

ENCLOSURE

U.S. NUCLEAR REGULATORY COMMISSION  
REGION IV

Inspection Report: 50-482/96-01

License: NPF-42

Licensee: Wolf Creek Nuclear Operating Corporation  
P.O. Box 411  
Burlington, Kansas

Facility Name: Wolf Creek Generating Station

Inspection At: Coffey County, Burlington, Kansas

Inspection Conducted: January 29 through February 2, 1996

Inspectors: D. W. Schaefer, Security Specialist  
Plant Support Branch

A. B. Earnest, Security Specialist  
Plant Support Branch

Approved:

Blaine Murray  
Blaine Murray, Chief, Plant Support Branch  
Division of Reactor Safety

2/2/96  
Date

Inspection Summary

Areas Inspected: A special, announced inspection of the licensee's access authorization program. The inspectors used NRC Temporary Instruction 2515/127, "Access Authorization," dated January 17, 1995.

Results:

Plant Support

- The Human Resource staff operating the access authorization program were professional and performed their duties in an excellent manner. There was excellent management support for the access authorization program (Section 1.1).
- All background investigation screening files reviewed were complete and thorough (Section 1.2).
- An excellent psychological evaluation program had been implemented. The psychologist had developed standards for use in reviewing test results and ensured these results were submitted in a timely manner (Section 1.3).

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- An inspection followup item was identified involving weak behavioral observation retraining for supervisors and managers. A recent licensee surveillance determined that the annual retraining of supervisors and managers in the continual behavior observation program was weak. The inspectors determined that supervisors and managers were not provided in-depth knowledge of the continual behavior observation program (Section 1.4).
- The licensee had implemented an excellent program to "grandfather," reinstate, and transfer access authorization. The licensee ensured that temporary unescorted access did not exceed 180 days, and that a full background investigation was normally completed within 180 days (Section 1.5).
- An excellent program for denying or revoking unescorted access authorization was in place. The licensee had an appeal process, and personnel denied access were advised of their right to appeal that denial (Section 1.6).
- An excellent program was in place to protect personal information from unauthorized disclosure. Procedures ensured that information was only released to those staff members with a need for access (Section 1.7).
- An inspection followup item was identified involving the licensee's audit of the "review process" for individuals whose unescorted access authorization was denied or revoked. The audits and surveillances of the access authorization program were excellent and completed in a timely manner (Section 1.8).
- An excellent records retention system and supporting procedures were in place to insure that the specified records were retained for the correct period of time (Section 1.9).

Summary of Inspection Findings:

- An Inspection Follow-Up Item 482/9601-01 was opened (Section 1.4).
- An Inspection Follow-Up Item 462/9601-02 was opened (Section 1.8).

Attachment:

- Attachment - Persons Contacted and Exit.

## DETAILS

### 1. ACCESS AUTHORIZATION (TEMPORARY INSTRUCTION 2515/127)

On April 25, 1991, the Commission published the Personnel Access Authorization Requirements for Nuclear Power Plants, 10 CFR 73.56, which required that each licensee authorized, on that date, to operate a nuclear reactor implement an access authorization program by April 27, 1992, to comply with the requirements of the rule, and that such program be incorporated into the licensee's physical security plan. The rule further required that licensees maintain that access authorization program to provide high assurance that individuals granted unescorted access were trustworthy and reliable and did not constitute an unreasonable risk to the health and safety of the public, including a potential to commit radiological sabotage.

This inspection assessed the implementation of licensee's access authorization program.

#### 1.1 Access Authorization Program Administration and Organization

Responsibility for overall management of the access authorization program was assigned to the Human Resource Department. The Manager, Human Resources, or designee, was responsible for authorizing temporary access authorization, and for authorizing reinstatements and transfers of access authorization at Wolf Creek. The Vice President Plant Operations and the Manager Human Resources or their designee are responsible for granting initial full unescorted access authorizations at Wolf Creek.

The inspectors interviewed program administrators and determined that they were professional and performed their duties in an excellent and a responsible manner. The inspectors reviewed the licensee's access authorization program policy and procedure. The inspectors noted that the procedure was concise and contained specific guidance necessary to implement the program.

The inspectors determined through interviews with plant staff and management that there was excellent management oversight and support for the program.

#### 1.2 Background Investigations

The inspectors reviewed records and conducted interviews to determine the adequacy of the program. The inspectors also reviewed information concerning the licensee's verification of identity, employment history, educational history, credit history, criminal history, military service, and the character and reputation of the applicants, before granting individuals unescorted access to protected and vital areas.

