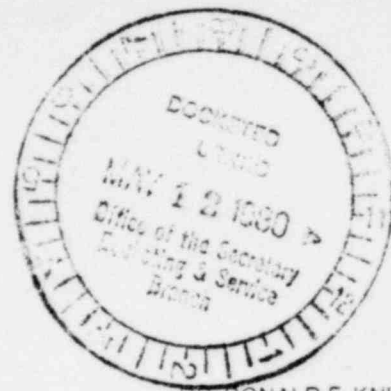




May 9, 1980



DR. DONALD F. KNUTH  
President

DOCKET NUMBER  
PROPOSED RULE PR-73 (2)  
(45 FR 15937)

Mr. Samuel J. Chilk  
Secretary of the Commission  
U.S. Nuclear Regulatory Commission  
Washington, D.C. 20555

ATTN: Docketing and Service Branch

Dear Sir:

On March 12, 1980, the NRC published in the Federal Register, 45 FR 15937, proposed amendments to its physical security regulations related to Access Controls to Nuclear Power Plant Vital Areas. KMC, Inc., as a consultant to utilities on physical security matters, and the 24 utilities listed in Attachment A who own and operate and/or are constructing nuclear power plants, wish to provide comments on that proposed rule.

The proposed amendments would modify 10 CFR §73.55(d)(7) to require that access authorization to a vital area be correlated to the need for such access during a particular time period and that steps be taken to assure that only the authorized individual gains access to a vital area on that individual's authorization. The proposed amendments would also revise 10 CFR §73.55(g) by extending the testing and maintenance requirements to access control equipment.

It is our opinion that individuals should be given access only to those vital areas for which they have a work related need. Similarly, individuals should not have unrestricted access to vital areas based on an infrequent or one-time basis.

We are, however, concerned with the lack of clarity in that aspect of the proposed regulation dealing with the "duration" of access authorization. Proposed §73.55(d)(7)(i) provides that

Approved access duration . . . shall be commensurate with the tasks to be performed.

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This provision is explained in the Supplementary Information, 45 FR 15937, accompanying the proposal as follows:

Access to a vital area . . . will be limited to the particular time period that access is needed.

The meaning of the proposed regulation remains unclear since several different interpretations of the duration limitation are possible. The language could be understood as requiring the licensee to identify, in advance, the date, time of entry and exit for each visit to a vital area. Another interpretation is to allow access to vital areas on a continuing basis where such repetitive access is needed (for example, routine maintenance), without the limitations of the first interpretation. The duration of any employee's stay in an unattended vital area is already required to be recorded by section 73.70(d) which reads:

"A log indicating the name, badge number, time of entry, reason for entry, and time of exit of all individuals granted access to a normally unoccupied vital area..."

In meeting existing requirements many licensees develop the access lists, update them periodically and enter them into the card key reader systems. By this method of entry control, access is allowed only into areas permitted by the access list and the times of entry and exit logged.

If individuals are required to repeatedly obtain approval from security each and every time access to a vital area is required, unproductive administrative burdens would increase significantly. Each employee affected would surely view the requirement as personnel harrassment. For example, a mechanic who is assigned to perform routine maintenance, service, or testing on some piece of equipment located in an unattended vital area should have access to that area. The existing logging requirement would ascertain the duration of presence in the vital area. Any further requirement for a responsible security representative to approve the access duration commensurate with the tasks to be performed would not result in better plant security.

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The language of the proposed regulation must be clarified so that licensees and NRC audit inspectors will both know what it is that the Commission is requiring. It must be understood that regular plant employees have a continuing need to enter vital areas in order to perform routine maintenance, testing, security and operations functions. Literally hundreds of these entries are made each week. If advance identification as to date, time of entry and length of stay has to be made, an extraordinary and possibly unmanageable administrative burden will be imposed which may have adverse impact on operations and be inconsistent with safe operation of the plants. Publishing and republishing access lists or constantly updating computer memories will become the main function of security personnel, rather than more important tasks directly related to the security program. Paperwork, not security, would soon become their dominant function.

