

ENCLOSURE 2

U.S. NUCLEAR REGULATORY COMMISSION  
REGION IV

Inspection Report: 50-445/9607  
50-446/9607

Licenses: NPF-87  
NPF-89

Licensee: TU Electric  
Energy Plaza  
1601 Bryan Street, 12th Floor  
Dallas, Texas

Facility Name: Comanche Peak Steam Electric Station, Units 1 and 2

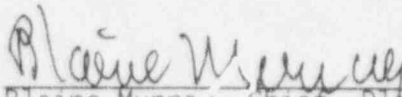
Inspection At: Glen Rose, Texas

Inspection Conducted: April 29 through May 3, 1996

Inspectors: Thomas W. Dexter, Senior Physical Security Specialist  
Plant Support Branch

A. Bruce Earnest, Physical Security Specialist  
Plant Support Branch

Approved:

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

5/21/96  
Date

Inspection Summary

Areas Inspected (Units 1 and 2): A special, announced inspection of the licensee's access authorization program was conducted. The inspectors used NRC Temporary Instruction 2515/127, "Access Authorization," dated January 17, 1995.

Results (Units 1 and 2):

Plant Support

- The access authorization was implemented in an excellent manner. There was excellent management support for the access authorization program (Section 1.1).

- All background investigation screening files reviewed were generally thorough. A violation for failure to determine if applicants had willfully omitted or falsified information was identified. A concern was also identified (Section 1.2).
- An excellent psychological evaluation program had been implemented. The psychologist had standards to use in reviewing test results and ensured these results were submitted in a timely manner (Section 1.3).
- Supervisors and managers were very knowledgeable of their duties and responsibilities within the access authorization program. They had very good knowledge of the continual behavior observation program (Section 1.4).
- An excellent program to reinstate and transfer access authorization was in place. 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. Access to personal information was limited to those staff members with a need for access (Section 1.7).
- The audits and surveillances of the access authorization program were very good. Audits were completed in a timely manner (Section 1.8).
- An excellent records retention system and procedures were in place to insure that the required records were retained for the correct period of time (Section 1.9).

Summary of Inspection Findings:

- A violation 445/9607-01; 446/9607-01 was opened and closed (Section 1.2).

Attachment:

- Attachment - Persons Contacted and Exit Meeting

## 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 an 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 the 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 director of corporate security. The manager of corporate security - nuclear, or designee was responsible for granting initial full unescorted access authorizations, authorizing temporary access authorizations, and for authorizing reinstatements and transfers of access authorizations at the Comanche Peak Steam Electric Station (Units 1 and 2).

The inspectors interviewed program administrators and determined that they performed their duties in an excellent manner. The inspectors reviewed the licensee's access authorization program policy and procedure. The inspectors noted that the procedure generally contained specific guidance necessary to implement the program. However, there were two program areas that were not presented in the procedure. These items are discussed in Section 1.2.

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 29 background investigation files. The reviewed files included the following: 4 files for reinstatement, 8 files for full 5-year background investigations, 6 files of personnel who were grandfathered into the program, 3 files for updates, and 8 files that resulted in denial of access. The files were generally thorough except for the issues discussed below.

The inspectors requested the records on the full 5-year background investigations described above. The licensee did not have the complete files on personnel who were screened by two licensee approved self-screening contractors available at the plant. At the request of the inspectors, the licensee requested the self-screeners provide copies of personal history questionnaires completed by individuals prior to employment. The self-screeners were able to respond with the information in a timely manner.

During a review of background investigation files containing information on personnel employed at the plant by self-screening contractors, the inspectors determined that the licensee access authorization staff was not using all of the evaluation criteria required to determine reliability and trustworthiness.

Paragraph 3.1 of the physical security plan states, in part, that the licensee "access authorization program complies with the following . . . 10 CFR 73.56 . . . and NRC Regulatory Guide 5.66."

Paragraph 7.1a of NRC Regulatory Guide states, "the utility shall consider information obtained during the background investigation . . . In making a determination of trustworthiness or reliability, the following must be considered . . . Willful omission or falsification of material information submitted in support of employment or request for unescorted access authorization."

