



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D. C. 20555

March 5, 1990

The Honorable Paul Simon  
United States Senator  
230 South Dearborn Street  
Kluczynski Building, 38th Floor  
Chicago, Illinois 60604

Dear Senator Simon:

I am responding to your letter of February 15, 1990, in which you forwarded a constituent's inquiry concerning a reinvestigation program that had been implemented at the LaSalle County Station that included psychological evaluations and background investigations.

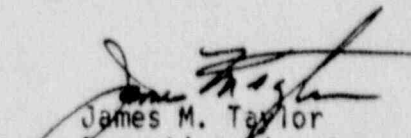
We understand that the Commonwealth Edison Company, the utility that operates the plant at which your constituent is employed, has changed several access requirements at its six nuclear sites. One change involves the use of the "Industry Guidelines for Nuclear Power Plant Access Authorization Programs" (NUMARC 89-01), published by the Nuclear Management and Resources Council, Inc. The Commission has no objection to the utility using these guidelines in the implementation of its access authorization program.

Commonwealth Edison Company is also standardizing background data for the above access authorization program and for implementing the employment history requirements of NRC's fitness-for-duty rule (10 CFR Part 26). The utility's program changes are intended to establish a consistent data base to facilitate exchange of background information and apply to all contractor employees and newly hired Commonwealth Edison personnel. This should expedite future processing of contractor access at nuclear power plant sites.

In response to the other question your constituent raised, there has not been a change in the NRC view of the threat level with respect to U.S. nuclear plants.

I trust this response adequately addresses your constituent's inquiry.

Sincerely,

  
James M. Taylor  
Executive Director  
for Operations

Enclosure:  
NUMARC 89-01

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Original Signed By:  
James M. Taylor  
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Executive Director  
for Operations

Enclosure:  
NUMARC 89-01

Distribution: \*\*  
See next page

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# **Industry Guidelines for Nuclear Power Plant Access Authorization Programs**

August 1989

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**Nuclear Management and  
Resources Council, Inc.  
1776 Eye Street, N.W.  
Washington, DC 20006-2496**

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**INDUSTRY GUIDELINES FOR  
NUCLEAR POWER PLANT  
ACCESS AUTHORIZATION PROGRAMS**

AUGUST 1989

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Nuclear Management and Resources Council, Inc.  
1776 Eye Street, N.W.  
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## **ACKNOWLEDGEMENTS**

These industry guidelines were prepared by members of the NUMARC Working Group on Insider Safeguards under the chairmanship of Carlyle (Bud) Fay, Vice President-Nuclear, Wisconsin Electric Power Company, and members of the NUMARC Working Group on Security under the chairmanship of Bruce Kenyon, Senior Vice President, Pennsylvania Power and Light Company.

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## 1.0 PURPOSE

To support the safe operations of licensed nuclear power plants, utilities will implement an unescorted access authorization program in accordance with the following guidelines. These guidelines have been designed with the objective of achieving high assurance that personnel granted unescorted access authorization to the protected and vital areas of utility nuclear power plants are trustworthy and reliable and do not pose a potential threat to interrupt the normal operation of a nuclear reactor.

## 2.0 SCOPE

These guidelines define the acceptable levels for conducting and evaluating the elements of the unescorted access authorization program. Major elements include background investigation, psychological evaluation and behavioral observation. Additionally, the guidelines (1) provide evaluation criteria for the determination of unescorted access authorization, (2) establish provisions for accepting unescorted access authorization from other utilities, (3) include a grandfathering of personnel who were previously screened, and (4) discuss records maintenance, and evaluation and audits of the access authorization program to assure the utility's unescorted access authorization program is being met.

## 3.0 RESPONSIBILITY

The final granting and controlling of unescorted access authorization is the responsibility of the utility. Each nuclear utility will inform contractors and vendors of the existence of these guidelines and of the necessity to follow these guidelines. The utilities are responsible to audit non-utilities who conduct their own unescorted access authorization program and/or implement continual behavioral observation programs (CBOP) to assure these guidelines are followed. Each utility is responsible for having an independent evaluation conducted of its program in accordance with Section 13.1 of these guidelines.



