CFR 73.56 for an access authorization program. The "Industry Guidelines for Nuclear Power Plant Access Authorization Programs" (NUMARC 89-01, August 1989, hereafter referred to as "the Guidelines") were prepared by the Nuclear Management Resources Council (NUMARC). The Guidelines meet the intent and substance of the rule except in a few areas in which the rule explicitly differs from the Guidelines. The Guidelines are provided as an Appendix to this regulatory guide.

Any information collection activities mentioned in this regulatory guide are contained as requirements in 10 CFR Part 73, which provides the regulatory basis for this guide. The information collection requirements in 10 CFR Part 73 have been cleared under OMB Clearance No. 3150-0002.

B. DISCUSSION

The access authorization program required by the rule consists of three elements designed to complement each other: background investigation, psychological assessment, and behavior observation. The background investigation is designed to identify past actions that are indicative of an individual's trustworthiness and reliability within a protected or vital area of a nuclear power reactor. The psychological assessment is designed to evaluate the possible impact of any noted psychological characteristics that may have a bearing on trustworthiness and reliability. Behavioral observation is designed to detect behavioral changes that, if left unattended, could lead to acts detrimental to the public health and safety.

The Guidelines describe the components of these elements and include evaluation criteria for granting unescorted access. The Guidelines also provide details for granting temporary access authorization, transfer and reinstatement of access authorization, grandfathering of access authorization, contractor and vendor requirements, and audits.

Pursuant to 10 CFR 50.54(p)(2), licensees who use this regulatory guide to implement their access authorization programs do not need to submit the revisions made to their Physical Security Plans to the NRC for prior approval. However, if a licensee chooses to relax requirements for unescorted access during cold shutdown as permitted by 10 CFR 73.56(d), the licensee is to develop compensatory measures and submit them to the NRC for review and

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This guide was issued after consideration of comments received from the public. Comments and suggestions for improvements in these guides are encouraged at all times, and guides will be revised, as appropriate, to accommodate comments and to reflect new information or experience.

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approval pursuant to 10 CFR 50.90 prior to incorporating them in the Physical Security Plan. These compensatory measures (e.g., functional testing of security and reactor systems and components, security searches, enhanced access controls into areas retained as vital, establishment of alternative access requirements) are likely to be extensive and could vary dramatically depending on a number of factors, including the number of workers involved, the extent of devitalization, and the length and nature of the plant outage. The licensee would be expected to demonstrate that adequate measures will continue to be in place to protect new and spent fuel that is onsite.

Clarifications to the Guidelines

In developing this regulatory guide and considering public comments on the Guidelines, some provisions of the Guidelines seemed susceptible to possible misinterpretation. Clarifications of these provisions are provided as follows.

1. The NUMARC Guidelines discuss confirmation of military service specifically with regard to service in the United States military. This is not meant to be interpreted as meaning that military service for a foreign government should not be considered; a proper background investigation would include a good faith attempt to verify any claimed military service for a foreign government.

2. The NUMARC Guidelines provide for temporary access authorization for 180 uninterrupted days. Any longer access authorization is not "temporary." Using this provision to allow back-to-back temporary access authorizations for an individual by the licensee would be a misuse of this provision.

3. The NUMARC Guidelines allow reinstatement of unescorted access authorization within 365 days of its termination if the authorization was terminated under favorable conditions. Requiring a complete psychological assessment and background investigation after every break of 365 days or less in the behavioral observation program is not feasible. However, there is information available to the licensee from other sources. For example, if an authorization lapses because an employee took a leave of absence, it is reasonable to assume that the licensee has some indication of the intended activities of the employee during such leave. Furthermore, prior to reinstatement of the access authorization, it is reasonable to expect that the licensee will ascertain that whatever activities the employee engaged in during his or her absence would not have the potential to affect the employee's trustworthiness and reliability.

4. The NUMARC Guidelines provide for grandfathering and transferring access authorization. The rule provides for grandfathering of access authorization at the utility at which an individual is actually working when grandfathered.

