

## Security Reviewer Activity Checklist

The Security Reviewer performs the technical review of Title 10 of the *Code of Federal Regulation* (10 CFR) 50.54(p)(2) plan changes, 10 CFR 50.90 Licensee security plan amendments, and 10 CFR 73.5 exemptions as needed. The 10 CFR 50.90 and 10 CFR 73.5 reviews require using the appropriate Technical Assignment Control (TAC) numbers, in accordance with the Office of Nuclear Security and Incident Response (NSIR) Office Procedure FIN 303, "Time and Labor Reporting."

This attachment provides the responsibilities of the Security Reviewer specific to the type of review performed. Checklist items are not necessarily sequential or mandatory. Further, items may depend upon an evaluation of Licensee-submitted documentation; additional or modified review, coordination, communication, and planning items may be necessary.

### Section 50.54 (p)(2) of 10 CFR Plan Change Reviews

Perform the technical assessment of 10 CFR 50.54(p)(2) plan changes according to the work flow of Enclosure 1. This task is not fee-recoverable and involves establishing and/or using the appropriate TAC numbers, in accordance with NSIR Office Procedure FIN 303, "Time and Labor Reporting."

Provide information, such as the name of assigned Technical Reviewer, assisting reviewers, due dates, TAC numbers, review status, comments, etc., to the Branch Project Plan Coordinator for appropriate work tracking, reporting of performance and analysis for budgeting.

Review all security plan changes reported by a licensee as part of an in-office technical review. The scope of review should be limited to whether specific changes were appropriate (i.e., did not reduce the safeguards effectiveness of Commission-approved security plans). The review of changes will consider the guidance provided in the Nuclear Regulatory Commission (NRC) Generic Letter 95-08\*, "10 CFR 50.54(p) Process for Changes to Security Plans without Prior NRC Approval," dated October 31, 1995. Generic Letter 95-08 states the following screening criteria for changes that may be made without prior NRC approval:

- A change in any of the applicable plans is deemed not to decrease the safeguards effectiveness of the plan if the change does not decrease the ability of the onsite physical protection system and security organization, as described in paragraph (d) through (k) and (n) of 10 CFR 73.55, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage," or equivalent measures approved under 10 CFR 73.55(b), to protect with high assurance against
- A change that increases the effectiveness of any plan may be made without prior NRC approval.

### Enclosure 6: Security Reviewer Activity Checklist

\*-Note: To maintain alignment with current rule language, reference 10 CFR 73.55 has not been updated.

The staff's review should verify that changes to security programs did not result in (1) a noncompliance or violation of established regulatory requirements or (2) reduced or decreased availability or reliability of security measures (systems, personnel, or programs) previously established by license condition or by Commission-approved security plans.

Perform technical reviews by: (1) reviewing compliance of changes with regulatory requirements (including NRC Orders); (2) comparing specific changes with descriptions of programs and commitments in Commission-approved security plans; (3) reviewing the adequacy of licensee's technical bases for changes; (4) as necessary, reviewing the consistency of changes with staff guidance, including generic communications such as information notices and security advisories, security frequently asked questions, and NRC inspectors' reports of interactions; (5) reviewing changes with descriptions in NRC-endorsed Nuclear Energy Institute (NEI) security plans template (latest NRC endorsed version) or guidance, and; (6) specific reviews as directed by the Reactor Security Rulemaking and Licensing Branch (RSRLB) Team Leader (TL) or Branch Chief.

Prepare questions for licensee clarification to 10 CFR 50.54(p)(2) technical reviews, as needed. Coordinate through the Nuclear Regulatory Regulation (NRR) Program Manager (PM).

In cases that potentially do not meet the criteria for 10 CFR 50.54(p)(2) (if applicable and as needed), coordinate with the NRC, other Headquarter (HQ) security staff, Regions, the Office of General Council, and the Office of Enforcement.

If a licensee submits a 10 CFR 50.54(p)(2) change that does not meet the requirement, relay the information to the Team Leader and Branch Chief and the appropriate region for follow-up actions.

