

January 15, 2003

Ms. Jill Roth Edelson  
U.S. General Accounting Office  
441 G Street, NW  
Room 2T23  
Washington, DC 20548

SUBJECT: QUESTIONNAIRE FOR NRC SECURITY INSPECTORS

Dear Ms. Edelson:

In response to your GAO request, Region I has completed its response to the questionnaire. It is enclosed with this letter.

Sincerely,

***/RA by G. C. Smith Acting for/***

John R. White, Chief  
Radiation Safety and Safeguards Branch  
Division of Reactor Safety

Enclosure

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| DATE   | 01/15/03             |  | 01/15/03         |  | 01/ /03 |  | 01/ /03 |  |

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## GAO Questionnaire Responses

Regional Division Director                      Mr. Wayne D. Lanning

Regional Security Inspectors:                Mr. Gregory C. Smith, Mr. Paul R. Frechette

### **A.     Tabletop and Force-on-Force Exercises**

#### Tabletop Exercises

1. Is there a formal requirement to conduct tabletop exercises?

There is no formal requirement in 10CFR 73 that directs the licensee to “conduct tabletop exercises.” Through the Reactor Oversight Program (ROP) industry periodically performs tabletop exercises, some of which are inspected by the NRC.

1a. If yes, what is the requirement and where can we find it?

N/A

1b. If yes, when was the requirement established?

N/A

2. What are the main components of your regions tabletop exercise program?

Description of response performance evaluation is provided in Inspection Procedure 71130-03, Section 02.02 (c)

3. Who determines the scenarios used for the tabletop exercises?

The NRC inspector determines the scenarios used for table top exercises.

4. Is there a requirement on how often tabletops should be conducted?

See response to question 1 above.

5. Is there a central data bank for the results of tabletops?

There is no central data bank for the results of tabletops.

5a. If yes, can we access to get these data?

NRC evaluated tabletop exercises are documented in an inspection report.

Force-on-Force Exercises

1. Is there a formal requirement to conduct force-on-force exercises.

There is no formal requirement in 10CFR 73 that directs the licensee to “conduct Force-on-Force exercises.” Through the Reactor Oversight Program (ROP) industry periodically performs force-on-force exercises, some of which may be inspected by the NRC.

- 1a. If yes, what is the requirement?

N/A

- 1b. If yes, when was this requirement established?

N/A

2. What are the main components of your region’s force-on-force exercise program?

Description of response performance evaluation is provided in Inspection Procedure 81110 (OSRE).

3. What types of weapons are used during the force-on-force exercises?

The conduct of force-on force exercises does not involve the use of any actual weapons by either the attackers or the defenders.

Weapon usage may be simulated during a force-on-force exercise. The defenders would simulate use of the weapon that they have been trained and qualified on in accordance with the licensee’s approved Training and Qualifications (T&Q) Plan. The attackers would simulate use of the weaponry described in Design Basis Threat (DBT) documentation.

Who determines the type of weapons used in force on force exercises?

The response weapons are chosen by the licensee. The weapons simulated in force-on-force exercises would be the weapons that the responders have been trained and qualified on. Weapons (simulated) selection for the adversary force are part of the adversary characteristics contained within the DBT.

4. What sorts of people are used in the adversary team for the force-on-force exercises?

Adversary teams are comprised of individuals from a security force. It has generally been the practice in Region 1 for the adversary team to be comprised of security force members from another licensee during OSREs.

5a. Who picks the adversary team?

The adversary team is selected by the licensee.

5b. How is the adversary team chosen?

Generally, licensees select adversary teams such that there is some level of independence from the response force.

5. Who determines the scenarios used for the force-on-force exercises?

During an OSRE, the NRC inspector determines the scenarios.

6. How often are force-on-force exercises conducted?

NRC evaluated force-on-force exercises are generally conducted about every 8 years.

7a. Is there a requirement on how often they should be conducted?

There is no specific regulatory requirement that defines the frequency of force-on-force exercises.

7b. If yes, where can the requirement be found?

N/A

7c. Who checks to ensure when they are conducted?

N/A

7d. Is there a central data bank for the results?

There is not a central data bank for the results of OSRE evaluations.

7e. If yes, can we get access to these data?

NRC evaluated force-on-force exercises are documented in an inspection report.

7. Are spent fuel pool facilities used as targets in force-on-force exercises?

Spent fuel pools are considered to be targets, or part of a target set.

8. Are dry cask storage facilities used as targets in force-on-force exercises?

No.

Battlebooks

1. When did power plant licensees start using “battlebooks” to describe the target sets and defense plans for their plants?

The use of the nomenclature “battlebook” is relatively new (within the last two to three years). However, a record of information to include target sets, defensive strategy and response positions, response time lines, adversary time lines, and fields of fire have been maintained by licensees since the advent of the OSRE program.