#### 4.0 APPLICABILITY

These guidelines apply to all nuclear utilities, and nuclear utilities shall require those contractors and vendors who provide services at the utility's nuclear power plant to also follow them.

One level of permanent unescorted access authorization will be granted to personnel who have been processed in accordance with these guidelines. Such unescorted access authorization will allow unescorted access to both protected and vital areas as needed.

#### 5.0 GENERAL REQUIREMENTS FOR UNESCORTED ACCESS

The term "unescorted access authorization" applies to the administrative determination of an individual's eligibility to be granted unescorted access. The term "unescorted access" applies to the methodology or mechanism (e.g., keycard) that provides a physical means of controlling unescorted personnel access to protected and/or vital areas.

A utility may grant unescorted access authorization to an individual following the satisfactory completion of a unescorted access authorization screening program (Section 6.0) which consists of a background investigation (Section 6.2) and a psychological evaluation (Section 6.3). All of the foregoing may be waived if the individual satisfies any of the following: (1) satisfies requirements for grandfathering (Section 1.0); (2) has a transferable unescorted access authorization from another utility (Section 8.1); (3) has a previously granted reinstatable unescorted access authorization from the utility (Section 8.2); or (4) will be restricted to protected or vitalized areas during cold shutdown or refueling (Section 10.1). Also, a utility may grant a temporary nontransferable unescorted access authorization valid for no more than 180 days based on a psychological evaluation and a limited background check (Section 6.4).

There may be some variances between utility unescorted access authorization programs, e.g. more stringent drug testing requirements. For a transfer (Section 8.1) of a valid unescorted access authorization from one utility to another, all requirements are considered fulfilled as long as the minimum requirements of the Fitness-for-Duty Rule and the Access Authorization Rule are met.

## 6.0 UNESCORTED ACCESS AUTHORIZATION PROGRAM

### 6.1 Initiation of an Unescorted Access Authorization Program

No element of the unescorted access authorization program may be initiated without the knowledge and written consent of the person who is subject to the program. The applicant for unescorted access authorization shall be informed of the types of records that may be produced and retained, where such records are normally maintained, and the duration such records are usually retained. The applicant shall also be informed of his/her right to review the information, and to assure its accuracy and completeness, as well as to whom and under what circumstances the information will be released.

Initial unescorted access authorization program screening requirements are applicable to those individuals who have never been screened for or granted unescorted access except as defined in Section 11.0. The initial unescorted access authorization program has two components: a background investigation (Section 6.2) and a psychological evaluation (Section 6.3).

An applicant may withdraw consent to a background investigation or a psychological evaluation at any time. When withdrawal of consent is made, all processing of work in connection with either the background investigation or the psychological evaluation must cease as soon as practical. Withdrawal of consent shall be deemed withdrawal of the application for unescorted access.

Information collected under these guidelines may be released (Section 14.0) or transferred (Section 8.1) upon the written authorization of the individual only on a need-to-know basis. A need-to-know basis means that

a recipient's access to information is necessary in the performance of official, contractual, or licensee duties in determining unescorted access authorization.

## 6.2 Background Investigation Elements

Except as provided in 10 CFR 73.57, the background investigation covers the time period specified in each sub-element below or since the eighteenth birthday, whichever is shorter. Licensees need not fingerprint individuals employed at a facility who possess "Q" or "L" clearances or possess another active government granted security clearances, i.e. Top Secret, Secret, or Confidential. This information must be received through the mail from the sponsoring facility and not hand carried by the individual. Each utility shall make a best effort to obtain required information and to document such attempts to address the applicant's employment history, education history, credit history, criminal history, military service, and the applicant's character and reputation must be addressed in the following manner.

### 6.2.1 Employment History

Except as noted below, employment history must be obtained for the past five years through contacts with previous employers by obtaining the following information:

- a. Verification of claimed periods of employment of 30 days or more.
- b. Disciplinary history.
- c. Reasons for termination and eligibility for rehire.
- d. Any other information that would adversely reflect upon the reliability and trustworthiness of the individual as it relates to the individual being permitted unescorted access.
- e. Activities during interruptions of employment in excess of 30 days must be verified.



