

# **Withdrawn**

NRC GL 1995-08, "10 CFR 50.54(p) Process for Changes to Security Plans Without Prior Approval," dated October 31, 1995 (ADAMS Accession No. ML031070150), was withdrawn on April 16, 2014 when GL 1995-08, Revision 1 (ADAMS Accession No. ML14055A356) was issued.

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

October 31, 1995

NRC GENERIC LETTER 95-08: 10 CFR 50.54(p) PROCESS FOR CHANGES TO SECURITY  
PLANS WITHOUT PRIOR NRC APPROVAL

Addressees

All holders of operating licenses and construction permits for nuclear power plants.

Purpose

The U.S. Nuclear Regulatory Commission (NRC) is issuing this generic letter to clarify the procedures used by licensees to process 10 CFR 50.54(p) changes to security plans. It is expected that recipients will review the information for applicability to their facilities and consider actions, as appropriate. However, suggestions contained in this generic letter are not NRC requirements; therefore, no specific actions or written response is required.

Description of Circumstances

On January 4, 1993, the Executive Director for Operations established a Regulatory Review Group (RRG). The RRG conducted a review of power reactor regulations and related processes, programs, and practices. One RRG recommendation was to change the current practice to enable licensees to make changes to their security plans without prior NRC approval (i.e., using the provisions of 10 CFR 50.54(p)). The plan developed by the staff for implementing RRG recommendations (SECY 94-003, January 4, 1994) was not to change the regulations, but to clarify the process by providing a screening criterion that would ensure consistency of security plan changes without prior NRC approval.

Discussion

Some confusion and inconsistencies apparently occurred in the past regarding implementation of 10 CFR 50.54(p) by licensees without NRC approval. This generic letter restates the original criterion for judging the acceptability of changes made pursuant to 10 CFR 50.54(p). The original criterion's "test" for deciding if a change decreased the effectiveness of the plan was based on determining if the overall effectiveness of the plan was decreased. This generic letter clarifies the language in 10 CFR 50.54(p) that licensees shall "make no change which would decrease the effectiveness of a security plan, or guard training and qualification, ... or safeguards contingency plan."

The following is a clarification of this language. Changes that meet the following screening criteria may be made without prior NRC approval.

- A change in any of the three security plans is deemed not to decrease the effectiveness of the plan if the change does not decrease the ability of

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the onsite physical protection system and security organization, as described in paragraphs (b) through (h) of 10 CFR 73.55, or equivalent measures approved under 10 CFR 73.55(a), to protect with high assurance against the design basis threat as stated in 10 CFR 73.1(a). The change cannot delete or replace any of the regulatory capabilities, as described in paragraphs (b) through (h) or in Appendixes B and C to 10 CFR Part 73.

- A change that increases the effectiveness of any plan.

Use of these screening criteria would allow licensees to reduce certain commitments that have exceeded regulatory requirements or published guidance if the overall *effectiveness of the plan* is not reduced. Each issue is reviewed against the overall assurance levels contained in the plan and not against the specific individual changes. Latitude has always existed in that improvements in one area of the program may offset reductions in other areas. Overall assurance levels of the plans must be maintained, and this clarification is not intended to reduce plan commitments to levels less than the overall high-assurance objectives stated in 10 CFR 73.55(a).

NRC has expected that licensees would judiciously make the proper determination regarding 10 CFR 50.54(p) changes and implement those changes as permitted by the regulations. This position was the original intent of the Commission and remains so today. The NRC believes that, with the use of these screening criteria and expertise of the licensee staff, licensees should implement changes made pursuant to 10 CFR 50.54(p) without prior NRC approval.

Licensees should note that some of the safeguards-related regulatory guidance is dated and has become superseded in recent years, and caution should be exercised by licensees when screening changes, particularly regarding specific guidance issues. The original intent of 10 CFR 50.54(p) was to screen changes in terms of their overall impact on the security program. The guidance given in NRC publications is not a requirement and should not be interpreted as the only possible method for satisfying regulatory requirements. The screening criteria contained herein are the fundamental criteria necessary for determining the acceptability of a change made pursuant to 10 CFR 50.54(p). NUREG-0908, "Acceptance Criteria for the Evaluation of Nuclear Power Reactor Security Plans," is an example of a document that should not be used verbatim to make individual acceptability determinations.

