

**PUBLIC MEETING
TO GATHER INPUT CONCERNING
THE QUESTIONS POSED BY THE COMMISSION
IN STAFF REQUIREMENTS MEMORANDUM (SRM)
COMGEA/COMWCO-14-0001**

May 5, 2014

Agenda

- **Overview of the SRM-COMGEA/COMWCO-14-0001**
- **Background of Force-on-Force (FOF) Performance Testing**
- **FOF Program Objectives**
- **Methodology for responding to SRM-COMGEA/COMWCO-14-0001**
- **Stakeholder Input**

SRM Overview

COMGEA/COMWCO-14-0001 issued February 11, 2014

The staff should conduct a lessons-learned review of the Nuclear Regulatory Commission's (NRC) FOF inspection program to evaluate whether any adjustments are necessary to ensure efforts in this area are accomplishing intended objectives effectively and whether NRC's and licensees' efforts are focused on the most important issues to ensure security and safety at the sites.

Background of Force-on-Force (FOF) Performance Testing

- Regulatory Effectiveness Reviews
- Operational Security Response Evaluations
- Response to September 11, 2001
 - Interim Compensatory Measures
 - Expanded Table-Top Exercises
 - Expanded FOF Exercises

In November 2004, NRC began implementation of its redesigned, full-scale FOF program with the intent of performing exercises at each licensee every three years.

Program Objectives

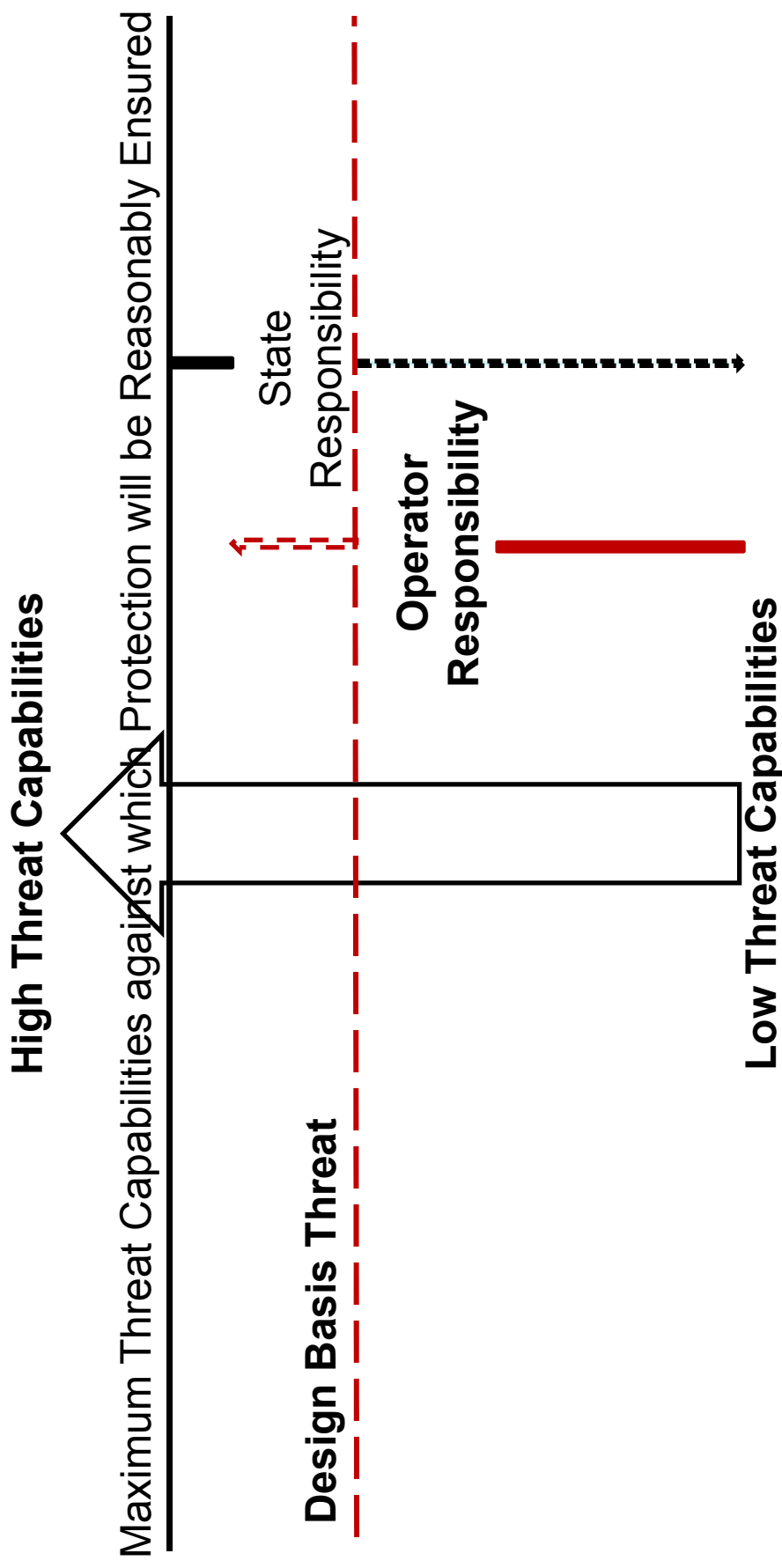
ATOMIC ENERGY ACT OF 1954, AS AMENDED BY THE ENERGY POLICY ACT OF 2005

SEC. 170D. SECURITY EVALUATIONS.