A best effort attempt to verify a five-year employment history record is required; however, a minimum three year inclusive employment history immediately preceding application for unescorted access is mandatory. Best efforts include activities such as documented attempts to contact previous employers, obtaining verification by telephone, letter or other means, etc. If the employment history check could not be accomplished for the entire five-year period, an explanatory statement delineating the reasons must be included.

Because of the multitude of employments many employees experience during a five-year period, such as craft and trade workers, verification of all such employments may not be possible. Consequently, utilities may consider these applicants for unescorted access based upon an inclusive three-year retrospective employment check if the entire five-year period cannot be covered. Under no circumstances may unescorted access be granted based on an employment check of less than three years, and attempts should be made to include the entire five-year period.

#### 6.2.2 Education History

Verify any claimed enrollment at an educational institution during the previous five years. In addition, verify the highest claimed post high school attendance leading to a degree regardless of time.

#### 6.2.3 Criminal History

As required by Federal Law (Pub. L. 99-399, "Omnibus Diplomatic Security and Anti-Terrorism Act of 1986"), the utility shall perform a criminal history record check through the Federal Bureau of Investigation in accordance with NRC regulations. This check shall include the entire criminal history record of the individual as an adult.

#### 6.2.4 Military Service

If within the last five years, a military period of service (claimed or developed) must be verified by receipt of a Form DD214 or other National



Personnel Records Center (NPRC) records. This information must be obtained from the National Personnel Records Center through acquisition and submittal of an applicant's authorization for release of military history information. The utility may grant unescorted access for 180 days or less to individuals prior to receipt of a DD214 or other military records if all other applicable elements of the guidelines are met and a record is maintained which documents that the request for military history was submitted within 10 working days of granting unescorted access.

The temporary authorization period may be extended in the circumstance that NPRC has not forwarded the records to the utility, provided that reasonable, documented attempts are made at least every six months to obtain this information until a response from NPRC is received.

If it becomes known that an individual's discharge is other than honorable based solely on receipt of a Form DD214, or a Form DD214 is not available from the NPRC, further investigation must be made.

#### 6.2.5 Character and Reputation

The applicant's reputation for emotional stability, reliability and trustworthiness must be examined through contact with two references supplied by the applicant and at least two additional references (not related to the applicant) developed during the investigation. (It is not necessary that reference's [individually or collectively] associated with or knowledge of the applicant for unescorted access cover the entire five-year retrospective period.) Emphasis must be placed on:

- a. Identified psychological problems.
- b. Criminal history.
- c. Illegal use or possession of a controlled substance.
- d. Abuse of alcohol.

- e. Susceptibility to coercion.
- f. Any other conduct relating to an applicant's trustworthiness or reliability to discharge job duties within the environment of a nuclear power plant.

#### 6.2.6 Verification of Identity

Identity must be verified through means such as photograph, social security number, date of birth, or comparison of applicant's physical characteristics with employment, education, military and other records, and/or employer and character references who have a personal acquaintance with the applicant.

#### 6.2.7 Credit Check

Since financial credibility is another measure of an individual's reliability and trustworthiness, a check of the applicant's credit history must be accomplished. This is normally pursued through local credit bureaus. If this check does not reveal the requested information, the additional step of contacting the personal credit references listed by the applicant or those developed through other contacts is to be conducted.

#### 6.3 Psychological Evaluation

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.

#### 6.4 Temporary Unescorted Access Authorization

A utility may grant temporary unescorted access authorization on an interim basis not exceeding a period of 180 continuous days pending completion of the checks required by the unescorted access authorization program. This temporary unescorted access authorization cannot be transferred from one licensee to another in accordance with Section 8.1 with the exception of the FBI criminal history check which may be transferred. This 180-day temporary unescorted access authorization may be granted based upon satisfactory completion of the following conditions:

- a. Identity verification through one photo identification (e.g. driver's license, military ID, passport or similar document).
- b. Passing a psychological evaluation within the past year.
- c. Conduct of a credit check.
- d. Recommendation of one developed character reference who has had frequent and direct association with the applicant.
- e. Evidence that a request for a criminal history check of the individual by the FBI has been submitted to the NRC.
- f. Conduct of an employment check for the past year.

