

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, D.C. 20555-0001

May 11, 2001

NRC INFORMATION NOTICE 2001-07: UNESCORTED ACCESS GRANTED ON THE
BASIS OF INCOMPLETE AND/OR INACCURATE
INFORMATION

Addressees

All holders of nuclear reactor operating licenses who are subject to Section 73.56 of Title 10, of the Code of Federal Regulations (10 CFR 73.56), "Personnel Access Authorization Requirements for Nuclear Power Plants."

Purpose

The U.S. Nuclear Regulatory Commission (NRC) is issuing this information notice to inform addressees of several recent cases where contractors failed to follow NRC requirements for conducting the background checks used by NRC licensees to authorize unescorted access. In some cases, licensees granted unescorted access to employees on the basis of nonconforming background checks by contractors. Recipients are expected to review the information in this notice for applicability to their facilities and consider actions, as appropriate. The suggestions in this information notice are not NRC requirements; therefore, no specific action or written response to this notice is required.

Background

Operators of nuclear power plants are required by 10 CFR 73.56 to establish and implement a program, as part of their physical security plan, for granting unescorted access to protected and vital areas of nuclear power plants. The program must include a background investigation to identify past actions which are indicative of a person's future reliability. NRC Regulatory Guide 5.66, "Access Authorization Program for Nuclear Power Plants," and Section 4.0 of NUMARC 89-01, "Industry Guidelines for Nuclear Power Plant Access Authorization Programs," provide additional guidance to licensees on granting unescorted access.

Description of Circumstances

On December 3, 1999, a licensee notified NRC Region II that an investigator employed by a background investigation contractor had apparently falsified numerous background investigation records submitted to six utilities. The investigator recorded that prior employment had been verified for applicants when, in fact, the employment had not been verified. In a second case, on December 6, 1999, a licensee notified NRC Region IV that an investigator employed by a second background investigation contractor had falsified "developed references" for background checks. NRC Region II was later notified of the same case by one of its licensees. This case involved over 200 records, five utilities, and six plants. In a third case, an NRC Region IV Safeguards Inspector found during an inspection that an investigator employed by a third background investigation contractor had falsified records submitted to the licensee. The contractor stated that prior employment had been verified by contacting the applicant's

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previous employer when, in fact, only personal references had been contacted. In a fourth case, a licensee informed NRC Region II on September 11, 2000, that access may have been granted inappropriately to five employees as a consequence of incomplete information in "developed references" provided by the contractor who performed the background investigations.

Discussion

Several licensees granted unescorted access to several individuals on the basis of nonconforming background investigations. When the problems were discovered, the licensees immediately withdrew the unescorted access authorizations pending reviews of the records. The reviews found no information that would have precluded granting unescorted access to these individuals.

Workers at other nuclear power plants may also have been granted unescorted access on the basis of incomplete or false information provided in background investigations by contractors. Licensees may have received the background information directly from their background investigation contractors or indirectly from other licensees. Regardless of the source, licensees have final responsibility for the completeness and accuracy of information used in granting, denying, or revoking unescorted access to their sites for their employees or for employees of contractors, vendors, or other organizations. Incomplete and inaccurate personnel qualification data can constitute noncompliance with 10 CFR 50.9, "Completeness and accuracy of information."

Since 1996, many licensees have elected to use the Personnel Access Data System (PADS) to assist in deciding whether to grant unescorted access to an individual. Licensees may need to check their plant records to determine whether proper background investigations were completed whether PADS was or was not used.

This notice requires no specific action or written response. If you have any questions about the information in this notice, please contact one of the technical contacts listed below.

/RA/

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Office of Nuclear Reactor Regulation

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* See previous concurrences

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LIST OF RECENTLY ISSUED
NRC INFORMATION NOTICES

Information Notice No.	Subject	Date of Issuance	Issued to
2001-06	Centrifugal Charging Pump Thrust Bearing Damage not Detected Due to Inadequate Assessment of Oil Analysis Results and Selection of Pump Surveillance Points	05/11/01	All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor
2001-05	Through-Wall Circumferential Cracking of Reactor Pressure Vessel Head Control Rod Drive Mechanism Penetration Nozzles at Oconee Nuclear Station, Unit 3	04/30/01	All holders of operating licenses for pressurized water nuclear power reactors except those who have ceased operations and have certified that fuel has been permanently removed from the reactor vessel
2001-04	Neglected Fire Extinguisher Maintenance Causes Fatality	04/11/01	All holders of licenses for nuclear power, research, and test reactors and fuel cycle facilities
2001-03	Incident Reporting Requirements for Radiography Licensees	04/06/01	All industrial radiography licensees
2001-02	Summary of Fitness-for-Duty Program Performance Reports for Calendar Years 1998 and 1999	03/28/01	All holders of operating licenses for nuclear power reactors, and licensees authorized to possess or use formula quantities of strategic special nuclear material (SSNM) or to transport formula quantities of SSNM
2001-01	The Importance of Accurate Inventory Controls to Prevent the Unauthorized Possession of Radioactive Material	03/26/01	All material licensees