



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

September 16, 1994

Mr. Dwight C. Mims
Director, Licensing
Entergy Operations, Inc.
Route 3, Box 137G
Russellville, Arkansas 72801

Dear Mr. Mims:

In your letter of June 7, 1994, you requested clarification of the one-hour reporting and logging requirements found in 10 CFR 73.71 as they apply to site access screening documentation. You also expressed concern about reporting guidance provided by the U.S. Nuclear Regulatory Commission (NRC) in Generic Letter (GL) 91-03, "Reporting of Safeguards Events," and about the meaning of the term "unauthorized" with regard to access authorization event reporting.

Your letter raises several good points regarding ambiguity in guidance for reporting certain events associated with a licensee's access authorization program. A contributing factor to this ambiguity is that GL 91-03 and certain access authorization terms and their applications referred to in your letter pre-date the access authorization rule. For example, past guidance using the term "unauthorized person" was generally developed to clarify reportability regarding persons who were badged but had inadvertently gained access into areas where they were not authorized.

GL 91-03 was issued on March 6, 1991, to provide an immediate revision to NRC policy regarding prompt reporting of certain safeguards events. GL 91-03 provided examples of safeguards events that many licensees were reporting within one hour of discovery, which the NRC determined could instead be logged or not reported at all. The screening records example referred to in your letter was included in the generic letter to address reportability of licensee or contractor access program failures. The example was provided to eliminate the prompt reporting associated with certain incomplete records. It was not directed at an individual who falsified a prescreening security questionnaire.

Concerning access program failures involving incomplete or falsified screening records (i.e., information provided by the employee applicant), we agree with the assessment in your letter. If the developed screening information would not have caused a licensee to initially determine that an individual should not be granted access, the event could be considered a partial failure of an otherwise satisfactory access program and would only need to be logged.

However, if information developed by a licensee would have resulted in access denial, the event is considered significant because a person who should not have been granted unescorted access had been granted access to a protected or vital area. Whether the individual is described as "unauthorized", "improperly authorized," or "authorized inappropriately" is not really relevant to the determination of the significance of the event. As pointed out in the generic letter example, such events should be reported promptly

060010

9409280058 XA

3/7/95

LF03
1/0

Dwight C. Mims

- 3 -

after discovery. The staff considers this type of event significant (i.e., meeting the criteria of 10 CFR 73 Appendix G paragraph I) because immediate actions would be needed to withdraw the individual's access authorization and confirm that activities performed by the person while unescorted were not detrimental to the facility. Also, such events may be indicative of a broad access authorization program failure. Another factor to be considered is that other licensees may need to be notified in cases where the individual's access was transferred to other nuclear reactor facilities.

The staff is aware that the magnitude and complexity of licensee access authorization programs now required by 10 CFR 73.56 could result in various types of program failures that could result in a person being inappropriately badged. Further program diversity regarding unescorted access, including site security measures such as the explosives and metal searches, fitness-for-duty and behavioral observation programs, etc., may serve to mitigate the significance of certain access authorization program failures that result in an individual being inappropriately badged. With this in mind, the staff is considering further clarifications to prompt reporting requirements that may provide more flexibility in reporting these types of events.

If you have any additional questions, the staff contact is N. Ervin and she can be reached at (301) 504-2946.

Sincerely,

Original signed by

Phillip F. McKee, Chief
Safeguards Branch
Division of Radiation Safety
and Safeguards
Office of Nuclear Reactor Regulation

cc: See next page

Distribution:

Central Files

PDR

PSGB r/f ✓

J. Calvo

L. Cunningham

P. McKee

L. Bush

N. Ervin

B. Murray, RIV

OFFICE	PSGB:NRR	PSGB:NRR	OGC	PM-DIV-I:NRR	BC:PSGB:NRR
NAME	NErvin	LBush	RECTOR	GKalmah	PMcKee
DATE	9/7/94	9/7/94	9/9/94	9/9/94	9/7/94

OFFICIAL RECORD COPY

g:\Berney\Entergy.RES

Mr. Jerry W. Yelverton
Entergy Operations, Inc.

Arkansas Nuclear One, Units 1 & 2

cc:

Mr. Harry W. Keiser, Executive Vice
President & Chief Operating Officer
Entergy Operations, Inc.
P. O. Box 31995
Jackson, Mississippi 39286

Mr. Jerrold G. Dewease
Vice President, Operations Support
Entergy Operations, Inc.
P. O. Box 31995
Jackson, Mississippi 39286

Mr. Charles B. Brinkman, Manager
Washington Nuclear Operations
ABB Combustion Engineering
Nuclear Power
12300 Twinbrook Parkway, Suite 330
Rockville, Maryland 20852

Mr. Robert B. McGehee
Wise, Carter, Child & Caraway
P. O. Box 651
Jackson, Mississippi 39286

Mr. Nicholas S. Reynolds
Winston & Strawn
1400 L Street, N.W.
Washington, D.C. 20005-3502

Admiral Kinnaird R. McKee, USN (Ret)
214 South Morris Street
Oxford, Maryland 21654

Mr. Robert B. Borsum
Licensing Representative
B&W Nuclear Technologies
1700 Rockville Pike, Suite 525
Rockville, Maryland 20852

Senior Resident Inspector
U.S. Nuclear Regulatory Commission
P. O. Box 310
London, Arkansas 72847

Regional Administrator, Region IV
U.S. Nuclear Regulatory Commission
611 Ryan Plaza Drive, Suite 1000
Arlington, Texas 76011

Honorable C. Doug Lunningham
County Judge of Pope County
Pope County Courthouse
Russellville, Arkansas 72801

Ms. Greta Dicus, Director
Division of Radiation Control
and Emergency Management
Arkansas Department of Health
4815 West Markham Street
Little Rock, Arkansas 72205-3867