

For the Nuclear Regulatory Commission.  
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Regulation.*  
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## NUCLEAR REGULATORY COMMISSION

[Docket Nos. 50-321 and 50-366]

### In the Matter of Southern Nuclear Operating Company, Inc., et al. Edwin I. Hatch Nuclear Plant, Units 1 and 2; Exemption

#### I

Southern Nuclear Operating Company, Inc., et al. (the licensee) is the holder of Facility Operating License Nos. DPR-57 and NPF-5 for the Edwin I. Hatch Nuclear Plant, Units 1 and 2. The licenses provide, among other things, that the licensee is subject to all rules, regulations, and orders of the Commission in effect now and hereafter.

The facility consists of two 4-loop boiling water reactors located in Appling County, Georgia.

#### II

Title 10 of the *Code of Federal Regulations* (10 CFR), Section 73.55, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage," paragraph (a), in part, states that "The licensee shall establish and maintain an onsite physical protection system and security organization which will have as its objective to provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety."

Section 73.55(d), "Access Requirements," paragraph (1), specifies that "The licensee shall control all points of personnel and vehicle access into a protected area." Section 73.55(d)(5) requires that "A numbered picture badge identification system shall be used for all individuals who are authorized access to protected areas without escort." Section 73.55(d)(5) also states that an individual not employed by the licensee, e.g., contractor, but who requires frequent and extended access to protected and vital areas may be authorized access to such areas without escort provided the individual "receives a picture badge upon entrance into the protected area which must be returned upon exit from the protected area

\* \* \*

The licensee has proposed to implement an alternative unescorted

access control system that would eliminate the need to issue, store, and retrieve badges from a central location onsite and would allow all individuals with unescorted access to keep their badges when departing the site.

An exemption from 10 CFR 73.55(d)(5) is required to allow contractors who have unescorted access to take their badges offsite instead of returning them when exiting the site. By letter dated July 2, 1997, the licensee requested an exemption from the requirements of 10 CFR 73.55(d)(5) for this purpose.

#### III

Pursuant to 10 CFR 73.5, "Specific exemptions," the Commission may, upon application of any interested person or upon its own initiative, grant such exemptions in this part as it determines are authorized by law and will not endanger life or property or the common defense and security, and are otherwise in the public interest. Pursuant to 10 CFR 73.55, the Commission may authorize a licensee to provide alternative measures for protection against radiological sabotage provided the licensee demonstrates that the alternative measures have "the same high assurance objective" and meet "the general performance requirements" of the regulation, and "the overall level of system performance provides protection against radiological sabotage equivalent" to that which would be provided by the regulation.

Currently, unescorted access into the protected areas at the Hatch site is controlled through the use of a photograph on a badge/keycard (hereafter, referred to as "badge"). The security officers use the photograph on the badge to visually identify the individual requesting access. The licensee's employees and contractor personnel who have been granted unescorted access are issued badges upon entrance to the protected area and the badges are returned upon exit. In accordance with 10 CFR 73.55(d)(5), contractors are not allowed to take these badges offsite.

Under the proposed biometric system, individuals who are authorized unescorted entry into protected areas would have the physical characteristics of their hand (i.e., hand geometry) registered, along with their badge number, in the access control system. When registered users enter their badge into the card reader and place their hand onto the measuring surface, the system detects that the hand is properly positioned, and records the image. The unique characteristics of the hand image are then compared with the previously

stored template in the access control computer system corresponding to the badge to verify authorization for entry.

Individuals, including Hatch plant employees and contractors, would be allowed to keep their badges when they depart the site and, thus, eliminate the need to issue, retrieve, and store badges at the entrance stations to the plant. Badges do not carry any information other than a unique identification number. All other access processes, including search function capability, would remain the same. This system would not be used for persons requiring escorted access, e.g., visitors.

On the basis of the Sandia report, "A Performance Evaluation of Biometrics Identification Devices," SAND91-0276/UC-906, Unlimited Release, June 1991, that concluded hand geometry equipment possesses strong performance and high detection characteristics, and on its own experience with the current photo-identification system, the licensee determined that the proposed hand geometry system would provide the same high level of assurance as the current system that access is only granted to authorized individuals. The biometrics system has been in use for a number of years at several sensitive Department of Energy facilities and, recently, at some nuclear power plants.

The licensee will implement a process for testing the proposed system to ensure continued overall level of performance equivalent to that specified in the regulation. When the changes are implemented, the respective Physical Security Plan will be revised to include implementation and testing of the hand geometry access control system and to allow Hatch plant employees and contractors to take their badges offsite.

When implemented, the licensee will control all points of personnel access into a protected area under the observation of security personnel through the use of a badge and a hand geometry verification system. The numbered picture badge identification system will continue to be used for all individuals who are authorized unescorted access to protected areas. Badges will continue to be displayed by all individuals while inside the protected areas.

Since both the badge and hand geometry would be necessary for access into the protected areas, the proposed system would provide a positive verification process. The potential loss of a badge by an individual as a result of taking the badge offsite would not enable an unauthorized entry into protected areas.

