



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

December 8, 1997

Mr. H. L. Sumner, Jr.
Vice President - Nuclear
Hatch Project
Southern Nuclear Operating Company, Inc.
P. O. Box 1295
Birmingham, AL 35201

SUBJECT: EXEMPTION FROM CERTAIN REQUIREMENTS OF 10 CFR 73.55,
"REQUIREMENTS FOR PHYSICAL PROTECTION OF LICENSED ACTIVITIES
IN NUCLEAR POWER REACTORS AGAINST RADIOLOGICAL SABOTAGE" -
EDWIN I. HATCH NUCLEAR PLANT, UNITS 1 AND 2 (TAC NOS. M99255 AND
M99256)

Dear Mr. Sumner:

The Commission has issued the enclosed exemption from certain requirements of 10 CFR 73.55 relating to issuance, storage, and retrieval of badges for personnel who have been granted unescorted access to the protected and vital areas of the site. This exemption is related to your application dated July 2, 1997, which requested exemption from the requirements of 10 CFR 73.55(d)(5), which states, in part, that an individual not employed by the licensee, but who requires frequent and extended access to protected and vital areas, may be authorized access to these areas without an escort provided the individual receives a picture badge upon entrance into the protected area that must be returned upon exit from the protected area. The exemption request proposes the implementation of a hand geometry biometrics system for site access control at the Edwin I. Hatch Nuclear Plant such that photo-identification badges may be taken offsite by individuals not employed by the licensee.

A copy of the exemption is being forwarded to the Office of the Federal Register for publication.

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H. L. Sumner, Jr.

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By this letter, the requested exemption is granted, effective when the hand geometry biometrics system is ready for implementation and the corresponding revisions to the Physical Security Plan for the Hatch plant have been submitted to the NRC staff.

Sincerely,

Original signed by:

Herbert N. Berkow, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-321 and 50-366

Enclosure: Exemption

cc w/encl: See next page

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*see previous concurrences

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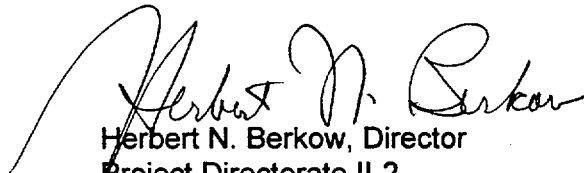
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H. L. Sumner, Jr.

- 2 -

By this letter, the requested exemption is granted, effective when the hand geometry biometrics system is ready for implementation and the corresponding revisions to the Physical Security Plan for the Hatch plant have been submitted to the NRC staff.

Sincerely,

A handwritten signature in cursive script, appearing to read "Herbert N. Berkow".

Herbert N. Berkow, Director
Project Directorate II-2
Division of Reactor Projects - I/II
Office of Nuclear Reactor Regulation

Docket Nos. 50-321 and 50-366

Enclosure: Exemption

cc w/encl: See next page

Edwin I. Hatch Nuclear Plant

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UNITED STATES OF AMERICA
NUCLEAR REGULATORY COMMISSION

In the Matter of)	
)	
SOUTHERN NUCLEAR OPERATING)	Docket Nos. 50-321 and 50-366
COMPANY, INC., ET AL.)	
)	
Edwin I. Hatch Nuclear Plant,)	
Units 1 and 2)	

EXEMPTION

I.

Southern Nuclear Operating Company, Inc., et al. (the licensee) is the holder of Facility Operating License Nos. DPR-57 and NPF-5 for the Edwin I. Hatch Nuclear Plant, Units 1 and 2. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission in effect now and hereafter.

The facility consists of two 4-loop boiling water reactors located in Appling County, Georgia.

II.

Title 10 of the Code of Federal Regulations (10 CFR), Section 73.55, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage," paragraph (a), in part, states that "The licensee shall establish and maintain an onsite physical protection system and security organization which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety."

Section 73.55(d), "Access Requirements," paragraph (1), specifies that "The licensee shall control all points of personnel and vehicle access into a protected area." Section 73.55(d)(5) requires that "A numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort." Section 73.55(d)(5) also states that an individual not employed by the licensee, e.g., contractor, but who requires frequent and extended access to protected and vital areas may be authorized access to such areas without escort provided the individual "receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area...."

The licensee has proposed to implement an alternative unescorted access control system that would eliminate the need to issue, store, and retrieve badges from a central location onsite and would allow all individuals with unescorted access to keep their badges when departing the site.

An exemption from 10 CFR 73.55(d)(5) is required to allow contractors who have unescorted access to take their badges offsite instead of returning them when exiting the site. By letter dated July 2, 1997, the licensee requested an exemption from the requirements of 10 CFR 73.55(d)(5) for this purpose.

III.