The inspectors reviewed approximately 50 background investigation files. The files reviewed included the following: 5 files for the grandfather rule, 10 files for a transfer from another utility, 10 files for reinstatement, 10 files for full 5-year background investigations, and 25 files for 180-day

temporary access authorizations. Five of the above files resulted in denial of access. The files were complete and thorough except for the issues discussed below.

### 1.2.1 Improper "Good-Guy" Letter Inadvertently Prepared by Fluor Daniel

The inspectors reviewed a background investigation screening file and determined that Fluor Daniel had inadvertently used an incorrect "good guy" letter.

The inspectors determined that a Fluor Daniel contract employee had previously tested positive for alcohol at Comanche Peak in 1992 and had been properly denied unescorted access authorization. Subsequently, the individual provided evidence of rehabilitation.

In 1994 and 1995, Fluor Daniel's letter requesting unescorted access at Wolf Creek stated that this individual "has (had) not tested positive for drugs or alcohol...or been subject to a plan for treating substance abuse, or removed from activities within the scope of 10 CFR Part 26, or been denied unescorted access in accordance with a Fitness-For-Duty Policy."

The inspectors determined that each time this individual had been granted unescorted access at Wolf Creek, he had freely disclosed (to Fluor Daniel and to the licensee) the Comanche Peak issue and provided evidence of alcohol abuse rehabilitation. Following the 1994 and 1995 adjudications at Wolf Creek, the inspectors determined that the licensee had properly granted unescorted access authorization to the Fluor Daniel contract employee.

Following the inspectors' identification of this matter, the licensee contacted Fluor Daniel and determined that Fluor Daniel had inadvertently used an incorrect standard "good guy" letter. In both instances, Fluor Daniel had intended to use a separate letter which indicated that this individual had properly self disclosed this information, and had also provided adequate evidence of rehabilitation.

Fluor Daniel committed to the licensee to change their standard "good guy" letter and to also modify their Fluor Daniel internal procedure. The inspectors were satisfied with the corrective actions by Fluor Daniel and by the licensee.

### 1.3 Psychological Assessments

The inspectors reviewed the licensee's program for administering psychological tests and the methodology of evaluating the results. Regulatory Guide 5.66 states, in part, that the tests must be evaluated by qualified and, if applicable, licensed psychologists or psychiatrists.

The licensee had developed an excellent procedure for the psychological evaluation portion of the program. The psychological tests were given at the site, and they were always proctored by licensee's staff to prevent

compromise. Persons taking the tests were positively identified. The licensee was aware of NRC Information Notices addressing access authorization concerns in the area of psychological testing.

The licensee had contracted with a psychologist in Steward, Florida to evaluate the tests of the employees seeking access. The contract psychologist had developed additional standards for use in reviewing test results.

#### 1.4 Behavioral Observation

The licensee's behavioral observation program was inspected to determine if the licensee had a training and retraining program in place to train supervisors and managers. The supervisors and managers were required to be trained regarding awareness and sensitivity to detect and report changes in behavior that could adversely affect trustworthiness and reliability and to refer those persons to appropriate licensee management for evaluation and action.

The inspectors reviewed the licensee's draft January 10, 1996, surveillance report which determined, in part, that the plant's annual retraining of the continual behavior observation program was weak, and that the licensee had provided insufficient time to this training.

During the exit meeting on February 2, 1996, the inspectors stated that based upon interviews and a review of training material, the licensee's "marginal" rating of the retraining was accurate. The inspectors also stated that apparently the licensee had provided general retraining in this area to all plant employees, rather than providing supervisors and managers in-depth knowledge of the continual behavior observation program. The licensee's annual retraining of supervisors and managers in the continual behavior observation program will be reviewed during subsequent security inspections (IFI 482/9601-01).

The inspectors also determined from interviewing personnel that the licensee had notified individuals of their responsibility to report all arrests that could affect their trustworthiness.

#### 1.5 Grandfathering, Reinstatement, Transfer, and Temporary Access Authorization

Records were reviewed to determine if the licensee was correctly grandfathering, reinstating, transferring, and granting temporary access authorizations.

The licensee's grandfathering and reinstatement programs were excellent. The inspectors reviewed several examples of access authorization transfers. The licensee had implemented a form that was used to record the required information.

The inspectors reviewed the temporary access authorization files on several employees. The licensee had a system in place to prevent temporary unescorted access in excess of 180 days. The licensee also ensured that a full background investigation was normally completed within 180 days. All other elements of the access authorization program were met.