- 1a. Does every licensee have a “battlebook”?

All licensees maintain a record of the information listed in the response to question 1 of this part, however, not all licensees use the specific nomenclature “battlebook”.

- 1b. How often are “battlebooks” updated?

The type of information described in the response to question 1 of this section, is updated as needed.

2. Does NRC Regional office or headquarters have a copy of the “battlebook” for each licensee?

The NRC has access to this information through the Inspection Program, but does not have copies of the battlebooks.

- 2a. How often are they updated?

N/A

3. Does NRC regional office approve the “battlebook” for each licensee?

No.

- 3a. If yes, how often?

N/A

**B. Tabletop and Force-on-Force Exercise Reports**Tabletop Reports

1. Are there reports written on tabletop exercises, other than those that are written in OSRE reports?

Yes.

- 1a. If yes, what is the process for:

Writing a report on a table top exercise?

The report of a table top exercise would be documented in the scope section of the report associated with the specific Inspection, in accordance with Manual Chapter 0612.

Reviewing a report of a tabletop exercise?

The responsible Branch Chief reviews reports generated by the inspector.

Issuing a report of a tabletop exercise?

Upon review and concurrence by the responsible Branch Chief, the report may be either issued (stand alone report), or forwarded as a feeder to the Senior Resident Inspector for incorporation in the regularly scheduled Integrated Report.

1b. Who writes the report on a tabletop exercise?

The inspector writes the report

1c. Is there a requirement for how many days or months between the tabletop exercise and when the report must be submitted?

Yes.

1d. If yes, what is the requirement?

Report timeliness is discussed in Manual Chapter 0612, Section 04.05. In addition, Region 1 DRS Policy 1010 provides additional guidance for report timeliness. In general, the requirement is as follows:

Inspection Feeder report shall be provided within 2 weeks of the inspection exit meeting, to be included in the resident inspectors Integrated Report.

Stand alone reports shall be issued within 30 days of the inspection exit.

Team Inspection reports shall be issued within 45 days of the inspection exit.

1e. Is there a requirement for how many days or months between the tabletop exercise and when the report must be issued?

Yes.

1f. If yes, what is the requirement?

See response to question 1.d (above)

1g. How long do licensees have to correct or challenge findings, concerns or observations that are stated in the tabletop report?

With respect to a finding, the period of time referred to in the question varies. For example, if the finding identifies a vulnerability in the security system, it would be expected that as an immediate corrective action, typically prior to the inspector leaving the site, the licensee put compensatory measures in place. It would also be expected that the finding would be placed in the licensee's corrective action program and the timeliness of the licensee's corrective action is governed by licensee administrative procedures. In general, the licensees allow 30 days for a response to a finding.

- 1h. When a tabletop is conducted and a finding, problem, concern or observation is raised and written in the report, how do you ensure implementation of the corrective action?

Inspection follow-up is accomplished for all significant findings.

### Force-on-Force Reports

1. What is the process for:

Writing a report on a force-on-force report?

The report of a force-on-force exercise, conducted as part of the scope of an inspection conducted using Inspection Procedure 81110, would be documented in the report associated with the specific Inspection.

Reviewing a report of a force-on-force exercise?

The responsible Branch Chief reviews reports prepared by an inspector.

Issuing a report of a force-on-force exercise.

Upon review and concurrence, the report may be either issued (stand alone report), or forwarded as a feeder to the Senior Resident Inspector for incorporation in the regularly scheduled Integrated Report.

2. Who writes the report on a force-on-force exercise?

The OSRE team leader is responsible for final documentation of the inspection.

3. Is there a requirement for how many days or months between the force-on-force exercise and when the report must be submitted?

Yes.

- 3a. If yes, what is the requirement?

Report timeliness is discussed in Manual Chapter 0612, Section 04.05. In addition, Region 1 DRS Policy 1010 provides additional guidance for report timeliness. In general the requirement is as follows:

Inspection Feeder report shall be provided within 2 weeks of the inspection exit, to be included in the resident inspectors Integrated Report.  
Stand alone reports shall be issued within 30 days of the inspection exit.  
Team Inspection reports shall be issued within 45 days of the inspection exit.

4. Is there a requirement for how many days or months between the force-on-force exercise and when the report must be issued?

Yes.

- 4b. If yes, what is the requirement?

See response to question 3.a (above)

5. How long do licensees have to correct or challenge findings, concerns or observations that are stated in the force-on-force report?

With respect to a finding, the period of time referred to in the question varies. For example, if the finding identifies a vulnerability in the security system, it would be expected that as an immediate corrective action, typically prior to the inspector leaving the site, the licensee put compensatory measures in place. It would also be expected that the finding would be placed in the licensees corrective action program and the timeliness of the licensee's corrective action is governed by licensee administrative procedures. In general, the licensees allow 30 days for a response to a finding.