The screening criteria presented herein are not applicable to plan changes that would eliminate or replace security plan commitments to specific security measures stated in 10 CFR 73.55 (b) through (h). Requests for NRC approval of such changes may need to be pursued under 10 CFR 50.90 as license amendment requests.

A suggested outline for applying the screening criteria for the evaluation of a proposed security plan change is in Attachment 1. An evaluation of any proposed security plan change using the suggested outline should lead to a determination as to whether or not the change can be made without prior NRC approval.

Changes made pursuant to 10 CFR 50.54(p) and this generic letter may be made to physical security plans, guard training and qualification plans, and contingency plans. Licensees that successfully meet the screening criteria in Attachment 1 should conclude that a particular change would be acceptable without NRC approval. Use of the screening criteria format, while strictly voluntary, would document the licensee's determination of *no decrease in effectiveness* as described in 10 CFR 50.54(p)(2). The burden for the submittal of information associated with the use of 10 CFR 50.54(p) is included in OMB Clearance 3150-0011. This generic letter does not increase that burden.

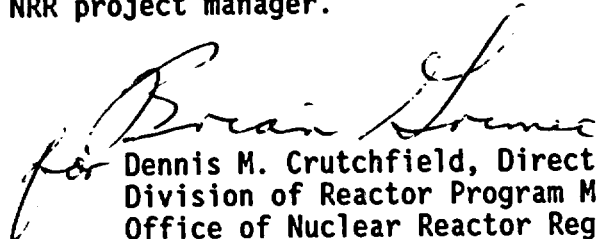
*Changes must be appropriate for particular site programs; using the screening criteria does not guarantee acceptance by the NRC or applicability to all sites.* The licensee bears the responsibility for changes made without NRC approval.

The three security plans remain the "enforceable documents," and inspections will be based upon the commitments contained within those plans. It is incumbent upon licensees to keep their plans accurate and meet the timing requirements for updating plans as stated in 10 CFR 50.54(p).

As in the past, the NRC regional staff will continue to screen all changes and will refer policy-related changes to the Office of Nuclear Reactor Regulation (NRR). In the future the NRC regional staff will forward all questionable changes to NRR for review and disposition to ensure staff consistency.

Attachment 2 contains 10 examples of previously accepted changes made by licensees without NRC approval pursuant to 10 CFR 50.54(p), and Attachment 3 contains a list of 10 changes that have been found to be unacceptable for inclusion in security related plans unless approved by the NRC on a case by case basis pursuant to 10 CFR 50.90 or as an exemption request to 10 CFR 73.55.

This generic letter requires no specific action or written response. If you have any questions about this matter, please contact the technical contact listed below or the appropriate NRR project manager.

  
for Dennis M. Crutchfield, Director  
Division of Reactor Program Management  
Office of Nuclear Reactor Regulation

Technical contact: Robert Skelton, NRR  
(301) 415-3208

Attachments:

1. Screening Criteria Outline
2. Acceptable 10 CFR 50.54(p) changes
3. Unacceptable 10 CFR 50.54(p) changes
4. List of Recently Issued NRC Generic Letters

*Attachment filed in Facket*

**SCREENING CRITERIA OUTLINE  
(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**SECTION/TITLE:**

List the section and title of where the change is proposed.

**PROPOSED COMMITMENT:**

Specify the relevant existing and revised commitments. Address any offsetting provisions.

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

This section of the outline asks a series of questions. If the response to each question is "no" and the rationale supports a "no" response, the change may be processed using the provisions of 10 CFR 50.54(p) without NRC prior approval. The questions are as follows:

1. ☐ Yes ☐ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☐ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: Explain the rationale.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?

ACCEPTABLE 10 CFR 50.54(p) CHANGES  
SCREENING CRITERIA FORM  
(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)

EXAMPLE I — WEAPONS TRAINING

SECTION/TITLE:

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

PROPOSED COMMITMENT:

Currently, some licensees train each security officer on all types of weapons maintained at their site. The licensee would now require individual security officer training only for the specific weapon types (i.e., shotguns and handguns or rifles and handguns) that individual security officers would use for assigned duties. Weapons training would be more specific to weapons used to carry out the specific assigned duties which would reduce training costs. Training of security officers on weapons that are not assigned to or used by them in routine or response duties wastes training resources and funding that could be used for additional training on assigned weapons. Response weaponry and training would remain unchanged.

IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: Training security officers in use of weapons not deployed in routine or response activities provides no benefit to their response capability.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: (Explain why the change does not decrease the overall effectiveness of the plan while taking into

consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

**SCREENING CRITERIA FORM**  
**(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**EXAMPLE II — VEHICLE ENTRY AND SEARCH**

**SECTION/TITLE:**

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

**PROPOSED COMMITMENT:**

Currently, two armed security officers are required by the security plan to be present when a protected area barrier is opened. Allow one armed officer to open the protected area barrier for vehicle access and search of that vehicle. This would be acceptable if that portal is under observation by closed circuit television (CCTV) from the central alarm station (CAS) or secondary alarm station (SAS). If CCTV is not available, two security officers are required, but only one of the two needs to be armed. This change would allow more efficient use of security force resources. If the CAS or SAS were to witness an incident at the vehicle gate, they would be in the best position to dispatch armed responders.

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: This change would allow better utilization of security force resources and would help maintain current levels of assurance. Having a second armed security officer present during a vehicle search provides little, if any, additional deterrence to a potential adversary. CCTV coverage of vehicle access control and searches has a deterrence similar to the presence of the second officer.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?



**Rationale:** (Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

**SCREENING CRITERIA FORM  
(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**EXAMPLE III — SAFEGUARDS INFORMATION**

**SECTION/TITLE:**

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

**PROPOSED COMMITMENT:**

Currently, all lists of vital equipment are controlled as safeguards information (SGI). The following criterion defines what information needs to be controlled as SGI.

The following three elements must be present before "documents or other matter" are designated SGI in accordance with 10 CFR 73.21(b)(1)(vii):

- (1) the safety-related equipment must be designated as vital equipment or be specified as being located in a vital area in either the licensee's physical security plan (PSP), the safeguards contingency plan (SCP) or, if applicable, any licensee-generated plant-specific safeguards analyses; and
- (2) the equipment or area must be specifically designated as "vital" in the "documents or other matter" being reviewed; and
- (3) the physical protection measures (other than any general regulatory requirement stated in 10 CFR 73.55) afforded the equipment or area, as described in either a licensee's PSP, a SCP, or a plant-specific safeguards analysis,\* must also be specifically described in the "documents or other matter."

\* Plant-specific sabotage scenarios or vulnerabilities in the physical protection system are considered SGI.

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

**EXAMPLE III — SAFEGUARDS INFORMATION — cont'd**

Rationale: This change allows the licensee to include a list of vital areas in training documents for licensee operations personnel without treating the documents as SGI. This change would also reduce the amount of SGI generated, handled, and stored. A non-SGI list does not decrease the effectiveness of the plan due to the absence of the above criteria and the fact that safety equipment lists are available from other sources.

3. ☐ Yes ☐ No

FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: (Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

**SCREENING CRITERIA FORM  
(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**EXAMPLE IV — PROTECTED AREA PATROLS**

**SECTION/TITLE:**

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

**PROPOSED COMMITMENT:**

Reduce frequency of protected area (PA) patrols. Patrol frequency would be reduced to a minimum of two patrols per shift (8 hours) or no less than once every 4 hours. Additional patrols contribute minimally to security effectiveness. Reduction of number of patrols would provide for more effective use of personnel resources. The consideration that all employees, as well as security force members, are trained to report any suspicious individuals or materials in the protected area decreases the importance of more frequent patrols.

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: Previously issued guidance states that a patrol at least every 4 hours meets the performance requirements of the regulation.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: (Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

**SCREENING CRITERIA FORM  
(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**EXAMPLE V — SECURITY ORGANIZATIONAL CHANGES**

**SECTION/TITLE:**

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

**PROPOSED COMMITMENT:**

Two levels of management would be eliminated, reducing the number of vertical layers of security staff organization. The change provides for more efficient management and possible savings in manpower resources. The number of guards for each shift directly involved in implementing the security plan would not be affected. Historically the NRC staff has not specified organizational or managerial structures. Published guidance is silent on the number of managers and the type of organizational structure for the security operation. Security management is judged by its performance and not by the number or type of managers.