## IV

For the foregoing reasons, pursuant to 10 CFR 73.55, the NRC staff has determined that the proposed alternative measures for protection against radiological sabotage meet "the same high assurance objective," and "the general performance requirements" of the regulation and that "the overall level of system performance provides protection against radiological sabotage equivalent" to that which would be provided by the regulation.

Accordingly, the Commission has determined that, pursuant to 10 CFR 73.5, this exemption is authorized by law and will not endanger life or property or common defense and security, and is otherwise in the public interest. Therefore, the Commission hereby grants the requested exemption from the requirements of 10 CFR 73.55(d)(5) to allow individuals not employed by the licensee (i.e., contractors) to take their photo-identification badges offsite, provided that the proposed hand geometry biometrics system is in effect to control access into protected areas at the Hatch nuclear plant.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will not result in any significant adverse environmental impact (62 FR 49539).

For further details with respect to this action, see the request for exemption dated July 2, 1997, which is available for public inspection at the Commission's Public Document Room, The Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room located at the Burke County Public Library, 412 Fourth Street, Waynesboro, Georgia.

This exemption is effective when modifications, procedures, and training to implement the hand geometry biometrics system have been completed and the corresponding revisions to the Physical Security Plan for the Hatch plant have been submitted to the NRC staff.

Dated at Rockville, Maryland, this 8th day of December 1997.

For the Nuclear Regulatory Commission.

**Frank J. Miraglia,**

*Acting Director, Office of Nuclear Reactor Regulation.*

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## OFFICE OF PERSONNEL MANAGEMENT

**Nonforeign Area Cost-of-Living Allowances Price and Background Surveys; Proposed Collection; Comment Request**

**AGENCY:** Office of Personnel Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, the Office of Personnel Management (OPM) seeks comments on its intention to request a reinstatement, with change, of two previously approved information collections for which approval has expired. OPM uses the two collections—a price survey and a background survey—to gather data to be used in determining cost-of-living allowances for certain Federal employees in Alaska, Hawaii, Guam and the Commonwealth of the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. The price survey is conducted generally on an annual basis. The background survey is conducted approximately once every 5 years, but the survey is also conducted on a limited basis in preparation for each of the price surveys.

**DATES:** Submit comments on or before February 10, 1998.

**ADDRESSES:** *Comments:* Send or deliver comments to Donald J. Winstead, Assistant Director for Compensation Administration, Workforce Compensation and Performance Service, Office of Personnel Management, Room 7H31, 1900 E Street NW., Washington, DC 20415, or FAX comments to (202) 606-4264, or email comments over the Internet to [cola@opm.gov](mailto:cola@opm.gov). *Copies:* For copies of this proposal, contact Jim Farron at (202) 418-3208 or by email at [jmfarron@opm.gov](mailto:jmfarron@opm.gov).

**FOR FURTHER INFORMATION CONTACT:** Kurt M. Springmann, (202) 606-2838.

**SUPPLEMENTARY INFORMATION:** OPM is soliciting comments on the reinstatement of its Nonforeign Area Cost-of-Living Allowances Price and Background Surveys for an additional 3 years. As set out in Office of Management and Budget (OMB) regulations at 5 CFR 1320.8(d)(1), comments are requested to—

- Evaluate whether the surveys are necessary and have practical utility;
- Evaluate the accuracy of the burden estimate, including the assumptions and methodological validity used in determining the burden estimate;
- Enhance the quality, utility, and clarity of the information to be collected; and

- Minimize the burden on respondents.

OMB approval of this information collection was originally scheduled to expire on June 30, 1997. Because of delays in conducting the price survey during the first quarter of 1997 as planned, OPM requested an emergency extension of the clearance. OMB granted an extension until September 30, 1997.

*Title:* Nonforeign Area Cost-of-Living Allowances Price Survey and Background Survey.

*OMB Control Number:* 3206-0199.

*Summary:* The Nonforeign Area Cost-of-Living Allowances Price Survey is used by OPM to collect price data in the allowance areas under four cost components: consumption goods and services, transportation, housing, and miscellaneous expenses. The price survey is conducted on approximately an annual basis.

The Nonforeign Area Cost-of-Living Allowances Background Survey is used by OPM to collect information to identify the services, items, quantities, outlets, and locations that will be surveyed in the annual price surveys. It is also used to collect information on local trade practices, consumer buying patterns, taxes and fees, and other economic characteristics related to living costs. The background survey is conducted approximately once every 5 years but is also used on a limited basis in preparation for each of the price surveys.

*Need/Use for Surveys:* The price survey is necessary for collecting living-cost data used to determine cost-of-living allowances (COLA's) paid to General Schedule, U.S. Postal Service, and certain other Federal employees in the nonforeign allowance areas. The information is used to compare costs in the allowance areas with costs in the Washington, DC, area, and to derive a COLA rate when the local cost of living significantly exceeds that in the DC area. The background survey is necessary to determine the continued appropriateness of items, services, and businesses selected for the annual price surveys. OPM uses the information collected under this survey to define the sources and parameters for the price surveys and to improve the COLA methodology.

*Respondents:* OPM will survey selected retail, service, realty, and other businesses and local governments in the nonforeign allowance areas and in the Washington, DC, area. Approximately 5,600 establishments will be contacted in the price survey and approximately 300 establishments will be contacted in the background survey.