

March 28, 2002

Mr. Neil S. Hibler, Ph.D.
Special Psychological Services Group
10520 Warwick Avenue, Suite B6
Fairfax, VA 22030-3100

Dear Dr. Hibler:

I am responding to your letter of January 18, 2002, to Karen D. Cyr, General Counsel, Office of the General Counsel, U.S. Nuclear Regulatory Commission. Your letter asked two questions.

First, does the NRC require its licensees to use the Minnesota Multiphasic Personality Inventory - 2 (MMPI-2) in psychological assessments of employee applicants? The NRC does not require that the MMPI-2 be used. Section 73.56(b)(2)(ii) of Title 10 *Code of Federal Regulations*, (10 CFR) Part 73.56, "Personnel Access Authorization Requirements for Nuclear Power Plants," requires: "A psychological assessment designed to evaluate the possible impact of any noted psychological characteristics which may have a bearing on trustworthiness and reliability."

Second, does the NRC require its licensees to conduct an interview as part of the psychological assessment of employee applicants? 10 CFR 73.56 does not specifically require an interview as part of the psychological assessment. Instead, the particulars of the psychological assessment are left to professional judgment of the individual that is responsible for the psychological assessment. However, Regulatory Guide 5.66, "Access Authorization Program for Nuclear Power Plants," endorses Section 6.3, "Psychological Evaluation," of NUMARC 89-01, "Industry Guidelines for Nuclear Power Plant Access Authorization Programs," which states: "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."

The NRC will consider the issues you have raised regarding psychological assessments, along with other stakeholder issues, in potential and current NRC regulatory activities. The NRC is contemplating 10 CFR 73.56 rulemaking. The NRC is completing a review of NEI 99-08, "Industry Guidelines for Nuclear Power Plant Access Authorization," which is the nuclear industry's revised guidance for NUMARC 89-01. The NRC staff's recommendations and the Commission's ultimate decision referencing your issues will be made available in accordance with NRC procedures and any Commission direction on the release of the staff's recommendation.

N. Hibler

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Thank you for the insights you provided on this matter in your letter. Please do not hesitate to contact Dr. Garmon West (301) 415-1044, or Messrs. Jesse Arildsen (301) 415-1026, or Brad Baxter (301) 415-1088 of my staff regarding this issue.

Sincerely,

/RA/

Glenn M. Tracy, Chief
Reactor Safeguards, Radiation Safety
and Emergency Preparedness Branch
Division of Inspection Program Management
Office of Nuclear Reactor Regulation

N. Hibler

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