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: With the actual number of on-duty security force members remaining unchanged, the implementation of the security plan should remain unchanged.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: (Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

**SCREENING CRITERIA FORM  
(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**EXAMPLE VI — ARMED RESPONDER DUTIES**

**SECTION/TITLE:**

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

**PROPOSED COMMITMENT:**

Assign duties other than armed response to security officers designated as members of the response team. Armed responders would be assigned additional duties that would not interfere with their contingency response. Assigned duties would be only ones that could be immediately abandoned for response purposes. This change allows for more efficient resource management. This change should not affect the security officers' ability to perform their duties as members of the response team. Use of response officers to perform additional duties has been an acceptable practice under current guidance. What has not been acceptable, as discussed in IN 86-88, is assigning responders to routine duties that cannot be abandoned during a security event when response is necessary.

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: Ability to abandon duties and respond will be demonstrated and documented. The number of armed responders is not reduced and their ability to respond is not affected.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?



Rationale: (Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

**SCREENING CRITERIA FORM  
(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**EXAMPLE VII — REQUALIFICATION SCHEDULE**

**SECTION/TITLE:**

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

**PROPOSED COMMITMENT:**

The current plan specifies that security audits and weapons training (required by Appendix B to 73.55) be completed 1 year or less after the audit or training was last accomplished. This results in the due date of audits and training being adjusted each year and the audits and training, over a period of years, being completed more than once each 12 months. This change provides scheduling latitude in performing annually required security audits and weapons training. It allows use of a "tech spec" formula to provide flexibility in meeting audit and weapons training commitments. The revised commitment would allow fixed dates in the plan with a provision for extending the audit or training interval beyond 1 year (e.g., a maximum allowable extension not to exceed 25% of the surveillance interval, but the combined time interval for any 3 consecutive surveillance intervals shall not exceed 3.25 times the specific surveillance interval).

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: There would no impact on performance capabilities of the security program or security officer weapons proficiency. Audits and security training would still be conducted on an annual basis with only minor variations.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: (Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

**SCREENING CRITERIA FORM  
(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**EXAMPLE VIII — GUARD/WATCHMAN DUTIES**

**SECTION/TITLE:**

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

**PROPOSED COMMITMENT:**

Some security plans list numerous positions within the security organization and specifically identify whether a position is filled by an armed guard or unarmed watchman. For example, a plan may specify that operators of search equipment in the gatehouse and SAS/CAS officers will be armed. This change would allow certain security officer positions to be filled by unarmed watchmen rather than armed guards. Watchmen would be allowed to operate search equipment in the gatehouse, to man the CAS and SAS, and to escort individuals in the protected and vital areas.

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: This change does not involve any of the armed response force members. Consequently the response to security contingencies would remain the same.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: (Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

**SCREENING CRITERIA FORM  
(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**EXAMPLE IX — VITAL AREA DOOR CONTROLS**

**SECTION/TITLE:**

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

**PROPOSED COMMITMENT:**

Some licensees have committed to placement of vital areas within vital areas. This arrangement results in doors, identified as vital area doors, being located within other vital areas. This change would allow the number of doors controlled as vital to be reduced. Vital area doors located within vital areas (with the exception of the control room and the alarm stations) would no longer be designated as vital.

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: Unless the current response strategy to an external threat relies on delay or detection at internal vital area doors, elimination of their vital designation would not affect licensee response to a design basis external threat.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: (Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

**SCREENING CRITERIA FORM**  
**(ASSESSMENT OF ACCEPTABILITY OF 10 CFR 50.54(P) PLAN CHANGE)**

**EXAMPLE X — SECURITY VEHICLES**

**SECTION/TITLE:**

This is an example. In an actual 50.54(p) determination, this section would give specific references to the parts of the security plan the licensee proposes to change.

**PROPOSED COMMITMENT:**

Eliminate a requirement that a 4-wheel drive vehicle be used as a patrol and response vehicle. This reduction would need to be balanced by a commitment to verify that the response strategy to address the design basis threat did not rely on the use of a 4-wheel drive vehicle. This change would eliminate the costs of purchasing and maintaining 4-wheel drive vehicles that are not required for protection against the design basis external threat.

**IMPACT ON EFFECTIVENESS OF A GENERIC PLAN:**

1. ☐ Yes ☒ No DOES THIS CHANGE DELETE OR CONTRADICT ANY REGULATORY REQUIREMENT?
2. ☐ Yes ☒ No WOULD THE CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE AS DESCRIBED IN PARAGRAPHS (b) THROUGH (h) OF 10 CFR 73.55 TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?