- a. **SECURITY RESPONSE EVALUATIONS** — Not less often than once every 3 years, the Commission shall conduct security evaluations at each licensed facility that is part of a class of licensed facilities, as the Commission considers to be appropriate, to assess the ability of a private security force of a licensed facility to defend against any applicable design basis threat (DBT).
- b. **FOF EXERCISES** — (1) The security evaluations shall include FOF exercises.
 - (2) The FOF exercises shall, to the maximum extent practicable, simulate security threats in accordance with any DBT applicable to a facility.
 - (3) In conducting a security evaluation, the Commission shall mitigate any potential conflict of interest that could influence the results of a FOF exercise, as the Commission determines to be necessary and appropriate.
- c. **ACTION BY LICENSEES** — The Commission shall ensure that an affected licensee corrects those material defects in performance that adversely affect the ability of a private security force at that facility to defend against any applicable DBT.

The Design Basis Threat

Roles and Responsibilities for Protecting Against Threats



Program Objectives

BASIS DOCUMENT FOR SECURITY CORNERSTONE OF THE REACTOR OVERSIGHT PROCESS

Inspection Manual Chapter 0308, Attachment 6:

- Verify that the licensee has the capability to protect its target sets against the DBT.
- Demonstrate that the strategy works and that the security force can successfully protect against the DBT through drills and exercises.

**Note: Category I fuel cycle facilities (Cat I FCFs) do not fall under the Reactor Oversight Process but program objectives are similar.*

Program Objectives

INSPECTION PROCEDURE 71130.03 GENERAL

OBJECTIVES

- Verify and assess the ability of licensees 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 public health and safety.
- To assess each licensee's physical protection program to ensure that it has been appropriately developed to provide high assurance of protecting against the DBT of radiological sabotage.
- To verify and assess the effectiveness of licensees' implementation of their protective strategies.
- To verify and assess licensees' capability relative to conducting a FOF exercise and the critique process used for the identification of program deficiencies.

**Note: Cat I FCFs use Inspection Procedure 96001 but program objectives are similar.*

Program Objectives

- The NRC led FOF Inspection Program uses the methodology in 10 CFR 73, Appendix B, Section VI.C.3, Performance Evaluation Program, to test the licensee's protective strategies.
- Power Reactor Security Requirements; Final Rule (74 FR 13,926, 13,965; March 27, 2009) — The Commission's intent is that the licensee's performance evaluation program be evaluated during the conduct of NRC security baseline inspections including FOF evaluations.

**Note: This does not apply to Cat I FCFs.*

Methodology for responding to SRM-COMGEA/COMWCO-14-0001

Phase I

- Data Collection and Analysis
- Literature Review
- Benchmarking
- Best Practices
- Solicit and Consider Stakeholder Input

Phase II

- Analyze Phase I data
- Develop Options and Recommendations
- Respond to Commission SRM

Stakeholder Feedback

SRM Questions

SRM Question 1

Are current policies and practices for the conduct of FOF exercises consistent with the Energy Policy Act of 2005, the requirements of 10 CFR 73.1 and 73.55, and the DBT, as described in Regulatory Guide 5.69?

SRM Question 2

Are current policies and practices for immediate notifications of all deficiencies to State and Congressional stakeholders consistent with the Energy Policy Act of 2005? Have there been any unintended consequences? For the first two questions, the staff should also address whether these policies and practices are required by the Energy Policy Act of 2005. If they are not, the staff should describe the methods by which staff determines that such policies and practices - or proposed new practices - are assessed to be consistent with the Act.

SRM Question 3

The staff should explain its view of the specific role of FOF exercises in assuring compliance. Are they intended to assure licensee preparation for a myriad of specific scenarios or are they intended to assure licensees overall capability to respond appropriately to a broad range of potential threats?

SRM Question 4

Are the current composite adversary force (CAF) tactics in accordance with the DBT and the adversary characteristics document (ACD)? The same should be addressed for CAF techniques. In addition, the staff should include the process used to determine the nexus to threat information received from Title 50 agencies, to conduct cost/benefit analyses (if any), the opportunities for feedback or insights from the regulated community prior to finalizing any changes in CAF tactics and techniques, as well as the metric(s) used by the staff to determine the increase or improvement in security posture when new tactics and techniques are implemented.

SRM Question 5

Are the level of knowledge of the CAF and the information it is provided by the licensee in accordance with the DBT?

SRM Question 6

Is the realism of the FOF exercises affected significantly by the number of timeouts? The staff should also address the extent to which it believes additional timeouts are being caused by overly complex scenarios with multiple controller injects and simulation(s).

SRM Question 7

Is the current guidance for unattended openings realistic?
The staff should also address whether this guidance is commensurate with threat information and how such determinations are made.

For example, the staff should provide any performance testing information developed by NRC, other Federal agencies, or the regulated community that has been used to support changes in the CAF tactics and techniques with respect to the unattended openings criteria.

SRM Question 8

Are the deficiencies identified by FOF exercises prioritized with respect to their significance? The staff should also provide the method and basis for any prioritization scheme currently in use, if any.

SRM Question 9

Is the practice of requiring immediate compensatory measures (i.e., before the inspection team leaves the site) appropriate? Have there been any unintended consequences? Also, the staff should address whether the current practice of requiring immediate compensatory measures should be augmented to establish a threshold for determining which deficiencies require immediate corrective action and which deficiencies, if any, could be appropriately prioritized and addressed through the licensee's corrective action program. If so, how would this be done?

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Additional written comments can be submitted to:

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STAKEHOLDER INPUT

QUESTIONS?