Exceptions to the Guidelines

This regulatory guide takes two exceptions to the Guidelines: a review procedure for employees and grandfathering of unescorted access. The explanation for the exceptions is as follows:

1. The Guidelines specify a review procedure specifically for permanent employees of licensees. The rule requires that a review procedure be available to all employees of a licensee, contractor, or vendor, temporary or permanent, whose employment is adversely affected when unescorted access is denied or revoked by the licensee.

2. The Guidelines allow grandfathering of any individual holding a valid access authorization either on the date of the implementation of the rule or any time during the previous 365 days. This would allow for the possibility of grandfathering without either a complete screening or a reasonable period of behavioral observation. To eliminate this possibility, the rule allows grandfathering only for those individuals who have had an uninterrupted access authorization for at least 180 days on the date the final rule is published in the *Federal Register*.

C. REGULATORY POSITION

1. The program given in NUMARC 89-01, "Industry Guidelines for Nuclear Power Plant Access Authorization Programs," August 1989, is acceptable to the NRC staff for meeting the provisions of 10 CFR 73.56, subject to the following:

1.1. Section 7.2, "Review Process," of the Guidelines does not apply; the review procedure must be conducted as specified in 10 CFR 73.56(e);

1.2. To the extent that the rule differs from the Guidelines in Section 11.0, "Grandfathering," the rule will prevail. Specifically, 10 CFR 73.56(c)(1) requires that individuals who have had an unescorted access authorization for at least 180 days on the date the final rule is published in the *Federal Register* need not be further evaluated.

2. Licensees who adopt this regulatory guide should make the following statement in their certification to the NRC that they have implemented 10 CFR 73.56:

> All elements of Regulatory Guide 5.66 have been implemented to satisfy the requirements of 10 CFR 73.56.

Licensees who adopt positions different from this regulatory guide should identify these differences in their certification to the NRC. Further, positions different from the ones in the regulatory guide that would decrease the effectiveness of the access authorization program should be submitted to the NRC in accordance with 10 CFR 50.90.

REGULATORY ANALYSIS

A separate regulatory analysis has not been provided for this regulatory guide. The regulatory analysis that was prepared for the rule on access authorization programs for nuclear power plants, 10 CFR 73.56, provides the basis for this regulatory guide and examines the costs and benefits of the rule as implemented by this guide. A copy of the "Regulatory Analysis for the NRC Nuclear Power Plant Access Authorization Program" is available for inspection and copying for a fee at the Commission's Public Document Room, 2120 L Street NW., Washington, DC, under Regulatory Guide 5.66.

NUMARC 89-01

APPENDIX

Industry Guidelines for Nuclear Power Plant Access Authorization Programs

August 1989

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NUMARC 89-01

INDUSTRY GUIDELINES FOR NUCLEAR POWER PLANT ACCESS AUTHORIZATION PROGRAMS

AUGUST 1989

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1.0 PURPOSE

To support the safe operations of licensed nuclear power plants, utilities will implement an unescorted access authorization program in accordance with the following guidelines. These guidelines have been designed with the objective of achieving high assurance that personnel granted unescorted access authorization to the protected and vital areas of utility nuclear power plants are trustworthy and reliable and do not pose a potential threat to interrupt the normal operation of a nuclear reactor.

2.0 SCOPE

These guidelines define the acceptable levels for conducting and evaluating the elements of the unescorted access authorization program. Major elements include background investigation, psychological evaluation and behavioral observation. Additionally, the guidelines (1) provide evaluation criteria for the determination of unescorted access authorization, (2) establish provisions for accepting unescorted access authorization from other utilities, (3) include a grandfathering of personnel who were previously screened, and (4) discuss records maintenance, and evaluation and audits of the access authorization program to assure the utility's unescorted access authorization program is being met.

3.0 RESPONSIBILITY

The final granting and controlling of unescorted access authorization is the responsibility of the utility. Each nuclear utility will inform contractors and vendors of the existence of these guidelines and of the necessity to follow these guidelines. The utilities are responsible to audit non-utilities who conduct their own unescorted access authorization program and/or implement continual behavioral observation programs (CBOP) to assure these guidelines are followed. Each utility is responsible for having an independent evaluation conducted of its program in accordance with Section 13.1 of these guidelines.