Pursuant to 10 CFR 73.5, "Specific exemptions," the Commission may, upon application of any interested person or upon its own initiative, grant such exemptions in this part as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest. Pursuant to 10 CFR 73.55, the

Commission may authorize a licensee to provide alternative measures for protection against radiological sabotage provided the licensee demonstrates that the alternative measures have "the same high assurance objective" and meet "the general performance requirements" of the regulation, and "the overall level of system performance provides protection against radiological sabotage equivalent" to that which would be provided by the regulation.

Currently, unescorted access into the protected areas at the Hatch site is controlled through the use of a photograph on a badge/keycard (hereafter, referred to as "badge"). The security officers use the photograph on the badge to visually identify the individual requesting access. The licensee's employees and contractor personnel who have been granted unescorted access are issued badges upon entrance to the protected area and the badges are returned upon exit. In accordance with 10 CFR 73.55(d)(5), contractors are not allowed to take these badges offsite.

Under the proposed biometric system, individuals who are authorized unescorted entry into protected areas would have the physical characteristics of their hand (i.e., hand geometry) registered, along with their badge number, in the access control system. When registered users enter their badge into the card reader and place their hand onto the measuring surface, the system detects that the hand is properly positioned, and records the image. The unique characteristics of the hand image are then compared with the previously stored template in the access control computer system corresponding to the badge to verify authorization for entry.

Individuals, including Hatch plant employees and contractors, would be allowed to keep their badges when they depart the site and, thus, eliminate the need to issue, retrieve, and store badges at the entrance stations to the plant. Badges do not carry any information other than a unique identification number. All other access processes, including search function

capability, would remain the same. This system would not be used for persons requiring escorted access, e.g., visitors.

On the basis of the Sandia report, "A Performance Evaluation of Biometrics Identification Devices," SAND91-0276/UC-906, Unlimited Release, June 1991, that concluded hand geometry equipment possesses strong performance and high detection characteristics, and on its own experience with the current photo-identification system, the licensee determined that the proposed hand geometry system would provide the same high level of assurance as the current system that access is only granted to authorized individuals. The biometrics system has been in use for a number of years at several sensitive Department of Energy facilities and, recently, at some nuclear power plants.

The licensee will implement a process for testing the proposed system to ensure continued overall level of performance equivalent to that specified in the regulation. When the changes are implemented, the respective Physical Security Plan will be revised to include implementation and testing of the hand geometry access control system and to allow Hatch plant employees and contractors to take their badges offsite.

When implemented, the licensee will control all points of personnel access into a protected area under the observation of security personnel through the use of a badge and a hand geometry verification system. The numbered picture badge identification system will continue to be used for all individuals who are authorized unescorted access to protected areas. Badges will continue to be displayed by all individuals while inside the protected areas.

Since both the badge and hand geometry would be necessary for access into the

protected areas, the proposed system would provide a positive verification process. The potential loss of a badge by an individual as a result of taking the badge offsite would not enable an unauthorized entry into protected areas.

IV.

For the foregoing reasons, pursuant to 10 CFR 73.55, the NRC staff has determined that the proposed alternative measures for protection against radiological sabotage meet "the same high assurance objective," and "the general performance requirements" of the regulation and that "the overall level of system performance provides protection against radiological sabotage equivalent" to that which would be provided by the regulation.

Accordingly, the Commission has determined that, pursuant to 10 CFR 73.5, this exemption is authorized by law and will not endanger life or property or common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants the requested exemption from the requirements of 10 CFR 73.55(d)(5) to allow individuals not employed by the licensee (i.e., contractors) to take their photo-identification badges offsite, provided that the proposed hand geometry biometrics system is in effect to control access into protected areas at the Hatch nuclear plant.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not result in any significant adverse environmental impact (62 FR 49539).

For further details with respect to this action, see the request for exemption dated July 2, 1997, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public

document room located at the Burke County Public Library, 412 Fourth Street, Waynesboro, Georgia.

This exemption is effective when modifications, procedures, and training to implement the hand geometry biometrics system have been completed and the corresponding revisions to the Physical Security Plan for the Hatch plant have been submitted to the NRC staff.

FOR THE NUCLEAR REGULATORY COMMISSION

ORIGINAL SIGNED BY:

Frank J. Miraglia, Acting Director
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland,
this 8th day of December 1997

* see previous concurrence

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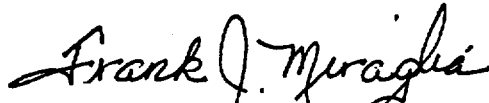
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document room located at the Burke County Public Library, 412 Fourth Street, Waynesboro, Georgia.

This exemption is effective when modifications, procedures, and training to implement the hand geometry biometrics system have been completed and the corresponding revisions to the Physical Security Plan for the Hatch plant have been submitted to the NRC staff.

FOR THE NUCLEAR REGULATORY COMMISSION

A handwritten signature in black ink, reading "Frank J. Miraglia". The signature is written in a cursive style with a large, stylized initial "F".

Frank J. Miraglia, Acting Director
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland,
this 8th day of December 1997