January 30, 1995

Mr. Neil S. Carns
President and Chief Executive Officer
Wolf Creek Nuclear Operating Corporation
Post Office Box 411
Burlington, Kansas 66839

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 - WOLF CREEK GENERATING STATION (TAC NO. M90961)

Dear Mr. Carns:

The Commission has issued the enclosed exemption from certain requirements of 10 CFR 73.55 relating to the issuance, storage and retrieval of badges for personnel who have been granted unescorted access to the protected areas at Wolf Creek. This exemption is related to your application dated November 23, 1994, to implement a hand geometry biometric system for site access control at the Wolf Creek Generating Station such that photographic identification badges may be taken offsite.

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

Within 60 days of issuance of this letter, in accordance with 10 CFR 50.54(p), please submit your revised Physical Security Plan for the Wolf Creek Generating Station. If you have any questions, please call me at (301) 504-3063.

Sincerely,
ORIGINAL SIGNED BY:
James C. Stone, Senior Project Manager
Project Directorate IV-2
Division of Reactor Projects - III/IV
Office of Nuclear Reactor Regulation

Docket No. 50-482

Enclosure: Exemption

cc w/encl: See next page

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January 30, 1995

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President and Chief Executive Officer
Wolf Creek Nuclear Operating Corporation
Post Office Box 411
Burlington, Kansas 66839

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U.S. Nuclear Regulatory Commission
Resident Inspectors Office
8201 NRC Road
Steedman, Missouri 65077-1302

7590-01

UNITED STATES OF AMERICA

NUCLEAR REGULATORY COMMISSION

| | | |
|---|---|---|
| In the Matter of | ) | |
| | ) | |
| WOLF CREEK NUCLEAR OPERATING CORPORATION | ) | Docket No. 50-482 |
| | ) | |
| (Wolf Creek Generating Station, Unit 1) | ) | |

EXEMPTION

I.

On June 4, 1985, the Commission issued Facility Operating License No. NPF-42 to Wolf Creek Nuclear Operating Corporation (the licensee) for the Wolf Creek Generating Station, Unit 1 (WCGS). The license provides, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission now or hereafter in effect.

II.

It is stated in 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," paragraph (a), 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."

It is specified in 10 CFR 73.55(d), "Access Requirements," paragraph (1), that "The licensee shall control all points of personnel and vehicle access into a protected area." It is specified in 10 CFR 73.55(d)(5) that "A numbered picture badge identification system shall be used for all individuals

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who are authorized access to protected areas without escort...." It 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 badges 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 letter dated November 23, 1994, 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 measures for protection against radiological sabotage provided the licensee demonstrates that the 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.

At the WCGS site, 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 badges.) The security officers at the 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 the entrance/exit location and are returned upon exit. The badges are stored and are retrievable at the 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 plant's physical security plan, neither licensee employee nor contractors are allowed to take badges offsite.

Under the proposed system, each individual who is authorized for unescorted access into protected areas would have the physical characteristics of their hand (hand geometry) registered with their badge number in the access control 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 system to verify authorization for entry. Individuals, including licensee employees and contractors, would be allowed to keep their badges with them when they depart the site and thus eliminate the process 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, 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 the licensee's experience with the current photo-identification system, the licensee stated that the false acceptance rate for the hand geometry system is comparable to that of 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 Plan for WCGS 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 badges and hand geometry would be necessary for access into the protected areas, the proposed system would provide for a positive verification process and 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.

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.

IV.

Accordingly, the Commission has determined that, pursuant to 10 CFR 73.5, this exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants Wolf Creek Nuclear Operating Corporation 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, may take their picture badges offsite.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the environment (60 FR 4929).

This exemption is effective upon issuance.

Dated at Rockville, Maryland, this 30th day of January 1995

FOR THE NUCLEAR REGULATORY COMMISSION

ORIGINAL SIGNED BY:

Jack W. Roe, Director
Division of Reactor Projects III/IV
Office of Nuclear Reactor Regulation

DOCUMENT NAME: WC90961.EXE * See previous concurrence

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| DATE | 1/4/94 | 1/ /95 | 1/5/95 | 1/11/95 | 1/30/95 | 1/30/95 |

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