#### 7.0 EVALUATION CRITERIA FOR UNESCORTED ACCESS AUTHORIZATION

##### 7.1 Criteria

In its decision to grant an individual authorization for unescorted access, the utility shall consider information obtained during the background investigation and psychological evaluation. This information must be reviewed using the guidelines specified in this section. Each utility shall define



the appropriate level of management to evaluate matters covered by these criteria. In making a determination of trustworthiness or reliability, the following must be considered:

- a. Willful omission or falsification of material information submitted in support of employment or request for unescorted access authorization.
- b. Illegal use or possession of a controlled substance or abuse of alcohol without adequate evidence of rehabilitation.
- c. A criminal history without adequate evidence of rehabilitation which establishes untrustworthiness or unreliability.
- d. History of mental illness or emotional instability that may cause a significant defect in the individual's judgment or reliability.
- e. Any evidence of coercion, influence, or pressure that may be applied by outside sources to compel an individual to commit any act of sabotage or other act which would adversely reflect upon the individual's trustworthiness or reliability.
- f. Evidence that the individual has committed or attempted to commit, or aided or abetted another who committed or attempted to commit, any act of sabotage or other act that would pose a threat or reflect adversely upon that individual's trustworthiness or reliability.
- g. A psychological evaluation which indicates that the individual is a risk in terms of trustworthiness or reliability.
- h. Any other information that would adversely reflect upon the reliability and trustworthiness of the individual as relates to the individual being permitted unescorted access.



## 7.2 Review Process

Each permanent employee <sup>1</sup> of a utility whose employment is or will be terminated as a direct result of a denial or revocation of unescorted access authorization will: (1) be informed of the basis for denial or revocation of authorization for unescorted access; (2) have the opportunity to provide any additional information; and (3) have the decision, together with any additional information, reviewed by another designated manager of the utility who is equivalent or senior to and independent of the individual who made the initial decision to deny or revoke unescorted access authorization. The determination from this review is final. An alternative review process which is independent and impartial is acceptable. Where applicable, grievance review procedures contained in collective bargaining agreements covering the bargaining unit of which the permanent employee is a member will meet this requirement and may be used for this purpose. If an alternative review process is used, the utility will include a description of the review process to be used in the procedures that meet this guideline.

## 8.0 TRANSFER AND REINSTATEMENT OF UNESCORTED ACCESS AUTHORIZATION

Transfer or reinstatement of unescorted access authorization requires verification of the individual's identity by the utility.

### 8.1 Transfer

An individual's unescorted access authorization granted by one utility in accordance with these guidelines may be transferred to another utility via correspondence, computer data transfer, or telecopy if the gaining utility; (1) verifies or receives confirmation that the individual currently holds a valid unescorted access authorization or had a valid unescorted access authorization

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<sup>1</sup> The term permanent employee refers to a person who is employed by a utility for an undefined term. It does not include employees who are temporarily hired for a specific project or other temporary work or who are hired under an employment contract with a defined term.

which was terminated under favorable conditions within the previous 365 days; and (2) cross-checks information such as name, date of birth, social security number, sex, and other applicable physical characteristics for identification. In order to minimize problems associated with program variances for a transfer of a valid unescorted access authorization from one utility to another, all requirements are fulfilled as long as the minimum requirements of the Fitness-for-Duty Rule and the Access Authorization Rule are met.

## 8.2 Reinstatement

The utility may reinstate the unescorted access granted an individual if the individual returns to the same utility and unescorted access has not been interrupted for a continuous period of more than 365 days and if the previous unescorted access was terminated under favorable conditions.

## 8.3 Update Requirements

A utility shall not authorize unescorted access where the individual's unescorted access has been interrupted for more than 365 calendar days unless the psychological evaluation and the background investigation is updated to cover the individual's activities from the date of the previous background investigation, not to exceed retrospective periods in Section 6.2 or to the period when unescorted access was last held, whichever is less. A temporary unescorted access authorization (Section 6.4) may be issued while the background investigation update is occurring.

## 9.0 CONTINUAL BEHAVIORAL OBSERVATION PROGRAM (CBOP)

Each individual granted unescorted access shall be subject to a CBOP. This CBOP applies to all personnel who are granted unescorted access. The following must be included in the overall program:

- a. A program with the objective of assuring the detection of alcohol and drug abuse and other behavior that may be a potential threat to interrupt the normal operation of a nuclear reactor.