A review of the files indicated that the licensee did not require the self-screening contractors to submit the personnel history questionnaires for review against the criminal history information available only in the licensee possession. Without the personnel history questionnaire, the licensee could not determine if the individual had willfully omitted or falsified the information submitted. After requesting the documents from the self-screeners, the licensee completed a 100 percent review and determined that no willful omission or falsification had occurred. In addition, the licensee changed the corporate security Access Authorization Procedure 301, to include the requirement that self-screening contractors provide the licensee with a copy of the personal history questionnaire. The self-screening contractors acknowledged the change and indicated that they would comply with the requirement. The inspectors verified the corrective actions were completed before the end of the inspection.

The failure of the licensee to develop this information could have resulted in a situation where an individual would be granted access when, if the licensee had all the information, access would not have been granted. After a thorough background investigation was completed, the licensee determined that unescorted access authorization would have been granted.

The failure to determine if individuals had willfully omitted or falsified information, is a violation of the physical security plan (VIO 445/9606-01; 446/9607-01). A reply to this violation is not required based upon the inspectors' verification of proper actions completed by the licensee.

The inspectors determined by a review of Corporate Security Access Authorization Procedure 301 and discussions with access authorization staff that the licensee's procedure did not have provisions for self-screening contractors to forward all derogatory information on an individual to the licensee for review. Consequently, the licensee was granting access to individuals based on a review of criminal history but not any other information that could, when coupled with the criminal history, adversely reflect upon the reliability and trustworthiness of the individual. The licensee changed the procedure and notified their self-screening contractors of the change. The contractors acknowledged the change and indicated they would comply with the licensee's requirements.

### 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 requires that the test results 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 were always proctored by the 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 to evaluate the test results of individuals seeking access. The contract psychologist used standards 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 for 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 plant lesson plan for initial and annual requalification training for supervisors, managers, and plant employees. The lesson plans were informative and communicated the necessary information on the behavioral observation program and each person's responsibilities under that program.



The inspectors interviewed seven supervisors and one manager and determined that all were very knowledgeable of their responsibilities for observing employee behavior and what to do if an employee reported being arrested.

The inspectors also determined from interviewing 10 personnel inside the protected area that the licensee had informed the 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 inspectors reviewed several examples of access authorization transfers and reinstatement completed by the licensee. The licensee's program was excellent.

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 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 denying or revoking 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 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. The manager of corporate security services reviews all appeals and renders a final decision.

#### 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 inspectors

determined by observation that completed background information files were kept in a locked and alarmed records depository in the same building occupied by the corporate security staff. The background information files were stored in locked fire proof cabinets.

### 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 the licensee's quality assurance department. The audits of the site access authorization program were excellent and completed in a timely manner. Audits completed during the past 24 months were completed by utilizing licensee's resources. The 12-month audit of self-screening contractors was completed by using licensee's resources in conjunction with outside resources.

During this inspection, the inspectors determined, through a review of audit reports and interviews with quality assurance staff members, that the audits of licensee approved self-screening contractors were thorough and effective.

### 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 the personal access records separate from other records 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

- \*D. Alps, Security Manager
- \*J. Ayres, Plant Support Overview
- \*W. Ballman, Personnel Processing Center
- \*M. Blevins, Plant Manager
- \*J. Britt, Corporate Security Manager, Nuclear
- \*J. Brown, Fitness-For-Duty Coordinator
- \*B. Hammer, Corporate Security
- \*D. Hardin, Corporate Representative
- \*T. Hope, Regulatory Compliance Manager
- \*B. Lancaster, Plant Support Manager
- \*P. Mills, Senior Nuclear Specialist
- \*C. Terry, Group Vice President, Nuclear Production

In addition to the personnel listed above, the inspectors contacted other personnel during this inspection.

\*Denotes those present at the exit meeting.

### 2 EXIT MEETING

An exit meeting was conducted on May 3, 1996. During this meeting, the inspectors reviewed the scope and findings of the inspection. The licensee did not express a position on the inspection findings documented in the report. The licensee did not identify as proprietary, any information provided to, or reviewed by the inspectors.