Rationale: The demonstration of protective strategies that do not require the use of a 4-wheel drive vehicle would confirm the ability of a site's protection strategy to protect the facility against the design basis threat.

3. ☐ Yes ☐ No FOR ANY LICENSEE THAT HAS NRC-APPROVED SECURITY PLAN COMMITMENTS AS ALTERNATIVES TO ONE OR MORE OF THE REQUIREMENTS OF 10 CFR 73.55(b) THROUGH (h): DOES THIS CHANGE DECREASE THE OVERALL LEVEL OF SECURITY SYSTEM PERFORMANCE NEEDED TO PROTECT WITH THE OBJECTIVE OF HIGH ASSURANCE AGAINST THE DESIGN BASIS THREAT OF RADIOLOGICAL SABOTAGE AS STATED IN 10 CFR 73.1(a)?



Rationale: (Explain why the change does not decrease the overall effectiveness of the plan while taking into consideration existing unique site-specific security features. Consider historical reasons why specific commitments were included in the security plans. Were there specific counterbalancing commitments and has that counterbalance been changed negatively?)

### UNACCEPTABLE 10 CFR 50.54(p) CHANGES

THE FOLLOWING IS A LISTING OF 10 CFR 50.54(p) CHANGES THAT HAVE BEEN PROPOSED OR SUBMITTED BUT WERE DETERMINED TO DECREASE THE EFFECTIVENESS OF THEIR RESPECTIVE PLANS. CHANGES WOULD BE REVIEWED ON A CASE-BY-CASE BASIS IF SUBMITTED AS NOTED FOR AMENDMENTS OR EXEMPTIONS.

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1. A change was submitted that would allow a "designated vehicle" to be stored outside the protected area in an unsecured manner. This change is considered to be a decrease in overall effectiveness of the plan and would require an exemption request since it is contrary to the provisions of 10 CFR 73.55(d)(4).
2. A change was submitted by which any vehicle entering the protected area that is driven by an individual with unescorted access would not have to be escorted by an armed member of the security force. This change would decrease the overall effectiveness of the plan and require an exemption request since it is contrary to the provisions of 10 CFR 73.55(d)(4) and specific implementation guidance provided to the staff in SECY 93-326.
3. A change was submitted that would allow materials destined for the protected area to be searched and stored in an unsecured warehouse in the owner-controlled area. This change is considered a decrease in overall effectiveness of the plan and would require an exemption request since it is contrary to the provisions of 10 CFR 73.55(d)(3).
4. A change was submitted that requested that security officers be qualified on other than assigned weapons or "duty" ammunition. The change would be considered a decrease in overall effectiveness of the plan. This change could be submitted pursuant to 10 CFR 50.90.
5. A generic change was proposed during public meetings that would eliminate the secondary alarm station. This change would decrease the overall effectiveness of the plan and require an exemption request since it is contrary to the provisions of 10 CFR 73.55(e)(1).
6. A generic change was proposed during public meetings that would reduce the number of armed responders below the minimum required by the regulation. This change would decrease the overall effectiveness of the plan and require an exemption request since it is contrary to the provisions of 10 CFR 73.55(h)(3).
7. A change was submitted that did not specify which positions within the security organization would be armed or unarmed. As written, the staff had to assume the overall effectiveness of the plan was decreased. The licensee would need to resubmit this change to clarify which positions would be armed to confirm that regulatory requirements were being met.

8. A generic change was proposed during public meetings that would allow visitor escorting to be determined at the licensee's discretion. No specifics were provided regarding how this change was to be implemented. This change would decrease the overall effectiveness of the plan and require an exemption request since it is contrary to the provisions of 10 CFR 73.55(d)(6).
9. A generic change was proposed during public meetings that would give an alarm station operator the discretion to determine the need for compensatory measures for failed intrusion detection equipment. This change would decrease the overall effectiveness of the plan and require an exemption request since it is contrary to the provisions of 10 CFR 73.55(g)(1). Compensatory measures for vital area doors are contained in proposed rulemaking currently being processed by the staff.
10. A generic change was proposed during public meetings that would not require compensatory measures for 72 hours on a vital area door that had only a functional lock. This change would decrease the overall effectiveness of the plan and require an exemption request since it is contrary to the provisions of 73.55(g)(1).

