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DOCKET NUMBER PR 73
PROPOSED RULE 45 FR 79492

January 13, 1981

Secretary of the Commission
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555

Attention: Docketing and Service Branch

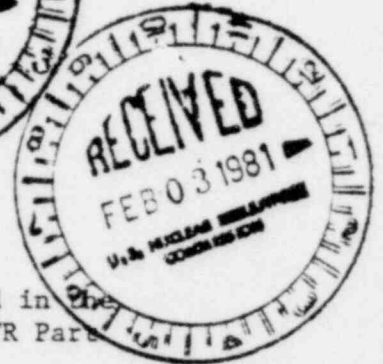
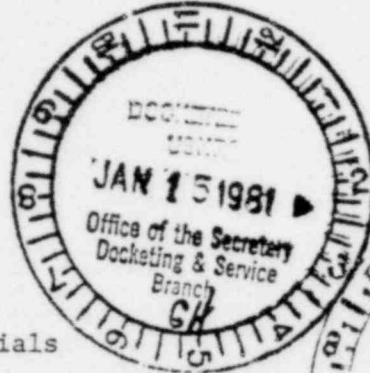
Re: 10 CFR Part 73
Physical Protection of Plants and Materials
Proposed Rule

Dear Sir:

On December 1, 1980 the Nuclear Regulatory Commission published in the Federal Register (FR DOC 80-37432) proposed amendments to 10 CFR Part 73. Comments on the proposed rule are provided as follows.

In proposed Section 10 CFR 73.55(d)(1), the term "visitor" is used to denote individuals required to submit to a physical pat down search before being allowed access into the protected area. It is felt that the term "visitor" needs further clarification in order to specify those individuals that fall within this category. In addition, the term "visitor" should be stated in 10 CFR 73.2 or 73.55(d)(1). A possible definition of the term is as follows. "Those individuals who are non-licensee individuals and are not assigned to the site for work related activities". For station purposes, non-licensee individuals who are assigned to the station for the support of a project are considered as licensee employees.

Upon the failure of firearms or explosives search equipment, Section 73.55(d)(1) would also require the licensee to conduct a physical pat down search of those persons who cannot be searched by that equipment prior to their entry into the protected area. We recommend the NRC completely resolve the issue regarding an industry administered pre-employment screening program prior to the issuance of a proposed rule which could require extensive use of physical pat down searches. The American National Standards Institute (ANSI-3 Committee) is presently re-writing the security standard, ANSI 18.17, which includes an indepth screening program. We maintain that a comprehensive security screening program as reflected in the revision of this standard, when coupled with an effective employment selection process and aberrant behaviour observation program is adequate to exempt those individuals participating in the program from physical pat down searches. "Visitors" as defined



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Acknowledged by card... 1/15/81

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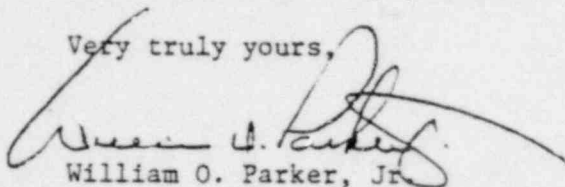
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above, would be subject to a 100% physical pat down search in addition to those individuals who are suspected of attempting to introduce firearms, explosives, or incendiary devices to the protected area.

Our position reflects the current interim search requirements as outlined in the NRC Supplement Staff Position Personnel Search Requirements dated September 30, 1977 and as stated in Appendix B to the Oconee Nuclear Station Security Plan Evaluation Report (SPER). We consider the interim search requirements currently being implemented an effective measure to insure that there is an adequate deterrent to possible sabotage attempts. In our opinion, the proposed rule would not increase the effectiveness of search operations, but would instead create a negative impact on both search operations and employee morale. Station search operations could be affected to the point that additional backup search equipment would be necessary to process individuals should normal search equipment fail during peak processing hours.

In conclusion, we feel the proposed Section 10 CFR 73.55(d)(1) is inappropriate and would be detrimental to the overall security program. We recommend that interim search procedures currently being implemented be adopted as final requirements for searches of individuals at power reactor protected area entry portals.

Very truly yours,



William O. Parker, Jr.

SAG:bj