4.0 APPLICABILITY

These guidelines apply to all nuclear utilities, and nuclear utilities shall require those contractors and vendors who provide services at the utility's nuclear power plant to also follow them.

One level of permanent unescorted access authorization will be granted to personnel who have been processed in accordance with these guidelines. Such unescorted access authorization will allow unescorted access to both protected and vital areas as needed.

5.0 GENERAL REQUIREMENTS FOR UNESCORTED ACCESS

The term "unescorted access authorization" applies to the administrative determination of an individual's eligibility to be granted unescorted access. The term "unescorted access" applies to the methodology or mechanism (e.g., keycard) that provides a physical means of controlling unescorted personnel access to protected and/or vital areas.

A utility may grant unescorted access authorization to an individual following the satisfactory completion of a unescorted access authorization screening program (Section 6.0) which consists of a background investigation (Section 6.2) and a psychological evaluation (Section 6.3). All of the foregoing may be waived if the individual satisfies any of the following: (1) satisfies requirements for grandfathering (Section 11.0); (2) has a transferable unescorted access authorization from another utility (Section 8.1); (3) has a previously granted reinstateable unescorted access authorization from the utility (Section 8.2); or (4) will be restricted to protected or devitalized areas during cold shutdown or refueling (Section 10.1). Also, a utility may grant a temporary nontransferable unescorted access authorization valid for no more than 180 days based on a psychological evaluation and a limited background check (Section 6.4).

There may be some variances between utility unescorted access authorization programs, e.g. more stringent drug testing requirements. For a transfer (Section 8.1) of a valid unescorted access authorization from one utility to another, all requirements are considered fulfilled as long as the minimum requirements of the Fitness-for-Duty Rule and the Access Authorization Rule are met.

6.0 UNESCORTED ACCESS AUTHORIZATION PROGRAM

6.1 Initiation of an Unescorted Access Authorization Program

No element of the unescorted access authorization program may be initiated without the knowledge and written consent of the person who is subject to the program. The applicant for unescorted access authorization shall be informed of the types of records that may be produced and retained, where such records are normally maintained, and the duration such records are usually retained. The applicant shall also be informed of his/her right to review the information, and to assure its accuracy and completeness, as well as to whom and under what circumstances the information will be released.

Initial unescorted access authorization program screening requirements are applicable to those individuals who have never been screened for or granted unescorted access except as defined in Section 11.0. The initial unescorted access authorization program has two components: a background investigation (Section 6.2) and a psychological evaluation (Section 6.3).

An applicant may withdraw consent to a background investigation or a psychological evaluation at any time. When withdrawal of consent is made, all processing of work in connection with either the background investigation or the psychological evaluation must cease as soon as practical. Withdrawal of consent shall be deemed withdrawal of the application for unescorted access.

Information collected under these guidelines may be released (Section 14.0) or transferred (Section 8.1) upon the written authorization of the individual only on a need-to-know basis. A need-to-know basis means that

a recipient's access to information is necessary in the performance of official, contractual, or licensee duties in determining unescorted access authorization.

6.2 Background Investigation Elements

Except as provided in 10 CFR 73.57, the background investigation covers the time period specified in each sub-element below or since the eighteenth birthday, whichever is shorter. Licensees need not fingerprint individuals employed at a facility who possess "Q" or "L" clearances or possess another active government granted security clearances, i.e. Top Secret, Secret, or Confidential. This information must be received through the mail from the sponsoring facility and not hand carried by the individual. Each utility shall make a best effort to obtain required information and to document such attempts to address the applicant's employment history, education history, credit history, criminal history, military service, and the applicant's character and reputation must be addressed in the following manner.

6.2.1 Employment History

Except as noted below, employment history must be obtained for the past five years through contacts with previous employers by obtaining the following information:

a. Verification of claimed periods of employment of 30 days or more.

b. Disciplinary history.

c. Reasons for termination and eligibility for rehire.

d. Any other information that would adversely reflect upon the reliability and trustworthiness of the individual as it relates to the individual being permitted unescorted access.

e. Activities during interruptions of employment in excess of 30 days must be verified.

