

CONFIDENTIAL

NRC INSPECTION MANUAL

NSIR

TEMPORARY INSTRUCTION 2600/009

INSPECTION OF INTERIM COMPENSATORY MEASURES (ICMs) AT GASEOUS DIFFUSION PLANTS (GDP)

2600/009-01 OBJECTIVE

Provide inspection instructions for determining the status and effectiveness of licensee actions in response to the Nuclear Regulatory Commission (NRC) required interim compensatory measures (ICMs) for reducing safety and national security related risks involving malevolent acts at gaseous diffusion plants licensed by the NRC to possess hazardous material and special nuclear material (SNM).

2600/009-02 APPLICABILITY

This temporary instruction (TI) is applicable to NRC licensed gaseous diffusion plant facilities.

2600/009-03 'BACKGROUND

On May 28, 2002, the Commission issued an Order for the licensees of GDP's to enhance existing safety and safeguards measures for the prevention and mitigation of malevolent acts in accordance with NRC license requirements, comporting with the increased threat environment following the events of September 11, 2001. The licensees agreed to complete all of the ICMs by the due date of November 29, 2002, with an exception for implementing ICM B3 applicable to the Paducah GDP only, whereby compliance must be completed by March 29, 2003.

**NOTE: WHEN SEPARATED FROM THE APPENDIX, THIS DOCUMENT IS
UNCLASSIFIED**

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In response to the NRC ordered ICMs, licensees committed to actions for ensuring prevention and mitigation of malevolent acts potentially involving hazardous materials, SNM, and classified material.

The ICMs and comporting licensee commitments remain in effect pending notification by the Commission that a significant change in the threat environment has occurred, or until the Commission determines that other enhancements are warranted following a more comprehensive evaluation of existing safety and safeguards measures for preventing and mitigating malevolent acts.

2600/009-04 RESPONSIBILITIES AND AUTHORITIES

04.01 Regional Branch Chiefs

- a. Manage TI-related inspection planning, on/offsite inspection, and reporting.
- b. Facilitate effective and efficient inspections by coordinating inspection related activities with the Security Oversight Section Chief, Fuel Cycle & Special Security Programs Section Chief, and Information Security Section Chief of the Office of Nuclear Security and Incident Response (NSIR) and the Fuel Manufacturing Section Chief and Inspection Section Chief of the Office of Nuclear Material Safety and Safeguards (NMSS).
- c. Forward a draft report on inspection findings or observations under this TI to the Director, Division of Nuclear Security (DNS), NSIR. This draft report will be reviewed by a panel to ensure that findings and/or observations identified are treated consistently in accordance with the enforcement process and to focus early management attention on common deficiencies and/or vulnerabilities. The review panel will be composed of staff from NSIR, Regions, NMSS, Office of Enforcement, and the Office of the General Counsel.
- d. Seek NSIR management concurrence prior to issuing the inspection report to the licensee in a timely manner.
- e. Notify the Director, DNS, NSIR and the Fuel Manufacturing Section Chief and Inspection Section Chief, NMSS when this TI has been completed.

2600/009-05 INSPECTION REQUIREMENTS

The Appendix, which contains "Confidential Information," provides specific inspection instructions for determining the status and effectiveness of licensee actions for preventing/mitigating malevolent acts in accordance with the NRC ordered ICMs and comporting licensee commitments.

Copies of the Appendix may be obtained from the Security Oversight Section, DNS, NSIR. Appendix A contains "CONFIDENTIAL INFORMATION" which must be controlled in accordance with the appropriate Management Directive governing the NRC Information Security Program.

2600/009-06 INSPECTION GUIDANCE

Preparation for performing the TI requires familiarity with the NRC's Order requiring licensees to implement safeguards ICMs for GDP facilities, the licensee's response to the Order, and safeguards required/implemented in accordance with NRC licensing requirements. The licensee's responses can be found in the following reference documents:

Paducah GDP: Enclosure #1 to USEC letters to NRC dated January 21, 2003 and March 27, 2003.

Portsmouth GDP: Enclosure # 1 to USEC letters to NRC dated July 8, 2002 and October 9, 2002.

Inspection activities should be conducted as a team inspection led by region safeguards inspectors and supplemented by the resident inspector, emergency preparedness (EP) inspector, and/or other staff necessary for integrated safety/safeguards inspections.

On-site inspections in accordance with the Appendix should focus on enhanced safeguards for the materials, site areas, conditions, activities, system and human performance issues have the potential for supporting malevolent acts that may cause adverse consequences involving: a) worker and public health and safety, b) the environment, c) loss, theft and/or diversion of SNM and hazardous chemicals, and/or d) unauthorized disclosure, loss, and/or theft of classified material. In addition to determining the effectiveness of in-situ safeguards, the effectiveness of the most important management measures for ensuring safeguards capability, availability, and reliability is to be determined.

2600/009-07 REPORTING REQUIREMENTS

The results of inspection activities (observations and findings) under this TI will be documented in an inspection report in accordance with IMC 610. Inspection report portions associated with the Appendix shall be subject to CONFIDENTIAL controls in accordance with the appropriate Management Directive governing the NRC Information Security Program. Since this is a one-time inspection to determine compliance with the ICMs, security findings of significance should be discussed with NSIR prior to their inclusion in the inspection report. To ensure timely issuance of the inspection report, coordination with NSIR and/or NMSS (for EP-related issues) should occur as soon as practicable after any risk significant conditions/activities or potential enforcement issues are identified.

2600/009-08 COMPLETION SCHEDULE

Inspections of GDP facilities under this TI are to begin commensurate with, safety and national security related risks involved, GDP licensee site conditions/activities, and management NSIR/Region management established priorities. Inspections are to be completed by September 30, 2003. Extension of this date requires approval by the Security Oversight Section Chief, DNS, NSIR

2600/009-09 EXPIRATION

This TI expires on June 1, 2004.

2600/009-010 CONTACT

Questions regarding the technical aspects of this TI should be directed to Andrew Rayland, Physical Protection Specialist, Office of Nuclear Security and Incident Response, Division of Nuclear Security at 301-415-8102. (E-Mail ADR@nrc.gov)

2600/009-11 STATISTICAL DATA REPORTING

For RIT's reporting this inspection will be charged to this TI number. For inspections completed after this TI has expired the time will be charged to Development and Maintenance of Safeguards and Security Inspection Program, RITS Number D91146.

2600/009-12 ORIGINATING ORGANIZATION INFORMATION

12.01 Organizational Responsibility. This TI was developed by the Security Oversight Section, DNS, NSIR

12.02 Resource Estimate. The estimated hours to complete TI related inspections for each GDP facility are 8 hours for planning, 24 hours for inspecting on-site, and 16 hours for reporting inspection findings.

12.03 Training. Inspectors that have been specially trained in physical protection methods and procedures and qualified under IMC 1245 "Inspector Qualifications" are required to complete the inspection. Headquarters Physical Protections Specialists who are not formally qualified under IMC 1245 will augment the Region Physical Protection Inspector during the site inspection.

END

Appendix, "Inspection Requirements and Guidance for the Inspection of Interim Compensatory Measures (ICMs) at Gaseous Diffusion Plants (GDPs)"