**LIST OF RECENTLY ISSUED GENERIC LETTERS**

<b>Generic Letter</b>	<b>Subject</b>	<b>Date of Issuance</b>	<b>Issued To</b>
88-20, SUPP. 5	INDIVIDUAL PLANT EXAMINATION OF EXTERNAL EVENTS FOR SEVERE ACCIDENT VULNERABILITIES	09/08/95	ALL HOLDERS OF OLs (EXCEPT THOSE LICENSES THAT HAVE BEEN AMENDED TO POSSESSION-ONLY STATUS) OR CPs FOR NPRs.
95-07	PRESSURE LOCKING AND THERMAL BINDING OF SAFETY-RELATED POWER-OPERATED GATE VALVES	08/17/95	ALL HOLDERS OF OLs (EXCEPT THOSE LICENSES THAT HAVE BEEN AMENDED TO POSSESSION-ONLY STATUS) OR CPs FOR NPRs.
95-06	CHANGES IN THE OPERATOR LICENSING PROGRAM	08/15/95	ALL HOLDERS OF OLs (EXCEPT THOSE LICENSES THAT HAVE BEEN AMENDED TO A POSSESSION ONLY STATUS) OR CPs FOR NPRs.
95-05	VOLTAGE-BASED REPAIR CRITERIA FOR WESTINGHOUSE STEAM GEN- ERATOR TUBES AFFECTED BY OUT- SIDE DIAMETER STRESS CORROSION CRACKING	08/03/95	ALL HOLDERS OF OLs OR CPs FOR PRESSURIZED WATER REACTORS (PWRs).
92-01, REV. 1, SUPP. 1	REACTOR VESSEL STRUCTURAL INTEGRITY	05/19/95	ALL HOLDERS OF OLs (EXCEPT THOSE LICENSES THAT HAVE BEEN AMENDED TO POSSESSION-ONLY STATUS) OR CONSTRUCTION PERMITS FOR NPRs.
95-04	FINAL DISPOSITION OF THE SYSTEMATIC EVALUATION PROGRAM LESSONS-LEARNED	04/28/95	ALL HOLDERS OF OLs OR CPs FOR NPRs.

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OL = OPERATING LICENSE  
 CP = CONSTRUCTION PERMIT  
 NPR = NUCLEAR POWER REACTORS

Changes made pursuant to 10 CFR 50.54(p) and this generic letter may be made to physical security plans, guard training and qualification plans, and contingency plans. Licensees that successfully meet the screening criteria in Attachment 1 should conclude that a particular change would be acceptable without NRC approval. Use of the screening criteria format, while strictly voluntary, would document the licensee's determination of *no decrease in effectiveness* as described in 10 CFR 50.54(p)(2). The burden for the submittal of information associated with the use of 10 CFR 50.54(p) is included in OMB Clearance 3150-0011. This generic letter does not increase that burden.

*Changes must be appropriate for particular site programs; using the screening criteria does not guarantee acceptance by the NRC or applicability to all sites.* The licensee bears the responsibility for changes made without NRC approval.

The three security plans remain the "enforceable documents," and inspections will be based upon the commitments contained within those plans. It is incumbent upon licensees to keep their plans accurate and meet the timing requirements for updating plans as stated in 10 CFR 50.54(p).

As in the past, the NRC regional staff will continue to screen all changes and will refer policy-related changes to the Office of Nuclear Reactor Regulation (NRR). In the future the NRC regional staff will forward all questionable changes to NRR for review and disposition to ensure staff consistency.

Attachment 2 contains 10 examples of previously accepted changes made by licensees without NRC approval pursuant to 10 CFR 50.54(p), and Attachment 3 contains a list of 10 changes that have been found to be unacceptable for inclusion in security related plans unless approved by the NRC on a case by case basis pursuant to 10 CFR 50.90 or as an exemption request to 10 CFR 73.55.

This generic letter requires no specific action or written response. If you have any questions about this matter, please contact the technical contact listed below or the appropriate NRR project manager.

orig /s/'d by BKGrimes/for  
Dennis M. Crutchfield, Director  
Division of Reactor Program Management  
Office of Nuclear Reactor Regulation

Technical contact: Robert Skelton, NRR  
(301) 415-3208

Attachments:

1. Screening Criteria Outline
2. Acceptable 10 CFR 50.54(p) changes
3. Unacceptable 10 CFR 50.54(p) changes
4. List of Recently Issued NRC Generic Letters

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