A best effort attempt to verify a five-year employment history record is required; however, a minimum three year inclusive employment history immediately preceding application for unescorted access is mandatory. Best efforts include activities such as documented attempts to contact previous employers, obtaining verification by telephone, letter or other means, etc. If the employment history check could not be accomplished for the entire five-year period, an explanatory statement delineating the reasons must be included.

Because of the multitude of employments many employees experience during a five-year period, such as craft and trade workers, verification of all such employments may not be possible. Consequently, utilities may consider these applicants for unescorted access based upon an inclusive three-year retrospective employment check if the entire five-year period cannot be covered. Under no circumstances may unescorted access be granted based on an employment check of less than three years, and attempts should be made to include the entire five-year period.

6.2.2 Education History

Verify any claimed enrollment at an educational institution during the previous five years. In addition, verify the highest claimed post high school attendance leading to a degree regardless of time.

6.2.3 Criminal History

As required by Federal Law (Pub. L. 99-399, "Omnibus Diplomatic Security and Anti-Terrorism Act of 1986"), the utility shall perform a criminal history record check through the Federal Bureau of Investigation in accordance with NRC regulations. This check shall include the entire criminal history record of the individual as an adult.

6.2.4 Military Service

If within the last five years, a military period of service (claimed or developed) must be verified by receipt of a Form DD214 or other National

Personnel Records Center (NPRC) records. This information must be obtained from the National Personnel Records Center through acquisition and submittal of an applicant's authorization for release of military history information. The utility may grant unescorted access for 180 days or less to individuals prior to receipt of a DD214 or other military records if all other applicable elements of the guidelines are met and a record is maintained which documents that the request for military history was submitted within 10 working days of granting unescorted access.

The temporary authorization period may be extended in the circumstance that NPRC has not forwarded the records to the utility, provided that reasonable, documented attempts are made at least every six months to obtain this information until a response from NPRC is received.

If it becomes known that an individual's discharge is other than honorable based solely on receipt of a Form DD214, or a Form DD214 is not available from the NPRC, further investigation must be made.

6.2.5 Character and Reputation

The applicant's reputation for emotional stability, reliability and trustworthiness must be examined through contact with two references supplied by the applicant and at least two additional references (not related to the applicant) developed during the investigation. (It is not necessary that reference's [individually or collectively] associated with or knowledge of the applicant for unescorted access cover the entire five-year retrospective period.) Emphasis must be placed on:

a. Identified psychological problems.

b. Criminal history.

c. Illegal use or possession of a controlled substance.

d. Abuse of alcohol.

e. Susceptibility to coercion.

f. Any other conduct relating to an applicant's trustworthiness or reliability to discharge job duties within the environment of a nuclear power plant.

6.2.6 Verification of Identity

Identity must be verified through means such as photograph, social security number, date of birth, or comparison of applicant's physical characteristics with employment, education, military and other records, and/or employer and character references who have a personal acquaintance with the applicant.

6.2.7 Credit Check

Since financial credibility is another measure of an individual's reliability and trustworthiness, a check of the applicant's credit history must be accomplished. This is normally pursued through local credit bureaus. If this check does not reveal the requested information, the additional step of contacting the personal credit references listed by the applicant or those developed through other contacts is to be conducted.

6.3 Psychological Evaluation

Reliability and stability must be determined by the result of a reliable written personality test or by any other professionally accepted clinical evaluation procedure. The results of such test or procedure must be evaluated by a qualified and, if applicable, licensed psychologist or psychiatrist. If the results of the written test or other procedure identify any psychological abnormalities which may indicate emotional instability, unreliability, or untrustworthiness, or the results need further clarification, and if unescorted access is still being considered, a clinical interview must be conducted by a qualified and, if applicable, licensed psychologist or psychiatrist.

6.4 Temporary Unescorted Access Authorization

A utility may grant temporary unescorted access authorization on an interim basis not exceeding a period of 180 continuous days pending completion of the checks required by the unescorted access authorization program. This temporary unescorted access authorization cannot be transferred from one licensee to another in accordance with Section 8.1 with the exception of the FBI criminal history check which may be transferred. This 180-day temporary unescorted access authorization may be granted based upon satisfactory completion of the following conditions:

a. Identity verification through one photo identification (e.g. driver's license, military ID, passport or similar document).

b. Passing a psychological evaluation within the past year.

c. Conduct of a credit check.

d. Recommendation of one developed character reference who has had frequent and direct association with the applicant.

e. Evidence that a request for a criminal history check of the individual by the FBI has been submitted to the NRC.

f. Conduct of an employment check for the past year.

