

U.S. NUCLEAR REGULATORY COMMISSION  
REGION I

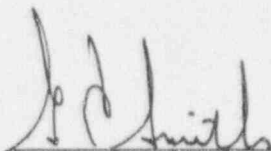
DOCKET/REPORT NOS.: 50-352/96-02  
50-353/96-02

LICENSEE: PECO Energy  
Philadelphia, Pennsylvania

FACILITIES: Limerick Generation Station

INSPECTION DATES: February 12-15, 1996

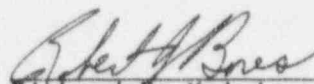
INSPECTOR:



G. C. Smith, Sr. Safeguards Inspector  
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3/12/96  
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APPROVED BY:



for Richard R. Keimig, Chief  
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3/13/96  
Date

**Areas Inspected:** Access Authorization Program Administration and Organization; Background Investigation Elements; Psychological Evaluations; Behavioral Observation; "Grandfathering", Reinstatement, Transfer and Temporary Access Authorization; Denial/Revocation of Unescorted Access; Audits; and Records Retention.

**Results:** The licensee's Access Authorization Program provides reasonable assurance that individuals who are authorized unescorted access to the station are trustworthy and reliable, and do not constitute an undue risk to the health and safety of the public, as a result of their unescorted access to the station. One violation was identified (failure to complete the background investigation updates prior to reinstatement of access authorizations). See Paragraph 3.

## DETAILS

### **1.0 BACKGROUND AND PURPOSE**

On April 25, 1991, the Commission published the "Personnel Access Authorization Requirements for Nuclear Power Plants", 10 CFR 73.56 (the rule), requiring power reactor licensees to implement an Access Authorization Program (AAP) by April 27, 1992, and to incorporate the AAP into the licensee's Physical Security Plan. The objective of the rule is to provide high assurance that individuals granted unescorted access are trustworthy and reliable, and do not constitute an unreasonable risk to the health and safety of the public, including a potential to commit radiological sabotage.

An April 27, 1992, letter from the licensee to the NRC forwarded Revision 3 to the Physical Security Plan, which stated, in part, that all elements of Regulatory Guide 5.66, "Access Authorization Program for Nuclear Power Plants", have been implemented to satisfy the requirements of 10 CFR Part 73. An NRC Region I letter of May 18, 1992, to the licensee stated that the changes submitted had been reviewed and were determined to be consistent with the provisions of 10 CFR 50.54(p) and were acceptable for inclusion in the Security Plan.

This inspection, conducted in accordance with NRC Inspection Manual, Temporary Instruction 2515/127, "Access Authorization", dated January 17, 1995, assessed the implementation of the licensee's AAP to determine if the program is commensurate with regulatory requirements and the licensee's Physical Security Plan (the Plan), and to identify AAP strengths and weaknesses in the areas inspected.

### **2.0 ACCESS AUTHORIZATION PROGRAM ADMINISTRATION AND ORGANIZATION**

The PECO Energy Company Access Authorization program requirements are contained in two documents. The Security Access Authorization Manual-SAAM-C, Revision 2, dated April 26, 1994, defines the overall requirements for the access authorization program (AAP). The Fitness-for-Duty and Behavioral Observation portions of the AAP are contained in PECO Energy Fitness-for-Duty Manual.

Responsibilities for the implementation of the program are shared by the Supervisor, Production Services, who is responsible for ensuring that the background investigation and suitable inquiry elements of the program are met; the Director, Occupational Health and Safety, who is responsible for ensuring the administration of the psychological evaluation and Fitness-for-Duty elements of the program, including drug and alcohol testing, are satisfied; the Director of Security, who is responsible for the conduct of interviews and related investigations when adverse information is developed during the screening process; and the Managers of Security and Emergency Planning, who are located at the two nuclear facilities (the Limerick and Peach Bottom sites) and who are responsible for the granting or denying of access to the facility based on the Security Access Authorization Program.

The responsible licensee departments enter appropriate data for the various program elements into the Plant Information Management System (PIMS) through security-protected terminals. The data base also contains other pertinent personnel information such as status of General Employee training; radiological protection qualification; Fitness-for-Duty training, etc.

Through interviews and inspection of documentation, the inspector determined that personnel responsible for the administration and implementation of the program elements (including the Supervisor - Personnel Processing, who is responsible to the Manager, Security and Emergency Planning for ensuring that all elements for unescorted access have been satisfied prior to an individual being granted unescorted access) were familiar with their duties and responsibilities.

### 3.0 BACKGROUND INVESTIGATION ELEMENTS

The inspector reviewed records and conducted interviews to determine the adequacy of the program to verify the true identity of an applicant and to develop information concerning employment history, educational history, credit history, criminal history, military service and character and reputation of the applicant prior to granting unescorted access to protected and vital areas. The inspector reviewed the results of 30 background investigations (BIs) representing a cross-section of licensee and contractor employees.

