

November 29, 1993

Docket Nos. 50-250, 50-251  
50-335, and 50-389

Mr. J. H. Goldberg  
President - Nuclear Division  
Florida Power and Light Company  
P.O. Box 14000  
Juno Beach, Florida 33408-0420

Dear Mr. Goldberg:

SUBJECT: EXEMPTION FROM CERTAIN REQUIREMENTS OF 10 CFR 73.55, REQUIREMENTS FOR PHYSICAL PROTECTION OF LICENSED ACTIVITIES IN NUCLEAR POWER PLANT REACTORS AGAINST RADIOLOGICAL SABOTAGE - TURKEY POINT UNITS 3 AND 4 AND ST. LUCIE UNITS 1 AND 2 (TAC NOS. M87318, M87319, M87316 AND M87317)

The Commission has issued the enclosed exemption from certain requirements of 10 CFR 73.55 relating to issuance, storage and retrieval of badges for contractors who have been granted unescorted access to the protected areas of the site. This exemption is related to your application dated October 13, 1993, to implement a hand geometry biometric system for site access control at both the Turkey Point and St. Lucie units, such that photograph identification badges can be taken offsite.

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

Please note that we have determined that Attachment 2 to your October 13, 1993 letter, which provided changes to Physical Security Plans, contains safeguards information. We have marked these pages appropriately and will distribute it accordingly. We discussed this matter with your staff, who confirmed that you will also handle the October 13, 1993 submittal as containing safeguards information.

Within 60 days of issuance of this letter, in accordance with 10 CFR 50.54(p), please submit your revised Physical Security Plans for both the sites. To expedite our review process, please ensure that the revised security Plan includes only those changes which are relevant to this exemption.

If you have any questions, please call us at (301) 504-1471 or (301) 504-1483.

  
J. A. Norris, Senior Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II

Sincerely,   
L. Raghavan, Project Manager  
Project Directorate II-2  
Division of Reactor Projects - I/II

Enclosure: As stated  
cc w/enclosure: See next page  
Distribution: See next page

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Document Name - A:\EXEMPTION.D \* See previous concurrence

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Memorandum Dated November 29, 1993

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~~Docket File~~

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UNITED STATES OF AMERICA  
NUCLEAR REGULATORY COMMISSION

In the Matter of	)	
	)	
FLORIDA POWER AND LIGHT COMPANY	)	Docket Nos. 50-250, 50-251,
	)	50-335 and 50-389
Turkey Point Nuclear Generating	)	
Units 3 and 4	)	
	)	
St. Lucie Plant Units 1 and 2	)	

EXEMPTION

I

Florida Power and Light Company (the licensee) is the holder of Facility Operating License Nos. DPR-31 and DPR-41, which authorize operation of the Turkey Point Nuclear Generating Units 3 and 4, and DPR-67 and NPF-16, which authorize operation of the St. Lucie 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 now or hereafter in effect.

The facilities consist of two pressurized water reactors at each of the licensee's two sites, Turkey Point Units 3 and 4 located in Dade County, Florida, and St. Lucie Plant Units 1 and 2 located in St. Lucie County, Florida.

II

Title 10 CFR 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."

10 CFR 73.55(d), "Access Requirements," paragraph (1), specifies that "The licensee shall control all points of personnel and vehicle access into a protected area." 10 CFR 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." 10 CFR 73.55(d)(5) also states that an individual not employed by the licensee (i.e., contractors) may be authorized access to protected 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 proposed to implement an alternative unescorted access control system which would eliminate the need to issue and retrieve badges at each entrance/exit location and would allow all individuals with unescorted access to keep their badge with them 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 letters dated October 13, and November 2, 1993, the licensee requested an exemption from certain 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 protected areas of the St. Lucie units is controlled through the use of a photograph on a badge and a separate keycard. At the Turkey Point units, unescorted access into protected areas is controlled through the use of a photograph on a combination badge and keycard. (Hereafter, these are referred to as badge). The security officers at each entrance station use the photograph on the badge to visually identify the individual requesting access. The badges for both licensee employees and contractor personnel, who have been granted unescorted access, are issued upon entrance at each entrance/exit location and are returned upon exit. The badges are stored and are retrievable at each entrance/exit location. In accordance with 10 CFR 73.55(d)(5), contractor individuals are not allowed to take badges offsite. In accordance with the plants' physical security plans, neither licensee employees nor contractors are allowed to take badges offsite.

Under the proposed system, each individual who is authorized for unescorted entry into protected areas would have the physical characteristics of their hand (hand geometry) registered with their badge

number in the access control computer system. When an individual enters the badge into the card reader and places the hand on the measuring surface, the system would record the individual's hand image. The unique characteristics of the extracted hand image would be compared with the previously stored template in the access control computer system to verify authorization for entry. Individuals, including licensee employees and contractors, would be allowed to keep their badge with them when they depart the site and thus eliminate the process to issue, retrieve and store badges at the entrance stations to the plants. 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, i.e. visitors.

Based on a Sandia report entitled, "A Performance Evaluation of Biometric Identification Devices" (SAND91--0276 UC--906 Unlimited Release, Printed June 1991), and on its experience with the current photo-identification system, the licensee demonstrated that the false-accept rate for the hand geometry system will be better than is achieved by the current system. The biometric system has been in use for a number of years at several sensitive Department of Energy facilities. 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. The Physical Security Plans for both sites will be revised to include implementation and testing of the hand geometry access control system and to allow licensee employees and contractors to take their badges offsite.

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 verification of hand geometry. A 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 area.

Since both the badge and hand geometry would be necessary for access into the protected area, the proposed system would provide for a positive verification process and 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

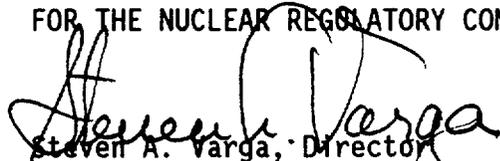
For the foregoing reasons, pursuant to 10 CFR 73.55, the NRC staff has determined that the proposed alternative measures for protection against radiological sabotage meet "the same high assurance objective," and "the general performance requirements" of the regulation and that "the overall level of system 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, an exemption is authorized by law, will not endanger life or property or common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants Florida Power and Light Company an exemption from those requirements of 10 CFR 73.55(d)(5) relating to the returning of picture badges upon exit from the protected area such that individuals not employed by the licensee, i.e., contractors, who are authorized unescorted access into the protected area, can take their badges offsite.

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 (58 FR 62685, November 29, 1993).

This exemption is effective upon issuance.

FOR THE NUCLEAR REGULATORY COMMISSION



Steven A. Varga, Director  
Division of Reactor Projects - I/II  
Office of Nuclear Reactor Regulation

Dated at Rockville, Maryland,  
this 29<sup>th</sup> day of November 1993