When reviewing licensee security plans, reviewers should screen the Security Frequently Asked Questions (SFAQ's) that have been issued since the last revision of NEI 03-12 to identify any potential changes to security plan template text resultant from the SFAQ process.

Coordinate with the NRR PM, HQ staff, the Regional office staff, and Resident Inspectors as needed on required interactions with a licensee. The interactions may include telephone calls, e-mail communications, meetings (open and/or closed), and/or site visits to obtain additional necessary information.

Coordinate with HQ staff and/or Regional office staff responsible for security inspection/follow-up on review findings that apparently decreased the safeguards effectiveness of the Commission-approved security plans without prior approval in accordance with 10 CFR 50.90, and informs respective NRR PM on possible future licensing actions.

Update the password-protected Physical Security Plan Information Website (location: NRC homepage / NSIR / Nuclear Power Plant Security Plan Revision Status.

Coordinate technical input by NSIR or other office technical staff, as required.

Prepare required NRC Form 665S related to declaration of sensitivity and access to the SR in the NRC's Agency Document Access Management System (ADAMS). SRs containing Safeguards Information (SGI) are placed in Secure Lan Electronic Safe (SLES) in accordance with NSIR Office Procedure ADM 117.

Follow E-Safe document modifications for .pdf (Adobe Acrobat Reader files) procedures, for applicable incoming 10 CFR 50.54(p)(2) changes. Instruction is located in the E-Safe Frequently Asked Questions (E-Safe FAQ), on the E-Safe users desktop.

Move completed modifications as per the above procedure into E-Safe address: Cabinets / Site Specific Security and Safeguards Case Files / Nuclear Reactors and Fuel Processing Plants (Docket 50) / (Site Name) / Security Plans.

Inform the RSRLB TL of all incoming correspondence for determining required technical review assignments.

Ensure, when required, that SRs containing SGI are provided to SLES as NRC official record.

Ensure the report (SR and Supplemental SR) are processed into ADAMS. This information is input on form 665S and provided in hard copy to the branch secretary. The branch secretary will proof the document, and upload it to ADAMS. The following format is to be used (fill-in the bracketed area as appropriate):

Section 50.54(p) of 10 CFR Review--[Site Name]--[Date of Letter]--[Revision #]

#### Section 50.90 of 10 CFR Amendment Reviews

Conduct acceptance review and document results. Send memorandum to Branch Chief indicating that acceptance review criteria are met.

Perform the technical assessment of 10 CFR 50.90 licensee security plan amendments according to Attachment 2 as needed. This task is fee-recoverable and involves establishing and using the appropriate TAC number, in accordance with NSIR Office Procedure FIN 303, "Time and Labor Reporting."

Provide information, such as the name of assigned Technical Reviewer, assisting reviewers, due dates, TAC numbers, review status, comments, etc., to the Branch Project Plan Coordinator for appropriate work tracking, reporting of performance and analysis for budgeting.

Follow the NRR licensing instruction (LIC) 109, "Acceptance Review" and LIC 101, "License Amendment Review Procedures" for the 10 CFR 50.90 technical reviews.

Perform technical reviews by: (1) comparing specific amendments with descriptions of programs and commitments in Commission-approved security plans; (2) reviewing the adequacy of licensee's technical bases for amendments; (3) as necessary, reviewing the consistency of amendments with staff guidance, including generic

communications such as information notices and security advisories, security frequently asked questions, and NRC inspectors' reports of Interactions; (4) reviewing amendments with descriptions in NRC-endorsed NEI security plans template or guidance; (5) reviewing consistency of amendments with NRC approved amendments specific to the site; (6) reviewing compliance of amendments with regulatory requirements (including NRC Orders); and, (7) specific reviews as directed by the RSRLB TL or Branch Chief.

Identify any significant issues or concerns, including possible omissions, to ensure that regulatory requirements have been met by security statements or commitments described in the security plans.