- b. A continual behavioral observation program that provides for management/supervisory personnel responsibility for observing personnel for behavioral traits and patterns that may reflect adversely on their trustworthiness or reliability and reporting those observations to appropriate utility management.
- c. A training program which reasonably assures that management/supervisory personnel have the awareness and sensitivity to detect and report changes in behavior, to include suspected alcohol and drug abuse, which adversely reflects upon the individual's trustworthiness or reliability and to refer these persons to the utility's management for appropriate evaluation and action.

Individuals with unescorted access authorization must be notified of his/her responsibility to report any arrest that may impact upon his/her trustworthiness.

#### 10.0 SCREENING DURING COLD SHUTDOWN

##### 10.1 Devitalization of Vital Areas

During refueling or maintenance outages in which all or a part of a nuclear power plant is in a cold shutdown, refueling, or devitalized status, the utility may grant unescorted access to the protected and devitalized areas for personnel who have not been granted unescorted access authorization in accordance with Section 6.0 providing that:

- a. Other requirements of the approved security plan remain in force, and the requirements of 10 CFR 73.55 and 10 CFR 73.57, as applicable, are followed for unscreened personnel granted unescorted access.
- b. Prior to start-up, a thorough visual inspection of the subject areas is made by knowledgeable plant personnel to identify signs of tampering or attempted sabotage.



- c. Appropriate procedures are followed to assure that plant systems necessary for start-up and safe operation in the subject areas are functioning normally.

#### 11.0 GRANDFATHERING

The utility may grant unescorted access authorization to individuals if they hold a valid unescorted access authorization on the date security plan amendments in response to these guidelines are approved or have been granted unescorted access authorization within the 365 days prior to the date of amended security plan approval.

#### 12.0 CONTRACTOR AND VENDOR REQUIREMENTS

The utility may accept the results of the entire unescorted access authorization program or any part thereof conducted by a contractor or vendor, provided that the contractor or vendor meets the requirements of these guidelines and that it makes its records available for auditing by the licensee or its designated representative in accordance with Sections 13.0 and 14.0. The utility retains the ultimate responsibility for assuring that individuals granted unescorted access to the facility meet the requirements of the unescorted access authorization program. Utility unescorted access authorization programs are not intended to modify, subjugate, or abrogate any review rights that currently exist for contractor and vendor employees with their respective employers.

#### 13.0 EVALUATIONS AND AUDITS

##### 13.1 Utility Programs

An independent evaluation of the unescorted access authorization program and its conformance to these guidelines must be made within 12 months of the effective date of implementation of the access authorization program. Thereafter, an independent evaluation must be conducted at least once every 24 months. The utility shall retain all reports of evaluation for a period of three years.



### 13.2 Contractor and Vendor Programs

The utility or its designated representative shall conduct annual audits of contractor and vendor access authorization programs to ensure compliance with these guidelines. Other utilities may accept the originating utility's audit and need not reaudit the same contractor or vendor for the same period of time providing the scope of the audit meets the minimum auditing criteria contained in Attachment A. A copy of the audit report to include findings recommendations, and corrective action must be provided to the sharing utility.

### 14.0 RECORDS

Utilities and contractors and vendors of utilities who conducted unescorted access authorization programs in accordance with these guidelines shall maintain actual data that establish:

- a. A background investigation and psychological evaluation were conducted for each person who is screened under Section 6.0 of these guidelines except documentation for a criminal history check which can only be maintained by a licensee.
- b. That other persons were granted unescorted access authorization in accordance with Section 11.0.
- c. Satisfaction with the conditions of Section 6.4 that resulted in the granting of a temporary unescorted access authorization.

The utility, contractor, or vendor shall retain records for each person who is granted unescorted access authorization for a five-year period following termination of access authorization.

Each utility or utility's contractor or vendor who collects personal information for the purpose of processing unescorted access authorizations shall establish and maintain a system of files and procedures for the protection of the personal information. This information must not be disclosed to persons other than the subject or his/her representative, utility counsel and officers, auditors whose purpose for review would be to inspect program conformance, other utilities if an individual's access authorization is transferred, and those individuals who have a need to have access to the information in performing assigned duties in the process of granting or denying unescorted access.