#### 1.6 Denial or Revocation of Unescorted Access

The Manager of Human Resources or his designee evaluated an individual's composite screening results before terminating or denying unescorted access authorization.

The licensee's program for denying or revoking unescorted access authorization was excellent. The inspectors reviewed background investigation files in which fingerprint submittals were returned with a criminal record. The inspectors reviewed the rationale used by the licensee in its decision in each instance for denial. The criteria used by the licensee was consistent and fair. The persons denied access were notified of the denial of access and of their right to review and reply to anything in the records used as a reason for the access denial. These persons were also provided with information on the appeal process that was available to them.

#### 1.7 Protection of Personal Information

The licensee's efforts to protect personal information was excellent. The inspectors interviewed the licensee's staff and management to ascertain that personal information was protected from disclosure to anyone without a need to know and authority to have access to that information. The background information files were kept in locked containers in a secure area with access limited to only those staff members with a need for access. Procedures were in place to insure that information was only released to those staff members with a need for access.

#### 1.8 Audits

The inspectors reviewed the audit program to determine if audits of sufficient depth were conducted. The licensee's records included copies of several audits of contractor programs. Some of the audits were performed by other licensees and, according to the regulations, were accepted by the licensee to satisfy their own audit requirements. In addition, the licensee provided copies of contractor program audits. The licensee retained responsibility for the effectiveness of the contractors' programs and for the implementation of appropriate corrective actions by the contractors.

The inspectors determined that the licensee had conducted a review of the audits completed by other licensees. The inspectors also reviewed the audits of the licensee's access authorization program and self-screening contractor assessments conducted by licensee supplier quality. The audits of the access authorization program were excellent and completed in a timely manner. Audits completed during the past 24 months, were completed by utilizing experienced

licensee resources. The 12-month audit of self-screening contractors was completed by licensee resources in conjunction with outside resources.

Every 24 months the licensee is required to conduct an independent evaluation of their established unescorted access authorization program and its conformance to the guidelines prescribed in Regulatory Guide 5.66.

Section 7.2 of NUMARC 89-01 (appendix to RG 5.66) requires that each permanent employee 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.

During this inspection, the inspectors determined through a review of audit reports and interviews with quality assurance staff members that the licensee audits of the access authorization program reviewed only the **process** for reviewing information related to denial and revocation. Thus, the licensee's audits insured only that this process was governed by appropriate licensee procedures. The licensee's audits did not insure that the review of the denial records conformed to the above (3-part) program guidelines. The licensee's audit of the guidelines prescribed for review of the denial records will be reviewed during a subsequent security inspection (IFI 482/9601-02).

#### 1.9 Record Retention

The inspectors reviewed the licensee's records retention activities in order to ensure that records on access authorization were retained for the appropriate time.

The licensee maintained an excellent records retention system at the plant site. The inspectors determined that the licensee's procedure for records retention correctly identified the required records and their retention periods.

## ATTACHMENT

### 1 PERSONS CONTACTED

#### 1.1 Licensee Personnel

- \*N. Carns, President and CEO
- \*J. Birk, Specialist I, Human Resource
- \*S. Boyce, Supervisor, Access Screening/Equal Employment Opportunity
- \*G. Burchard, Manager, Human Resource
- \*R. Andrews, Engineering Specialist, Licensing
- \*T. Damashek, Supervisor, Regulatory Compliance
- \*D. Erbe, Supervisor, Security Operations
- M. Foster, Office Assistant I, Human Resource
- \*R. Johannes, Chief Administrative Officer
- \*J. Johnson, Superintendent Security
- \*R. Meister, Senior Engineering Specialist, Regulatory Compliance
- \*T. Moreau, Supervising Instructor, General Employee Training
- \*T. Morrill, Manager, Plant Support
- P. O'Connor, Specialist I, Human Resource
- \*D. Parks, Supervisor, Corporate Training
- \*J. Pearson, Specialist III, Human Resource
- B. Sanders, Specialist I, Human Resource

#### 1.2 NRC Personnel

F. Ringwald, Senior Resident Inspector

\*Denotes those that attended the exit meeting.

In addition to the personnel listed above, the inspectors contacted other personnel during this inspection period. Those employees included members of the licensee's technical and management staff.

### 2 EXIT INTERVIEW

An exit meeting was conducted on February 2, 1996. During this meeting, the inspectors reviewed the scope and findings of the report. The licensee discussed and furnished proprietary information to the inspectors during the course of this inspection.