



## **Public Meeting**

# **Rulemaking for ALTERNATIVE PHYSICAL SECURITY REQUIREMENT FOR ADVANCED REACTORS**

**Proposed Rule  
(NRC Docket ID: NRC-2017-0227)**

April 22, 2020



# Purpose

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## DISCUSSION TOPICS

- NRC's preliminary proposed rule language
- NRC's disposition of the December 12, 2019 public meeting comments
- Next steps

# Background

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- SECY-18-0076, “Options and Recommendation for Physical Security for Advanced Reactors,” dated August 1, 2018 (ADAMS Accession No. [ML18170A051](#))
  - The staff proposed four options and recommended Option 3:
    - 1) No change / Status quo
    - 2) Address possible requests for alternatives via guidance
    - 3) Limited scope rulemaking
    - 4) Broader based rulemaking
- Staff Requirements Memorandum, SRM-SECY-18-0076, dated November 19, 2018 (ADAMS Accession No. [ML18324A469](#))
  - The Commission approved a limited scope rulemaking (Option 3)
  - The Commission directed the staff to interact with stakeholders to identify specific requirements within existing regulations that would play a diminished role in providing physical security for advanced reactors

# Background

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- Commission did not approve Option 4 in SECY-18-0076, which included:
  - A broad-scope rulemaking to assess and define physical security requirements for advanced reactor designs
  - A performance-based approach with physical security requirements defined in terms of advanced reactor attributes and design features, including inherent design characteristics, to address the variety of technologies and designs being contemplated
  - Possible threat assessments to determine whether different DBTs may be warranted for advanced reactors

# Background

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- Goal of this limited-scope rulemaking is to provide near-term alternatives for specific items that can be easily and quickly addressed
- NRC is supportive of providing advanced reactor applicants flexibility, to the extent supported by the unique safety and security aspects presented, through use of 10 CFR 73.55(r), “Alternative measures,” and use of exemptions

# PRELIMINARY PROPOSED RULE TEXT

# Preliminary Proposed Rule Text

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- Inclusion of performance criteria in 10 CFR 73.55(a)(7)
- Inclusion of alternatives in the new 10 CFR 73.55(s),  
“Alternative physical security requirements”
  - Minimum number of armed guards
  - Secondary alarm station
  - Physical barriers
  - Vital areas
- Discuss handout of the NRC staff’s preliminary proposed rule text

# **Questions/Comments on the Preliminary Proposed Rule Text**



# DISPOSITION OF COMMENTS

# Disposition of Comments

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- NRC staff reviewed and screened proposed alternatives identified during the December 12, 2019 public meeting
- Stakeholder's proposed alternative was screened in if the alternative:
  - Met the limited scope of SRM-SECY-18-0076 to provide alternatives to “specific requirements within existing regulations that would play a diminished role in providing physical security for advanced reactors while at the same time contributing significantly to capital and/or operating costs.”

*and*

- Incorporation is achievable within the rulemaking's schedule

## Options for Items Screened Out

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Items screened out of this limited scope rulemaking may be considered in NRC's ongoing efforts to develop a framework for licensing advanced reactors

- Items may be carried forward to Part 53 rulemaking
- Items may be addressed through another rulemaking
- Items may be addressed in guidance updates

# Comment Disposition

| Comment # | Comment  | Scoped In | Scoped Out: |          | N/A |
|-----------|--|-----------|-------------|----------|-----|
|           |  |           | SRM         | Schedule |     |
| 1         | General comment-no specific revisions          |           |             |          | X   |
| 2         | 73.2 Definitions                               | X         |             |          |     |
| 3         | 73.55(a) Reference to Watts Bar 2              | X         |             |          |     |
| 4         | 73.55(a)(6) Recognize alt requirements for SAS | X         |             |          |     |
| 5a        | 73.55(b) Recognize performance criteria        | X         |             |          |     |
| 5b        | 73.55(b) High assurance                        |           |             | X        | X   |
| 6         | 73.55(d) Security Organization                 |           | X           | X        |     |
| 7a        | 73.55(e)(3) Physical Barriers                  | X         |             |          |     |
| 7b        | 73.55(e)(9) Vital areas                        | ½X        |             | ½X       |     |

# Comment Disposition

| Comment # | Comment  | Scoped In | Scoped Out: |          | N/A |
|-----------|--|-----------|-------------|----------|-----|
|           |  |           | SRM         | Schedule |     |
| 8         | 73.55(g) Access controls                               |           |             | X        |     |
| 9         | 73.55(h) Search programs                               |           | X           | X        |     |
| 10a       | 73.55(i)(2) Alarm stations conforming changes          | X         |             |          |     |
| 10b       | 73.55(i)(4) Alarm stations                             | X         |             |          |     |
| 11        | 73.55(j) Communication requirements conforming changes | X         |             |          |     |
| 12a       | 73.55(k)(3-8) Response Requirements                    |           | X           | X        |     |
| 12b       | 73.55(k)(5)(ii) Minimum number armed responders        | X         |             |          |     |
| 13        | Appendices B and C conforming changes                  | X         |             |          |     |
| 14        | Other 10 CFR sections conforming changes               | X         |             |          |     |
| 15        | Considerations for micro reactors                      |           | X           | X        |     |

# **Questions/Comments on the Disposition of Comments**

# NEI Draft Guidance

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**NEI 20-05:** “Methodological Approach and Considerations for a Technical Analysis to Demonstrate Compliance with the Performance Criteria of 10 CFR 73.55(a)(7),” Draft B

Received: April 13, 2020

ADAMS Accession No. **ML20107A894**  
PUBLICLY AVAILABLE



# Next Steps

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- Proposed Rule and Draft Guidance
  - Provide to the Commission in January 2021
  - Issue for public comment in early 2021
- Final Rule and Final Guidance
  - Provide to the Commission in May 2022