

REGULATORY ANALYSIS

DRAFT REGULATORY GUIDE DG-5043 TRAINING AND QUALIFICATION OF SECURITY PERSONNEL AT NUCLEAR POWER REACTOR FACILITIES

(Proposed Revision 1 of Regulatory Guide 5.75, dated July 2009)

1. Statement of the Problem

The U.S. Nuclear Regulatory Commission (NRC) published Revision 0 of Regulatory Guide 5.75, "Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities," in July of 2009, to provide licensees and applicants with agency-approved guidance for complying with Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities," 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants," 10 CFR Part 73 "Physical Protection of Plants and Materials," and Appendix B to 10 CFR Part 73, "Nuclear Power Reactor Training and Qualification Plan for Personnel Performing Security Program Duties," with particular focus on Section VI of Appendix B.

However, there have been lessons learned from operating experience since the original publication of the guide. In particular, a revision would provide more comprehensive discussion of the objectives for training and qualifying licensee and contractor security personnel, as well as personnel who support the licensee's security program but are not direct members of the licensee's security staff or contractors to the security organization. A revision would also provide additional clarification on aspects of the training and qualification process that the staff has determined would be helpful for licensees in implementing their performance evaluation programs. A revision would contain a broad discussion of tactical response drills and Force on Force exercises, including follow-on critiques, which would be added to ensure that licensees have ample guidance for effective and complete drill and exercise management, from planning through conclusion.

2. Objective

A revision of the guide (Revision 1) would clarify the staff guidance for the training and qualification requirements delineated in Section VI of Appendix B to 10 CFR Part 73. The revision to the RG updates training and qualification guidance that incorporates lessons learned and reflects changes that have been made in associated rules and guidance documents since the original publication of the guide.

In particular, a revision would provide more comprehensive discussion of the objectives for training and qualifying licensee and contractor security personnel, as well as training and qualifying those personnel who support the licensee's security program, but are not direct members of the licensee's security staff or contractors to the security organization. A revision would also provide additional clarification on aspects of the training and qualification process that the staff has determined would be helpful for licensees in implementing their performance evaluation programs. A revision would contain a broad discussion of tactical response drills and Force on Force exercises, including follow-on critiques, which would be added to ensure that licensees have ample guidance for effective and complete drill and exercise management, from planning through conclusion.

3. Alternative Approaches

The NRC staff considered the following alternative approaches:

1. Do not revise Regulatory Guide 5.75
2. Withdraw Regulatory Guide 5.75
3. Revise Regulatory Guide 5.75 to address the current methods and procedures.

Alternative 1: Do not revise Regulatory Guide 5.75

Under this alternative, the NRC would not revise or issue additional guidance, and the current guidance would be retained. This alternative is considered the “no-action” alternative and provides a baseline condition from which any other alternatives will be assessed. If NRC does not take action, there would not be any changes in costs or benefit to the public, licensees or NRC. However, the “no-action” alternative would not address identified concerns with the current version of the regulatory guide. New methodologies and technical advancements that have been developed since 2009 for addressing the comprehensive training of security personnel and facility staff would continue to lack current technical guidance designed to provide robust security related training.

Alternative 2: Withdraw Regulatory Guide 5.75

Under this alternative the NRC would withdraw this regulatory guide. Withdrawal of the guide would eliminate the important information already provided regarding the implementation of robust training and qualification plans. It would also eliminate the only readily available description of the methods the NRC staff considers acceptable for demonstrating compliance with Appendix B to 10 CFR Part 73. Although this alternative would be less costly than the proposed alternative, it would eliminate the public’s accessibility to the most current NRC endorsed guidance information.

Alternative 3: Revise Regulatory Guide 5.75

Under this alternative, the NRC would revise Regulatory Guide 5.75. This revision would incorporate the latest information available to the NRC in the form of supporting guidance, practices, and lessons learned from operating experience developed since 2009. By doing so, the NRC would ensure that the RG guidance available in this area is current, remains robust and accurately reflects the staff’s position.

The impact to the NRC would be the costs associated with preparing and issuing the regulatory guide revision. The impact to the public would be the voluntary costs associated with reviewing and providing comments to NRC during the public/stakeholder comment period. The value to NRC staff and NRC stakeholders would be the benefits associated with enhanced efficiency and effectiveness in using a common guidance document as the technical basis for license applications and other interactions between the NRC and its regulated entities.

Conclusion

Based on this regulatory analysis, the NRC staff concludes that revision of Regulatory Guide 5.75 is warranted. The staff concludes that the proposed action will greatly enhance a

licensee's or applicant's access to the most current information available since the guide's original issuance by providing ample guidance for effective and complete drill and exercise management, from planning through conclusion.