7.0 EVALUATION CRITERIA FOR UNESCORTED ACCESS AUTHORIZATION

7.1 Criteria

In its decision to grant an individual authorization for unescorted access, the utility shall consider information obtained during the background investigation and psychological evaluation. This information must be reviewed using the guidelines specified in this section. Each utility shall define

the appropriate level of management to evaluate matters covered by these criteria. In making a determination of trustworthiness or reliability, the following must be considered:

a. Willful omission or falsification of material information submitted in support of employment or request for unescorted access authorization.

b. Illegal use or possession of a controlled substance or abuse of alcohol without adequate evidence of rehabilitation.

c. A criminal history without adequate evidence of rehabilitation which establishes untrustworthiness or unreliability.

d. History of mental illness or emotional instability that may cause a significant defect in the individual's judgment or reliability.

e. Any evidence of coercion, influence, or pressure that may be applied by outside sources to compel an individual to commit any act of sabotage or other act which would adversely reflect upon the individual's trustworthiness or reliability.

f. Evidence that the individual has committed or attempted to commit, or aided or abetted another who committed or attempted to commit, any act of sabotage or other act that would pose a threat or reflect adversely upon that individual's trustworthiness or reliability.

g. A psychological evaluation which indicates that the individual is a risk in terms of trustworthiness or reliability.

h. Any other information that would adversely reflect upon the reliability and trustworthiness of the individual as relates to the individual being permitted unescorted access.

7.2 Review Process

Each permanent employee [1] of a utility whose employment is or will be terminated as a direct result of a denial or revocation of unescorted access authorization will: (1) be informed of the basis for denial or revocation of authorization for unescorted access; (2) have the opportunity to provide any additional information; and (3) have the decision, together with any additional information, reviewed by another designated manager of the utility who is equivalent or senior to and independent of the individual who made the initial decision to deny or revoke unescorted access authorization. The determination from this review is final. An alternative review process which is independent and impartial is acceptable. Where applicable, grievance review procedures contained in collective bargaining agreements covering the bargaining unit of which the permanent employee is a member will meet this requirement and may be used for this purpose. If an alternative review process is used, the utility will include a description of the review process to be used in the procedures that meet this guideline.

8.0 TRANSFER AND REINSTATEMENT OF UNESCORTED ACCESS AUTHORIZATION

Transfer or reinstatement of unescorted access authorization requires verification of the individual's identity by the utility.

8.1 Transfer

An individual's unescorted access authorization granted by one utility in accordance with these guidelines may be transferred to another utility via correspondence, computer data transfer, or telecopy if the gaining utility; (1) verifies or receives confirmation that the individual currently holds avalid unescorted access authorization or had a valid unescorted access authorization

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[1] The term permanent employee refers to a person who is employed by a utility for an undefined term. It does not include employees who are temporarily hired for a specific project or other temporary work or who are hired under an employment contract with a defined term.

which was terminated under favorable conditions within the previous 365 days; and (2) cross-checks information such as name, date of birth, social security number, sex, and other applicable physical characteristics for identification. In order to minimize problems associated with program variances for a transfer of a valid unescorted access authorization from one utility to another, all requirements are fulfilled as long as the minimum requirements of the Fitness-for-Duty Rule and the Access Authorization Rule are met.

8.2 Reinstatement

The utility may reinstate the unescorted access granted an individual if the individual returns to the same utility and unescorted access has not been interrupted for a continuous period of more than 365 days and if the previous unescorted access was terminated under favorable conditions.

8.3 Update Requirements

A utility shall not authorize unescorted access where the individual's unescorted access has been interrupted for more than 365 calendar days unless the psychological evaluation and the background investigation is updated to cover the individual's activities from the date of the previous background investigation, not to exceed retrospective periods in Section 6.2 or to the period when unescorted access was last held, whichever is less. A temporary unescorted access authorization (Section 6.4) may be issued while the background investigation update is occurring.

