



Increasing Openness and Transparency in NRC Security Inspection Programs

Lynchburg City Hall
Lynchburg, VA
August 27, 2008; 5 pm – 9 pm



AGENDA

- Welcome Paul W. Harris, Senior Program Manager
Division of Security Operations
Office of Nuclear Security and Incident Response

Peter Habighorst, Chief, Fuel Manufacturing Branch

Robert Caldwell, Chief, Fuel Cycle and Transportation Security Branch

Garmon West, Chief, Reactor Security Oversight Branch

Amy Luebbering, Fuel Manufacturing Branch

Steve Subosits, Resident Inspector, Region II

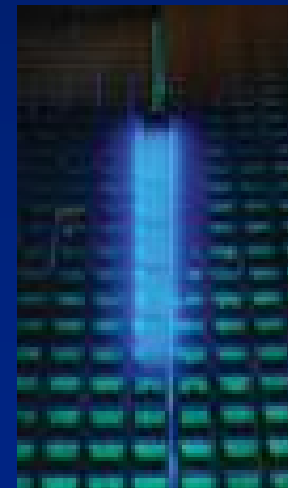
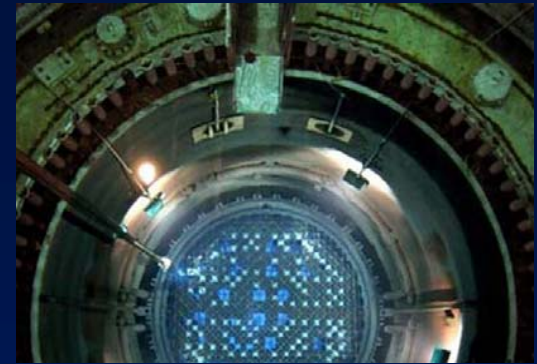
- Presentation
- Discussion with Questions, and Answers

Balancing Openness and Protection

There must be an appropriate balance between the public's right to information so they can meaningfully participate in regulatory processes and the need to protect sensitive security information from inadvertent release or unauthorized disclosure which might compromise the security of nuclear facilities or materials.

Agency-Wide Openness

- Reactors
- Materials
- Transportation
- Research & Test Reactors
- Category 1, 2, and 3 Facilities



Enhancing Public Confidence and Physical Protection Through Effective Openness

- NRC has long recognized the importance of protecting the nation by securing nuclear facilities and materials, and we and our stakeholders have significantly enhanced security after the events of 9/11.
- This protection was and is accomplished through regulation and inspection, partnership with the nuclear industry, and extensive coordination with other Federal agencies.

Types of Information

- Unprotected Information (public information)
 - That which is legitimately in the public domain
 - That which is not useful for the planning or conduct of a malevolent act or obtaining safeguards or classified information
- Protected (controlled information)
 - Classified Information, including Restricted Data
 - Safeguards Information
 - Sensitive Unclassified Non-Safeguards Information (SUNSI)
 - Security-Related, Proprietary, Personal, other

Protected Information - Examples

- Information Withholding Mandated by Law, Statute, or Regulation
 - Classified, Safeguards, Proprietary, Personal, etc.
- Inter-Agency Security Information (detailed procedures)
 - Federal, State and Local Security Partners
- Site-Specific or Generic Vulnerabilities
 - Structure, System, Design, Impact, or Officer Performance
- Details involving aircraft impact design, damage, and mitigation
- Any information that could aid in obtaining security-related information or the planning or attempt of hostile acts

Why We Could Increase Openness & Transparency

1. Significant Defense in Depth

- Robust Structures
- Multiple Security Layers
- Strong Information Control
- Diverse and Redundant Systems
- Comprehensive Officer Training and Performance
- Effective Command, Control, Communication, and Coordination
- Significant Federal, State, and Local Response Capabilities

2. NRC has been conservative in information control following the attacks of September 11, 2001



Nuclear Facility Security



Current Status on Openness

- Power Plants
 - Security Plan- Sensitive but unclassified
 - Inspection Reports-Withheld from public
 - Inspection Report Cover Letters- Publicly available
 - Provides inspection dates and key attribute
 - States the number of findings of very low significance
 - Acknowledges that there are findings of higher significance, but not how many
 - Acknowledges that there is a cross-cutting aspect of a security finding, but not how many
- NRC Web Page
 - References that security-related information has been removed

Current Status on Openness

- Fuel Facilities
 - Security Plans
 - Category 1; Classified
 - Category 3 and Other; Sensitive (withheld from public) but unclassified
 - Inspection Reports
 - Physical Security Inspections performed by Region
 - Material Control and Accounting Inspections performed by headquarters
 - Inspection Reports and Cover Letters withheld from public

Options for Increasing Openness

- Provide Additional Detail to Inspection-Related Documents
 - Annual Report to Congress
 - Provide description & significance of findings
 - Inspection Report Cover Letters
 - Publicly release cover letters for all facilities
 - Provide additional information in cover letters
 - Provide the key attribute and/or inspectable area for a finding
 - Provide the significance determination for a finding
- Enhance NRC Website Information
 - Provide Performance Indicator results
 - Provide Inspection Procedures
 - Provide mid-cycle & end-of-cycle assessment reports



Key Attributes for Security

Key Attributes

Physical Protection Systems

Access Authorization

Access Controls

Response to Contingency Events

Material Control and Accounting

Inspectable Areas

Barriers, Alarms, Assessment, and Equipment Performance

Personal Screening, Behavior Observation, and Fitness for Duty

Search and True Identity

Protective Strategy and Implementation

Physical Inventory, Records, & Procedures

Note: The key attribute and inspectable area relating to a finding are not currently public.

Summary

- The NRC is soliciting public comment (via public meetings and a *Federal Register Notice*) on the current level of openness and transparency associated with security-related inspection finding and licensee performance assessment.
- The NRC staff currently believes that the level of openness and transparency can be increased; however, stakeholder input is needed to inform any staff recommendation to the Commission.
- There must be a proper balance between the public's right to know and be involved in the regulatory process and the need to prevent disclosure of sensitive security-related information.
- Openness and transparency is an Agency-wide effort.