6. When a force-on-force is conducted and a finding , problem, concern or observation is raised and written in the report, how do you ensure implementation of the corrective action?

Inspection follow-up is accomplished for all significant findings.

### **C. Non-Recurring Activities**

#### Threat Advisory System

1. What do the new threat advisory system codes mean?

Regulatory Issue Summary 2002-12A, "Power Reactors NRC Threat Advisory and Protective Measures System" provides guidance to reactor licensees regarding graded protective measures that correspond to changes in the threat environment. SECY-02-0140, "Implementation of the Homeland Security Advisory System in the NRC Incident

Response Program” provides guidance for activation of the NRC’s Incident Response Program in response to changes in the threat environment.

2. How does this change how things are done at the regional level and at the licensee?

See response to question 1 above.

3. When NRC went to threat level orange, how did that impact the security and readiness of the regions and the licensees?

See response to question number 1 (above).

4. How did the regional inspectors ensure that the licensees were complying with the increased threat level?

Each licensee was required to document and submit , through the Resident inspector, to the region, a description of all actions that were taken in response to the elevated threat level orange. This documentation was forwarded to the NSIR organization at Headquarters.

5. When NRC recently went to threat level red, how did that impact the security and readiness of the regions and licensees?

There has not been any occasion that we are aware of when the Office of Homeland Security has directed an elevation in threat to the red level.

6. Are there any licensees that have stated that they are not in full compliance with the 2/25/02 security order?

No.

7. How do you ensure that the licensees are complying with the 2/25/02 order?

Inspections were performed at all Region I power reactors to insure licensee compliance with the Order. The effectiveness of the licensee’s response to the Order will be inspected using Temporary Instruction 2515/148, “Inspection of Nuclear Reactor Safeguards Interim Compensatory Measures.”

8. How do you plan to evaluate each licensee for compliance with the February 25, 2002 Order which was to be fully implemented by August 31, 2002?

Each licensee is currently scheduled for an inspection, using Temporary Instruction 2515/148, “Inspection of Nuclear Reactor Safeguards Interim Compensatory Measures.” These inspections are currently scheduled to be completed by the end of August, 2003.

8a. Are you using any of these types of data collection techniques:

- Paper surveys?
- Random reviews?
- Review all licensees?

Each licensee is scheduled for an inspection, using temporary Instruction 2515/148, "Inspection of Nuclear Reactor Safeguards Interim Compensatory Measures."

9. What other recurring and non-recurring activities (other than force-on-force and tabletop exercises) do you conduct to ensure that a licensee's plant security meets NRC requirements?

All licensees report Performance Indicator information to the Commission on a quarterly basis. All licensees are subject to the baseline inspection program on an annual basis. All licensees are subject to the reporting requirements of 10 CFR 73.55 Appendix G and Regulatory Guide 5.62, Revision one. Special inspections may be used for event follow-up, allegation review, etc.

**D. Inspections and Design Basis Threat**

Inspections

1. Describe the security inspection program as implemented by your region.

1a. Who conducts the inspections?

Inspections are conducted by regional security specialists.

1b. How often are inspections conducted?

Routine inspections are conducted in accordance with the requirements of the Reactor Oversight Program (ROP). Routine inspections using Inspection Procedure 71130 are conducted annually. Reactive, supplemental or special inspections are conducted as dictated by the ROP.

1c. What is the scope of the inspection?

The scope of routine inspections is provided in the Inspection Procedure. The scope of a reactive, supplemental or special inspections is dependent on the condition being evaluated by the inspection.

1d. Are problems noted in tabletop exercises included in the scope of the inspection?

Yes.

- 1e. Are problems noted in OSRE exercises included in the scope of the inspection?

Yes.

- 1f. What is the process for issuing an inspection report?

Please refer to response to question 1a. **Tabletop and Force-on-Force Exercise Reports.**

- 1g. If problems are noted during the inspection, how long does the licensee have to correct or mitigate the problem?

Please see response 1.g, in section titled **Tabletop and Force-on-Force Exercise Reports.**

- 1h. What does the NRC do to ensure that corrective action has been implemented and that the corrective action was adequate to eliminate the problem.

Inspection follow-up is accomplished for all significant findings.

- 1i. Have any inspections included the post 9/11/01 advisories and requirements in the scope of what was reviewed.

Yes.

2. How was the current inspection program developed?

The ROP development effort was led by NRR with participation from each Region and other stakeholder organizations.

**Design Basis Threat**

1. Does the inspection process evaluate a licensee's ability to meet the design Basis Threat?

Yes.

2. Do any licensee in your region design their security to meet a threat that exceeds the current Design Basis Threat?

Licensees security programs are designed to meet the Design Basis Threat (DBT) and include enhancements to meet threat information provided in various Threat Advisories and the 2/25/02 Order.