9.0 CONTINUAL BEHAVIORAL OBSERVATION PROGRAM (CBOP)

Each individual granted unescorted access shall be subject to a CBOP. This CBOP applies to all personnel who are granted unescorted access. The following must be included in the overall program:

a. A program with the objective of assuring the detection of alcohol and drug abuse and other behavior that may be a potential threat to interrupt the normal operation of a nuclear reactor.

b. A continual behavioral observation program that provides for management/supervisory personnel responsibility for observing personnel for behavioral traits and patterns that may reflect adversely on their trustworthiness or reliability and reporting those observations to appropriate utility management.

c. A training program which reasonably assures that management/supervisory personnel have the awareness and sensitivity to detect and report changes in behavior, to include suspected alcohol and drug abuse, which adversely reflects upon the individual's trustworthiness or reliability and to refer these persons to the utility's management for appropriate evaluation and action.

Individuals with unescorted access authorization must be notified of his/her responsibility to report any arrest that may impact upon his/her trustworthiness.

10.0 SCREENING DURING COLD SHUTDOWN

10.1 Devitalization of Vital Areas

During refueling or maintenance outages in which all or a part of a nuclear power plant is in a cold shutdown, refueling, or devitalized status, the utility may grant unescorted access to the protected and devitalized areas for personnel who have not been granted unescorted access authorization in accordance with Section 6.0 providing that:

a. Other requirements of the approved security plan remain in force, and the requirements of 10 CFR 73.55 and 10 CFR 73.57, as applicable, are followed for unscreened personnel granted unescorted access.

b. Prior to start-up, a thorough visual inspection of the subject areas is made by knowledgeable plant personnel to identify signs of tampering or attempted sabotage.

c. Appropriate procedures are followed to assure that plant systems necessary for start-up and safe operation in the subject areas are functioning normally.

11.0 GRANDFATHERING

The utility may grant unescorted access authorization to individuals if they hold a valid unescorted access authorization on the date security plan amendments in response to these guidelines are approved or have been granted unescorted access authorization within the 365 days prior to the date of amended security plan approval.

12.0 CONTRACTOR AND VENDOR REQUIREMENTS

The utility may accept the results of the entire unescorted access authorization program or any part thereof conducted by a contractor or vendor, provided that the contractor or vendor meets the requirements of these guidelines and that it makes its records available for auditing by the licensee or its designated representative in accordance with Sections 13.0 and 14.0. The utility retains the ultimate responsibility for assuring that individuals granted unescorted access to the facility meet the requirements of the unescorted access authorization program. Utility unescorted access authorization programs are not intended to modify, subjugate, or abrogate any review rights that currently exist for contractor and vendor employees with their respective employers.

13.0 EVALUATIONS AND AUDITS

13.1 Utility Programs

An independent evaluation of the unescorted access authorization program and its conformance to these guidelines 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.

13.2 Contractor and Vendor Programs

The utility or its designated representative shall conduct annual audits of contractor and 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.

14.0 RECORDS

Utilities and contractors and vendors of utilities who conducted unescorted access authorization programs in accordance with these guidelines shall maintain actual data that establish:

a. A background investigation and psychological evaluation were conducted for each person who is screened under Section 6.0 of these guidelines except documentation for a criminal history check which can only be maintained by a licensee.

b. That other persons were granted unescorted access authorization in accordance with Section 11.0.

c. Satisfaction with the conditions of Section 6.4 that resulted in the granting of a temporary unescorted access authorization.

The utility, contractor, or vendor shall retain records for each person who is granted unescorted access authorization for a five-year period following termination of access authorization.

Each utility or utility's contractor or vendor who collects personal information for the purpose of processing unescorted access authorizations shall establish and maintain a system of files and procedures for the protection of the personal information. This information must not be disclosed to persons other than the subject or his/her representative, utility counsel and officers, auditors whose purpose for review would be to inspect program conformance, other utilities if an individual's access authorization is transferred, and those individuals who have a need to have access to the information in performing assigned duties in the process of granting or denying unescorted access.