MINIMUM AUDIT CRITERIA

The following information must be reviewed during the conduct of an audit of a contractor/vendor screening program to meet the objective that the intent of these guidelines have been met.

A. BACKGROUND INVESTIGATION

The auditor shall review screening activities by examining records and conducting interviews with appropriate personnel to determine that screening activities were accomplished in a correct and accurate manner.

In conducting an audit of the background information to reasonably assure contractor conformance with these guidelines, the auditor shall randomly verify the following:

1. Employment History

Date the verification was made, complete dates of employment, position, disciplinary history, reason for termination, eligibility for rehire, and any other information which would adversely reflect upon the reliability and trustworthiness of the individual. The retrospective period for employment history must be reasonably attempted for five years; however, due to the nature of employment histories of some transient workers, a minimum period of three years is required.

2. Education

Copies of transcripts, diplomas, etc., documentation which verifies all claimed attendance within the previous five years. In addition, the highest post high school attendance leading to a degree must



be verified regardless of time. Records must include, as a minimum, dates of check, dates of attendance, highest level of attendance, and reason for leaving, i.e., graduation, transfer, expulsion, etc.

3. Military History

Date of receipt and copy of a Form DD214 or other military records from the National Personnel Records Center if military service was within the previous five years. If unescorted access was granted prior to receipt of NPRC records, evidence of submission of request for military history within ten working days of granting of unescorted access and any follow up requests (e.g. those made at least every six months) shall be documented in the access authorization program files.

4. Character References

Dates of contact, names of references, association with applicant, period of association and any information relative to identified psychological problems, criminal history, illegal use or possession of a controlled substance, abuse of alcohol, susceptibility to coercion and any other conduct relating to applicant's trustworthiness and reliability. Each file must contain two listed references and two developed references (not related to applicant) as a minimum.

5. Verification of Identity

How verification of identity was accomplished through such means as photograph, social security number, date of birth, and comparison of applicant's physical characteristics with records and/or references.

6. Credit History

Date of the credit check(s), name and location of credit bureau or other source, and results of initial check(s).



B. PSYCHOLOGICAL EVALUATION

To reasonably assure contractor conformance concerning psychological evaluation the auditor must be concerned with the date of the testing and that a psychologist/psychiatrist reviewed the evaluation. Contractor records must include a copy of the report signed by a qualified psychologist or psychiatrist and, if applicable, one who is licensed.

C. CONTINUAL BEHAVIORAL OBSERVATION PROGRAM (CBOP)

To reasonably assure contractor conformance concerning a CBOP, the auditor must review contractor's program to determine compliance with these guidelines, specifically to address that supervisors are provided appropriate training to recognize a degradation in work performance due to alcohol, and drug abuse, or other behavioral traits/patterns that may cause a threat to interrupt the normal operation of a nuclear reactor, and to report/refer persons displaying such behavior to the utility's management for appropriate evaluation and action.

D. TEMPORARY UNESCORTED ACCESS AUTHORIZATION

To reasonably assure contractor conformance concerning temporary unescorted access authorizations, the auditor must be concerned with completion dates for credit check, reference check, and psychological evaluation (within previous year from date unescorted access was granted). The auditor shall follow criteria set forth in Section A for credit history and character references and Section B for psychological evaluation.

E. UPDATE REQUIREMENTS

To reasonably assure contractor conformance concerning updating unescorted access authorizations when unescorted access authorizations have been interrupted for more than 365 days, the auditor must be concerned with the dates of psychological evaluation and background investigation, and the retrospective period of the background investigation must cover activities from the date of the

previous background investigation not to exceed the retrospective period of Section 6.2 or the period when unescorted access was last held, whichever is less. The criteria listed in Section A and B must be met in updating unescorted access authorization.

F. GRANDFATHERING

To reasonably assure contractor conformance concerning grandfathering, the auditor must be concerned with the date of the previous unescorted access authorization to determine that the individual held unescorted access authorization on the date security plan amendments in response to these guidelines were approved or was granted unescorted access authorization within the 365 days prior to the date of amended security plan approval. The auditor must be concerned that no individuals were grandfathered earlier than the 365 days prior to the date of amended security plan approval or subsequent to the date of amended security plan approval.