3. Are regional security staff involved in defining a post-9/11 Design Basis Threat?

Regional security staff are kept informed of activities associated with defining a post 9/11 DBT.

4. What impacts have the lack of a post 9/11 Design Basis Threat had on the licensee's security program?

Although the DBT has yet to be changed, licensees have enhanced their security posture based on Threat Advisories and the 2/25/02 Order.

**E. Impediments**

*Use of Automatic Weapons*

1. Do you have information on which states in your region have laws that would prohibit the use of automatic weapons in the defense of a nuclear power plant?

Region I does not have detailed knowledge on a state by state basis.

2. Where legal, do any licensees in your region allow their security force to carry automatic weapons?

No licensees security force personnel in Region I carry automatic weapons in defense of the facility.

3. In states where the use of automatic weapons is not allowed, what sort of obstacle has that presented to licensees' security programs?

The obstacle presented is that licensee security organizations cannot obtain automatic weapons. This may have affected some guard force members confidence in the security program.

4. What is NRC doing to alleviate these obstacles?

The NRC is seeking legislative action to address this issue.

- 4a. What should NRC be doing?

The NRC is seeking legislative action to address this issue.

5. Has the use of automatic weapons been a relevant issue in any security exercises (tabletop or force-on-force) done at recent years at power plants in your region?

No.

6. The September 2002 Project on Government Oversight (POGO) report commented that "the power and range of the weapons provided to many of the guards are vastly inferior

to the weapons known to be used by terrorists....many of the guards do not believe that they are equipped with adequate firearms and other weaponry...many are concerned they would simply be out-gunned in a terrorist attack.” Do you have any reaction to that comment?

The current weaponry is adequate to implement the defensive strategy.

Enemy of the State

1. What impact does the issue of defending the plant against an “enemy of the state” have on the security of power plants in your region?

Licensees are not required to defend against “enemies of the state”.

2. How does NRC define “enemy of the state?”

Response to this question is referred to the Headquarters Program Office.

- 2a. What is the basis for that definition?

See response to question 2 above.

3. How are the nuclear power plants in your NRC region interpreting “enemy of the state”

The interpretation varies. In general, “enemy of the state” is interpreted to be any situation where adversary characteristics exceed the DBT.

- 3a. What is the basis for that interpretation?

N/A

4. What sort of obstacles to security does the enemy of the state issue present to power plants in your region?

Response to this question is referred to the Headquarters Program Office.

5. What is the NRC doing to alleviate those obstacles?

The NRC is revising the DBT

- 5a. What should NRC be doing?

The NRC is revising the DBT.

Arrest and Detention

1. Do you have information on what the laws are related to the ability of security guards to arrest and detain intruders or attackers in the states in your region?

Region I does not have detailed knowledge on a state by state basis.

- 1a. If yes, please provide data for this and include with completed survey.

N/A

2. Do you have any information on the guidance that each plant in your region gives its security guards regarding arrest and detention of intruders or attackers?

Region I does not have detailed knowledge on a state by state basis. The specific information provided to security guards relative to arrest and detention would be in each licensee's training program documents.

- 2a. If yes, please provide data for this and include with completed survey.

N/A

3. What sort of obstacles to security does the ability of plant security guards to arrest and detain intruders or attackers present to power plants in your region?

Through our inspection oversight of licensees, tabletop and force-on-force exercises, routine operations and response to events we are not aware of any significant obstacles.

4. What is the NRC doing to alleviate those obstacles?

The NRC is seeking legislative action to address this issue.

- 4a. What should the NRC be doing?

The NRC is seeking legislative action to address this issue.

5. Has the ability of guards to arrest and/or detain intruders or attackers been relevant in any security exercises (tabletop or force-on-force) done in recent years at power plants in your region?

No.

- 5a. If yes, please explain.

N/A

Temporary Clearances

1. How do licensees in your region use temporary clearances?

The use of temporary clearances by licensees in Region 1 is in accordance with the 2/25/02 Order. In addition, an Order was recently issued to all licensees to address Access Authorization program changes.

2. What does the regional office do to monitor the use of temporary clearances?

The use of temporary clearances is monitored through inspection activities associated with the 2/25/02 Order.

3. Has NRC or your regional office requested or required limits to the use of temporary clearances?

Temporary clearances and their limitations are addressed in the 2/25/02 Order.

- 3a. If yes, were they requested or required?

Required by the Order.

- 3b. If yes, what are they?

Please see the 2/25/02 Order.

- 3c. What initiatives on temporary clearances have been implemented by the power plants since the terrorist attacks of 09/11/01?

The use of temporary clearances has been limited to those needed for essential activities.

4. Has the number of unescorted temporary clearances issued decreased since September 11, 2001?

Yes.

- 4a. If yes, the number decreased, by how much?

This data has not been collected.

- 4b. Please provide data for this and include with completed survey.

N/A