As indicated earlier, there will be a morale problem if these types of rigid limitations are imposed on regular plant employees. Security personnel placing a time limit on an employee's access to a vital area will not have any significant impact on reducing the chance that an employee will physically damage any equipment in that area. Adding this type of requirement to the extensive security controls already imposed on plant workers can only cause the plant staff to feel that they are not trusted with the very facility that they are charged with operating. Such requirements will, moreover, be administratively unworkable and psychologically counterproductive. We would, therefore, recommend that proposed §73.55(d)(7)(i) be modified as follows:

(i) Access lists shall be established ~~and approved~~ for each vital area by the ~~onsite~~ individuals responsible for ~~security~~ approving access to those areas (or equivalent) or ~~his~~ designated representatives. ~~Approved access areas and the duration of access shall be commensurate with the tasks to be performed.~~ Approved access for persons routinely working at the facility shall be commensurate with the tasks to be performed. To remove individuals who no longer need access, access lists shall be reviewed, updated and reapproved at the end of each access duration period, not to exceed 31 days. Persons not routinely working at the facility shall receive access to vital areas for a time period commensurate with the task(s) to be performed.

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We would also like to clarify our interpretation of other subsections of the proposed regulation. Section 73.55(d)(7)(ii) requires a distinctive coded badge to indicate the levels of access accorded an individual. Many licensees would establish this distinction of escort required vs. unescorted access permitted (as well as including distinctions in radiation area vs. non-radiation area access) by using color-coded badges. We believe distinctive coloring should be construed to be a visible code and acceptable to the Commission. In addition, some utilities are concerned with visually identifying any specific distinction in access provided to vital areas because such identification could pinpoint those cards for theft or usage in the event of loss and would prefer to utilize a system without having overly specific visual indication of the badge sensitivity.

We would also like to clarify our interpretation of Section 73.55(d)(7)(iii) which requires the establishment of emergency access lists. We believe it is necessary to establish in advance procedures to approve access of individuals into the vital area in a rapid manner in the event of an emergency. On the other hand it is not possible to develop beforehand lists of persons who may need to enter every vital area for every possible emergency situation. Again we believe this interpretation is consistent with Commission policy and would be permitted with the proposed language of the proposed rule.

Finally, we have a clarification relating to Section 73.55(d)(7)(iv) which establishes requirements to prevent "tailgating." While the statement of considerations states the expected changes resulting from the proposed amendments could be only procedural in nature, we believe the subsection could be interpreted to be a requirement for additional equipment. Such equipment would presumably be the installation of a turnstile at each vital entry point. This is unsatisfactory from an operational, safety, or economic viewpoint. We would reiterate our interpretation that adequate procedures would comply with the proposed rule.

Although we believe that these three proposed sections of the rule should be interpreted as we have indicated, we have set forth below relatively minor revisions which we believe would clarify the intent. The Commission may wish to amend the rule to read as follows:

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(ii) Each individual granted access to vital areas shall be issued a serially numbered badge ~~that displays a visible code which indicates which visually indicates~~ the level of ~~unescorted~~ access granted ~~corresponding to the associated types of~~ to protected or vital areas designated in the security plan. Any distinction in level of unescorted access to vital areas, which correspond to the security plan, may be either encoded in a combination badge/access card key or visually indicated on the badge.

(iii) ~~Emergency access lists shall be established and approved for each vital area by the onsite individual responsible for security (or equivalent) or his designated representative.~~ Access controls and written procedures to cope with emergency conditions shall be established.

(iv) Licensee procedures, ~~and/or~~ or equipment, or the combination of procedures and equipment shall be established to ~~assure~~ provide reasonable assurance that only the authorized individual can gain unescorted entry to an unoccupied vital area on his/her key, card key or other entry mechanism.

We appreciate the opportunity to comment on this proposed rule and would be pleased to discuss our view in greater detail if you have any questions.

Sincerely,



Donald F. Knuth

Attachment A

PHYSICAL SECURITY COORDINATING GROUP

Arizona Public Service Company  
Baltimore Gas & Electric Company  
Carolina Power & Light Company  
Commonwealth Edison Company  
Consumers Power Company  
Detroit Edison Company  
Duke Power Company  
Duquesne Light Company  
Florida Power & Light Company  
GPU Service Corporation  
Nebraska Public Power District  
Niagara Mohawk Power Corporation  
Northeast Utilities Service Company  
Northern States Power Company  
Pennsylvania Power & Light Company  
Portland General Electric Company  
Public Service Electric & Gas Company  
Rochester Gas & Electric Corporation  
Sacramento Municipal Utility District  
South Carolina Electric & Gas Company  
Southern California Edison Company  
Wisconsin Electric Power Company  
Wisconsin Public Service Corporation  
Yankee Atomic Electric Company