Consult with the TL and/or Branch Chief, the appropriate NRR licensing PM when applicable, and the regional Plant Support Branch when applicable.

Prepare formal Request for Additional Information (RAI) questions for a licensee as needed to support the 10 CFR 50.90 technical reviews. LIC 101, "Licensing Amendment Review Procedures," (latest revision) should be used to the extent possible as guidance for developing questions (i.e., clear and concise questions with required regulatory basis, reduce unnecessary burden, etc.).

Coordinate with the NRR PM, NSIR staff, the Regional office staff, and Resident Inspectors as needed on required interactions with a licensee. The interactions may include telephone calls, e-mail communications, meetings (open and/or closed), and/or site visits to obtain additional necessary information.

After coordinating with NSIR staff and others, request additional clarification from licensee as needed and documents those interactions.

Create a preliminary draft of the Safety Evaluation Report (SER) based on available information and notify NRR PM as per schedule.

Conduct site visits, if needed. Typically, a site visit will be limited to situations where a licensee's responses to staff questions were not sufficient for the Technical Reviewer to understand the site-specific conditions, security operations, or changes to arrive at a final determination on the appropriateness of an amendment.

When reviewing licensee security plans, reviewers should screen the SFAQ's that have been issued since the last revision of NEI 03-12 to identify any potential changes to security plan template text resultant from the SFAQ process.

Coordinate and document the response to evaluation by Region and additional reviewers as necessary in Final SER.

Transmit SER to PM.

Handle the SER appropriately, as it may contain SGI, and should at least be categorized as "Official Use Only - Security Related Information." If SGI, the Technical Reviewer assures the correct markings (SAFEGUARDS INFORMATION) as per 10 CFR 73.22(d). The Technical Reviewer assures it is stored in the Secure

Local Area Network (LAN) SLES, by attaching the proper 771ES form to the document and forwarding it to the E-Safe Processing Center.

If SGI, prepare required NRC Form 665S related to declaration of sensitivity and access to the SR in the NRC's ADAMS. SRs containing SGI are placed in SLES in accordance with NSIR Office Procedure ADM 117.

#### Section 73.5 of 10 CFR Exemption Reviews

Initiate the work planning according to Attachment 3 as needed. This task is fee-recoverable and involves establishing and/or using the appropriate TAC numbers, in accordance with NSIR Office Procedure FIN 303, "Time and Labor Reporting."

Provide information, such as the name of assigned Technical Reviewer, assisting reviewers, due dates, TAC numbers, review status, comments, etc., to the Branch Project Plan Coordinator for appropriate work tracking, reporting of performance and analysis for budgeting.

Review for compliance with 10 CFR 73.5 requirements. Identify any significant issues or concerns, including possible omissions, to ensure that the conditions listed have been met in the exemption request, including, 1) identification of the specific requirement or requirements of the rule that the licensee needs additional time to implement; 2) detailed justification that describes the reason the licensee requires additional time to implement the specific requirement or requirements identified; 3) detailed technical information that supports the licensee's solution for meeting the requirement; 4) a proposed implementation schedule with activity milestones that support the licensee's solution and are consistent with the scope of work to be conducted and the new compliance date requested, and; 5) an evaluation of the impact that the additional time to implement the requirements will have on the effectiveness of the licensee's overall physical protection program and protective strategy.

If requirements are not met, the licensee has the option to withdraw the exemption request. If the licensee chooses not to withdraw, a member of the Technical Staff or PM will prepare a Denial Letter and transmit to the Licensee.

Perform the technical evaluation and identify any significant issues or concerns.

- If questions, significant issues, or concerns arise during the technical evaluation, contact the NRR PM to facilitate discussion with the licensee for clarification or issue RAI's to licensee.
- If the exemption is granted, Technical Staff or PM will prepare exemption input and Environmental Assessment (EA), which will be routed for concurrence and approval. If the exemption is denied, the Licensee can choose to withdraw or receive a denial letter.
- The EA package and exemption package will be recorded, published and transmitted to Licensee.