The licensee employs one contractor to conduct BIs. The scope and depth of these investigations are prescribed in PECO Energy Company Request for Quotation, Background Investigations. This document was reviewed and determined to be comprehensive and to prescribe the requisites to satisfy the licensee's program commitments. The reports of the investigations which were reviewed were found to be in compliance with the Request for Quotation and provided background information on which to base a determination for access authorization.

In addition to the contractor, four analysts in the licensee's Nuclear Group conduct BIs, producing reports in the same depth and scope as those of the contractor. (The 30 BIs reviewed included reports produced by those analysts.)

Those 30 BI reports also contained the information on which temporary access was granted or denied. The records of these abbreviated scope and depth investigations permitted by the rule contained information on which to base a determination regarding temporary access pending completion of the full BI and fulfilled the program requirements to which the licensee had committed. The inspector noted that any matter of questionable or suspect information was promptly reported to the licensee by the BI contractor with adequate detail to permit a reasonable determination regarding granting or denying of temporary access.

In accordance with 10 CFR 73.57, the licensee is responsible for initiating criminal history checks on individuals applying for unescorted access authorization, and for considering all information received from the U.S. Attorney General. Among the records reviewed by the inspector were the records of five individuals whose fingerprint records had been returned with derogatory information. The inspector determined that the information had been properly evaluated and appropriate action had been implemented as a result of the derogatory information. The action included revocation of access for some individuals on site and "holds" placed on the access authorizations of those individuals who had left the site prior to the receipt of the criminal history records by the licensee. The "holds" on the access authorizations remain until the derogatory information is satisfactorily dispositioned.

Overall, the inspector concluded that the records contained the required background investigation information on which appropriate decision regarding granting access authorization could be based with the following exception.

- The inspector's review of records for individuals whose previous unescorted access had been interrupted for more than 365 calendar days disclosed that all appropriate components of Access Update were properly completed prior to reinstating the access authorization except the background investigation (BI).

The records review disclosed that access was being reinstated based on the initiation of the BI update, not on the completion of the BI. This is contrary to Regulatory Guide 5.66 which the licensee committed to implement in the NRC-approved Security Plan (the Plan). Regulatory Guide 5.66 states, in part, "A utility shall not authorize unescorted access where the individual's unescorted access has been interrupted for more than 365 calendar days unless... the background investigation is updated to cover the individual's activity from the date of the previous background investigation...." The failure to complete the BI update prior to reinstating the access authorization is a violation of the Plan (50-352/96-02-01 and 50-353/96-02-01).

The practice of granting Authorized Access (AA) for individuals, prior to the completion of the BIs, was apparently the result of the update requirements in the PECO Energy Access Authorization Manual not being clearly stated. As a result of the identification of this violation by the inspector, the licensee revised the access manual to clearly reflect the requirement that the BIs be completed prior to granting updated access authorizations as required by Regulatory Guide 5.66. The licensee also conducted a review of access authorized individuals and determined that approximately 100 individuals were on site had their access reinstated without completed updated BIs. The BIs for those people were expedited and all BIs for those personnel were completed within four working days of identification. The licensee further determined that no derogatory information was developed during the completion of the BIs which resulted in the need for access to be revoked. At the inspector's request, the licensee conducted a review and determined that the failure to complete the BI updates prior to



reinstating AAs had not resulted in derogatory information being developed that necessitated the reevaluation of any individual's AA in the past. On February 28, 1996, the inspector reviewed the approved revision of the access authorization manual and determined that it accurately and clearly reflected the access requirements contained in Regulatory Guide 5.66. The effective date for implementation of the revised AA manual was February 28, 1996, however, in practice, the licensee implemented the requirement that the BIs be completed prior to reinstating access when the problem was identified during inspection February 12 - 15, 1996. Once this problem was identified, the licensee took prompt and comprehensive actions to correct the deficient records and procedure. The licensee was in compliance with regulatory requirements within four days of identification of the problem when the BIs had been completed for all individuals on site with unescorted access, and the practice of granting access prior to completion of the BIs had been discontinued. The inspector determined that no further actions are necessary to correct this violation.

#### 4.0 PSYCHOLOGICAL EVALUATIONS

The licensee has contracted with one consultant to perform the requisite psychological evaluations. All individuals seeking unescorted access to the licensee's nuclear facilities are required to satisfactorily complete the Minnesota Multiphasic Personality Inventory (MMPI) administered by an employee of the psychological consultant at one of the licensee's nuclear facilities. The answer sheets for these evaluations are electronically scanned at the site and transmitted to the consultant's office where the results are reviewed by a licensed psychologist. The results of that review are transmitted back to the nuclear facility and, if a clinical interview is indicated, a local state-licensed psychologist conducts that interview and recommends either access or denial to the licensee.

