

Marjorie Aarnodt

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PROJECT NUMBER
PROD & UTIL FAC

50-289

To-Edward L. Jordan, Director
Division of Emergency Preparedness
and Emergency Response
Office of Inspection and Enforcement
U. S. Nuclear Regulatory Commission
Washington, D. C. 20555



Dear Mr. Jordan:

SUBJECT: Information Notice No. 83-15 (attached):
FALSIFIED PRE-EMPLOYMENT SCREENING RECORDS, March 23, 1983

We find that the NRC Staff's response to the discovery of a contractor's falsification of pre-employment screening records for security guards at operating nuclear power plants is not adequate to protect the health and safety of the public. We would appreciate your immediate review of the matter. We desire additional information.

You note that NRC regulations do not require licensees to check pre-employment records of security guards. You do not indicate any plans to initiate such requirements although you state that "a potentially prevalent physical security weakness" has been created by a system of falsification of (guard) job applications by an "internationally recognized security contractor".

Your address of this "potentially prevalent security weakness" was to notify all licensees of the problem and recommend that the licensees spot check pre-employment records on a continuing basis. We do not find this decision by NRC adequate to protect public health and safety for the following reasons:

1. Licensees have not taken past recommendations for actions on this problem. You indicate your notice and recommendations to licensees on this same problem on October 13, 1978 and March 16, 1982. You note that guidance for dealing with this problem was provided to all licenses in ANSI 18.17 and 3.3. You also note that this guidance was not followed ("operating nuclear power plants have committed in varying degrees"). Considering the seriousness of the consequences of security breach, licensees should have been fully committed to solving the problem of falsification of records. We cannot anticipate increased commitment as a result of the latest NRC notification.
2. Certain steps which you recommend are so foolish they will not be followed; other steps do not provide assurance. You recommend "random personal observation" of a contractor's interviews of applicants. The very fact that there is an observer would preclude any hanky-panky. That these observations can be described as random, or would serve as a sample of those not observed, is totally absurd. In other recommendations, quality assurance techniques of random sampling are assumed

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to provide an investigation of sufficient depth. Actually, only blatant falsification would be likely to surface. There would be no assurance that isolated cases would be detected. Reliance on such methods is unacceptable since a single untrustworthy guard could breach the security of the plant.

3. You do not address the root problem: the integrity and/or management of the contractor. You make no recommendations concerning a licensee's use of a contractor who has provided false records nor do you indicate that you have taken any punitive actions against this contractor's criminal behavior. In fact, you have protected this contractor by concealing identification.

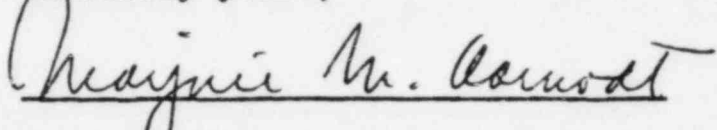
We, as a party to the Restart Proceeding (TMI-1) and as members of the public at risk, request the following information:

a. The names and addresses of any and all contractors involved in actual or alleged falsification of records of security guards as discussed in your notices of March 23, 1983, March 16, 1982 and October 13, 1978. Any other incidences not previously reported.

b. Identification of all licensees and their nuclear facilities affected by allegations or actual falsification of records concerning security guards.

c. A complete description of each circumstance of alleged or actual falsification of records concerning security guards in which a plant operated by GPU, GPUN or Philadelphia Electric was involved.

Sincerely yours,

A handwritten signature in cursive script, reading "Marjorie M. Aamodt", written over a horizontal line.

Marjorie M. Aamodt

cc: Service List

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF INSPECTION AND ENFORCEMENT
WASHINGTON, DC 20555

March 23, 1983

INFORMATION NOTICE NO. 83-15: FALSIFIED PRE-EMPLOYMENT SCREENING RECORDS

Addressees:

All nuclear power reactor facilities holding an operating license (OL) or construction permit (CP).

Purpose:

This information notice is provided to describe a potentially prevalent physical security weakness. Recipients should review the information for applicability to their facilities. No specific action or response is required at this time.

Description of Circumstances:

A former employee of an internationally recognized security contractor alleged to the NRC that pre-employment screening records of security guards provided to an NRC licensee had been falsified at one specific site. Falsification of these records was alleged to have occurred in the following categories: (1) interviews of some references, either developed or furnished, were not conducted; (2) positive identity of the applicant, which was supposed to have been verified by showing a photograph to the interviewee, was not done in some cases and, thus, positive identity was never verified; and (3) some interviews of references were reported to have been conducted in person, when, in fact, they were conducted by telephone.

There were no allegations that the contractor had falsified any unfavorable responses relative to an applicant's reliability. The NRC's regional investigation and inspections of the licensee's revalidation efforts have found no instances of unfavorable responses from the interviewed references.

It appears that, for a fee, individuals of a local office of the security contractor had falsified screening records relative to reference interviews and traveling costs after completing all other ingredients of the background investigation without identifying any adverse information. During a meeting in the NRC Regional Office, the security contractor advised the NRC that its own audit of the other local office providing the same service to another NRC licensee had found no such falsification of screening records.

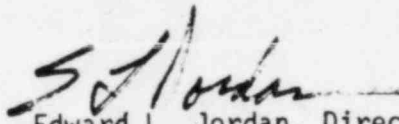
Discussion:

In the absence of 10 CFR Part 73 requirements for pre-employment screening, all licensees of operating nuclear power plants have committed in varying degrees to the criteria found in ANSI 18.17, as revised by ANSI 3.3. The NRC has previously issued IE Circular No. 78-17, dated October 13, 1978, titled, "Inadequate Guard Training/Qualification and Falsified Training Records," and IE Information Notice No. 82-07, dated March 16, 1982, titled, "Inadequate Security Screening Programs." Both of these IE notifications served to alert licensees to the possibility that contractors might submit falsified security records to meet their commitments to the NRC.

The licensee involved in the circumstances described above has taken the following action in regard to screening security personnel:

1. Audited pre-employment screening records, certifications, and supporting documentation to verify accuracy and completeness.
2. Conducted random revalidation of reference interviews to establish the applicant's positive identity and the absence of unfavorable information.
3. Conducted random personal observation of the local security contractor in the conduct of screening efforts.
4. Incorporated into the routine Quality Assurance audit of the Security Organization a check of the accuracy of the contractor's records, based on a random revalidation sample.

No written response to this information notice is required. If you desire additional information regarding this matter, contact the Regional Administrator of the appropriate NRC Regional Office, or the contact listed below.


Edward L. Jordan, Director
Division of Emergency Preparedness
and Emergency Response
Office of Inspection and Enforcement

Technical Contact: N. E. Ervin
301-492-7463

Attachment:
List of Recently Issued IE Information Notices