Attachment A

MINIMUM AUDIT CRITERIA

The following information must be reviewed during the conduct of an audit of a contractor/vendor screening program to meet the objective that the intent of these guidelines have been met.

A. BACKGROUND INVESTIGATION

The auditor shall review screening activities by examining records and conducting interviews with appropriate personnel to determine that screening activities were accomplished in a correct and accurate manner.

In conducting an audit of the background information to reasonably assure contractor conformance with these guidelines, the auditor shall randomly verify the following:

1. Employment History

   Date the verification was made, complete dates of employment, position, disciplinary history, reason for termination, eligibility for rehire, and any other information which would adversely reflect upon the reliability and trustworthiness of the individual. The retrospective period for employment history must be reasonably attempted for five years; however, due to the nature of employment histories of some transient workers, a minimum period of three years is required.

2. Education

   Copies of transcripts, diplomas, etc., documentation which verifies all claimed attendance within the previous five years. In addition, the highest post high school attendance leading to a degree must

be verified regardless of time. Records must include, as a minimum, dates of check, dates of attendance, highest level of attendance, and reason for leaving, i.e., graduation, transfer, expulsion, etc.

3. Military History

Date of receipt and copy of a Form DD214 or other military records from the National Personnel Records Center if military service was within the previous five years. If unescorted access was granted prior to receipt of NPRC records, evidence of submission of request for military history within ten working days of granting of unescorted access and any follow up requests (e.g. those made at least every six months) shall be documented in the access authorization program files.

4. Character References

Dates of contact, names of references, association with applicant, period of association and any information relative to identified psychological problems, criminal history, illegal use or possession of a controlled substance, abuse of alcohol, susceptibility to coercion and any other conduct relating to applicant's trustworthiness and reliability. Each file must contain two listed references and two developed references (not related to applicant) as a minimum.

5. Verification of Identity

How verification of identity was accomplished through such means as photograph, social security number, date of birth, and comparison of applicant's physical characteristics with records and/or references.

6. Credit History

Date of the credit check(s), name and location of credit bureau or other source, and results of initial check(s).

B. PSYCHOLOGICAL EVALUATION

To reasonably assure contractor conformance concerning psychological evaluation the auditor must be concerned with the date of the testing and that a psychologist/psychiatrist reviewed the evaluation. Contractor records must include a copy of the report signed by a qualified psychologist or psychiatrist and, if applicable, one who is licensed.

C. CONTINUAL BEHAVIORAL OBSERVATION PROGRAM (CBOP)

To reasonably assure contractor conformance concerning a CBOP, the auditor must review contractor's program to determine compliance with these guidelines, specifically to address that supervisors are provided appropriate training to recognize a degradation in work performance due to alcohol, and drug abuse, or other behavioral traits/patterns that may cause a threat to interrupt the normal operation of a nuclear reactor, and to report/refer persons displaying such behavior to the utility's management for appropriate evaluation and action.

D. TEMPORARY UNESCORTED ACCESS AUTHORIZATION

To reasonably assure contractor conformance concerning temporary unescorted access authorizations, the auditor must be concerned with completion dates for credit check, reference check, and psychological evaluation (within previous year from date unescorted access was granted). The auditor shall follow criteria set forth in Section A for credit history and character references and Section B for psychological evaluation.

E. UPDATE REQUIREMENTS

To reasonably assure contractor conformance concerning updating unescorted access authorizations when unescorted access authorizations have been interrupted for more than 365 days, the auditor must be concerned with the dates of psychological evaluation and background investigation, and the retrospective period of the background investigation must cover activities from the date of the

previous background investigation not to exceed the retrospective period of Section 6.2 or the period when unescorted access was last held, whichever is less. The criteria listed in Section A and B must be met in updating unescorted access authorization.

F. GRANDFATHERING

To reasonably assure contractor conformance concerning grandfathering, the auditor must be concerned with the date of the previous unescorted access authorization to determine that the individual held unescorted access authorization on the date security plan amendments in response to these guidelines were approved or was granted unescorted access authorization within the 365 days prior to the date of amended security plan approval. The auditor must be concerned that no individuals were grandfathered earlier than the 365 days prior to the date of amended security plan approval or subsequent to the date of amended security plan approval.

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