The inspector reviewed the licensee's procedures governing the administration of the MMPI and interviewed the person who administered and proctored the tests. The procedures were clear and the proctor demonstrated a sound knowledge of her duties. The inspector concluded that this aspect of the program was being effectively administered and was a program strength.

#### 5.0 BEHAVIOR OBSERVATION

The licensee's Behavioral Observation Program (BOP) was inspected to determine whether the licensee had a training and retraining program to ensure that supervisors have and maintain awareness and sensitivity to detect behavior that could reflect adverse changes affecting trustworthiness and reliability, and to report such to appropriate licensee management for evaluation and action. The program had been instituted as part of, and is an element in common with, the licensee's FFD Program. The inspector reviewed the licensee's BOP training program and related lesson plans and concluded that they were adequate to support the program. Interviews conducted throughout the inspection with various individuals representative of a cross-section of licensee and contractor personnel, both supervisory and non-supervisory, indicated a satisfactory knowledge of program requirements and the awareness of the individual's responsibility to report arrests to the licensee. The inspector concluded that BOP training satisfied regulatory requirements.

## **6.0 "GRANDFATHERING" AND TRANSFER OF ACCESS AUTHORIZATION**

### **6.1 "Grandfathering"**

Included in the cross-section of records selected at random by the inspector for review were records of personnel who did not meet the criteria for "grandfathering", i.e., those who did not have uninterrupted, unescorted access authorization for at least 180 days on April 25, 1991, the date of publication of the NRC's Access Authorization Rule. The inspector noted that none of the records reviewed revealed anyone who had been granted unescorted access authorization without having satisfied the requisite elements of the program.

### **6.2 Transfer of Access Authorization**

The licensee has incorporated the provision for the transfer of access authorization into its program, for both receipts in and transfer out of the site program. The records selected at random for review by the inspector included several examples of both. No discrepancies were noted. The inspector concluded that the transfer of access authorization aspects of the program was properly implemented.

## **7.0 TEMPORARY ACCESS AUTHORIZATION**

Among the records selected at random for review by the inspector were those that included the results of abbreviated scope investigations, which are used as the basis for granting temporary unescorted access authorization, as permitted by the Rule. The records of these investigation results contained adequate information (character and reputation from one developed reference, past year's employment history, and a credit check) on which to base temporary access authorization. The inspector noted that, in these records of abbreviated scope investigation, there were no instances in which rescission of access authorization, was necessitated following receipt of the full five-year investigation (except in several cases following receipt of information furnished by the FBI pursuant to 10 CFR 73.57).

## **8.0 DENIAL/REVOCATION OF UNESCORTED ACCESS**

The inspector reviewed the licensee's provisions for the review of appeals of denial or termination of access authorization, and determined that an individual is informed of the basis for denial or revocation of access authorization; has the opportunity to provide additional information for consideration of access authorization and; if requested by the affected individual, and can have the decision, and any additional information, reviewed by the Access Appeals Officer in the Human Resources Department whose decision is final. The inspector concluded that this aspect of the program was being adequately implemented.

## 9.0 AUDITS AND RECORDS RETENTION

### 9.1 Audits

The inspector reviewed the most recent audits of the licensee's Access Authorization Program (QA Audit A 0656956, conducted November 1 - December 3, 1993, and Audit A0965047 conducted November 1 - 29, 1995). The audits resulted in two minor findings that were addressed in a timely manner. The audits were determined to be comprehensive and in-depth, and the audit findings were reported to the appropriate levels of management.

### 9.2 Records Retention

The inspector reviewed the licensee's record retention activities and determined that required records were being retained for the required time period. The inspector further determined that the storage facilities provided adequate security, and that access to those records was adequately controlled to protect personal information from unauthorized personnel. Records are stored in locked file cabinets, in a locked room, accessible only to authorized personnel. Overall, the inspector concluded, based on observations of ongoing operations, that record retention practices were adequate to provide the requisite security of sensitive personal information.

## 10.0 EXIT INTERVIEW

An exit interview was conducted on February 16, 1996, at the Limerick Generating Station with the below listed individuals. At that time, the purpose and scope of the inspection were reviewed, and the preliminary findings were presented. The licensee acknowledged the preliminary inspection findings.

The principal licensee employees contacted during the inspection follow.

- R. Bixler, Special Investigator
- K. Concannon, Supervisor, Personnel Processing Center
- M. Karney, Security Manager
- D. LeQuia, Director, Site Support
- R. Linauts, Security Analyst
- S. MacAinsh, Support Services Station Superintendent
- W. MacFarland, Vice President, Limerick Generating Station
- C. Mengers, Manager Limerick Quality Division
- G. Stewart, Experience Assessment Engineer
- P. Supplee, Supervisor Protection Services

- PA Department of Radiation Protection
- D. Ney, Engineer

In addition to the above persons, other licensee and contractor personnel were contacted/interviewed by the inspector during the period of the inspection.