

**COMMISSION BRIEFING SLIDES/EXHIBITS**

**BRIEFING ON GUIDANCE FOR  
IMPLEMENTATION OF SECURITY RULEMAKING**

**MARCH 6, 2009**

# **Effective Implementation of New Security Requirements**

**March 6, 2009  
Alex Marion  
Vice President, Nuclear  
Operations  
Nuclear Energy Institute**

# **Current Situation**

- **Part 73 rule proposed implementation by March 31, 2010**
- **Objectives**
  - **New reactor applications**
  - **Codify existing Orders**
- **Publication of final rule March-April**
- **17 supporting regulatory guides**
- **Implementation workshop in April**

# **Anticipated Situation**

- **Regulatory guides aligned with the rulemaking**
- **Regulatory guides provide a method acceptable to the NRC for compliance**
- **Methods for assuring adequate protection**
  - **Effective and consistent implementation**

# **Challenges**

- **Implementation**
  - **New plant licensing**
  - **Current operating plants**
- **Schedule for regulatory guides**
- **Rule provisions go beyond what was required by the Orders**
- **Assuring a stable regulatory process**

## **Other Challenges**

- **Force-on-Force exercises**
  - **Changes in tactics**
- **Regulatory Issue Summary 2008-06**
- **Part 26 Subpart I – work hours rule**
- **Overall cumulative impacts**

# **Path Forward**

- **Final regulatory guides and other activities influence the rule implementation date**
- **Continued management oversight during implementation**
  - **Inspections**
  - **Force-on-Force exercises**
- **Assure effective and consistent implementation**

# **Achieving High Assurance of Adequate Protection**

**March 6, 2009  
Brew Barron,  
Executive Vice President,  
Generation  
Constellation Energy Group**



# **Achieving High Assurance of Adequate Protection**

- **Industry has implemented the five NRC orders and taken voluntary actions after Sept. 11, 2001**
- **Increased security forces**
- **Addressed enhancement of FOF testing methodology**
- **Enhanced training and performance in FOF exercises**

# **Achieving High Assurance of Adequate Protection**

- **Industry invested \$2.1 billion over and above its ongoing security expenses to make these enhancements**
- **America's nuclear power plants are our nation's most protected and secure industrial assets**

# **Current Industry Actions**

- **Working closely with the staff on 17 regulatory guides**
  - **Process has gone very well**
  - **Met with NRC more than 30 times**
- **Worked closely with the staff in the development of the tactics manual and associated controllers guide**

# **Current Industry Actions**

- **NEI is conducting a four plant pilot program on the implementation of NEI 08-07, “Security Performance Objectives and Criteria”**
- **Establishing a senior level Executive Task Force on Security**

# **Revised Requirements**

- **Regulatory Guides are essential to the proper implementation of the rule for both new plants and operating plants**
- **The industry will spend about \$5-10 million per site to implement the new requirements**

# **Revised Requirements**

- **The industry is achieving high assurance and now needs an implementation schedule that is reasonable**
- **Industry needs the time to conduct a high quality implementation consistently across the nation**
  - **Implementation of new requirements should coincide with commencement of a FOF cycle**

# **Management Focus**

- **Manage change for effective implementation**
- **Address implementation schedule**
- **Address impact of Force-on-Force activities**
- **Address impact of RIS and inspections**
- **Address impact of work hour requirements**

# **Impact of the Rule Implementation**

**March 6, 2009**

**James R. Meister**

**Vice President, Operations  
Support**

**Exelon Nuclear**



# **Major Impacts**

- **Intrusion detection and assessment capability “at all times”**
- **Backup power for alarm and communications equipment in a vital area**
- **Codify the requirements for play back of recorded video images after alarm**
- **Additional surveillance of the vehicle physical barriers**

# **Major Project Scope**

- **Thermal cameras or backup power for lighting**
- **Secondary power, in vital area**
- **Compensatory measures for video capture**
- **Vehicle barrier system monitoring**

# **Other Concurrent Security Changes impacting Stations**

- **Coincidental changes due to**
  - **Revisions to RIS documents affecting pathways and vehicle barriers**
  - **Force on Force Tactics changes**
- **Each of which is being addressed by modifications at many stations**

# **Proposed Project Timeline**

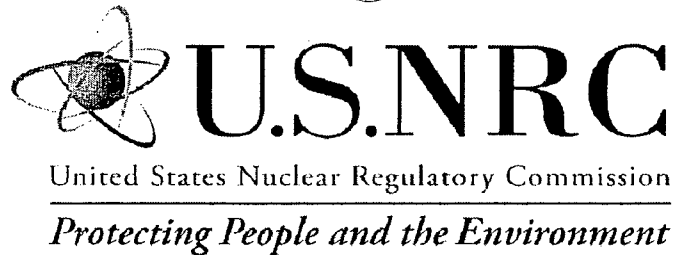
- **NRC publish final RGs – 8/09**
- **Define/select best alternatives to implement – IP thru 8/09**
- **Create detailed project scope and obtain funding – IP thru 9/09**
- **Engineering and procurement – 4/09 thru 12/09**
- **Installation – 6/09 thru 10/10**
- **Train officers and place changes in service – 8/10 thru 12/10**

# **Competing Priorities**

- **Plant Security Changes**
  - **Implementing the Rule changes**
  - **RIS Impacts**
  - **Force on Force tactics changes**
- **Hiring and training additional officers for work hour rule**
- **Initiative to raise the professionalism of the security workforce**

# **Path Forward**

- **Publish the Rule on the current schedule**
  - **Immediately effective for new plants**
- **Consider the impacts of continuing changes on security infrastructure and personnel**
- **Establish a new Rule effective date for operating plants**
  - **Allow more practical Implementation schedule**



# **Guidance for Implementation of Security Rulemaking**

**Commission Meeting  
March 6, 2009**

# **Introduction and Background**

- **NRC is publishing a major rule for Power Reactor Security Requirements**
- **Create and/or update guidance, as planned, in parallel with draft final rule**



# **Status of Security Rulemaking**

- **Commission Affirmation Vote  
December 17, 2008**
- **OMB review – “major” rule**
- **Publication in Federal Register**
  - **60 days**
  - **Congressional Review**

# **Regulatory Guidance for the Rule**

- **Draft regulatory guidance for Part 73 was published in spring 2008**
- **Guidance classification**
  - (public, OUC, SGI)
- **Public/Stakeholder meetings conducted during comment period**

# **Stakeholder Interactions**

- **Staff has developed or revised 8 guides in support of the rule**
  - **Guides consider security plan development, implementation of new requirements, best practices, new technology, lessons learned, security FAQ information**
- **Significant number of comments were received on draft regulatory guidance**

# **Regulatory Guidance for Rule**

- 1. Safety/Security Interface (public)**
- 2. Safeguards Contingency Planning (SGI)**
- 3. Insider Mitigation (OUO-SRI)**
- 4. Training & Qualification (public)**
- 5. Physical Security (SGI)**
- 6. Cyber Security (OUO-SRI)**
- 7. Access Authorization (OUO-SRI)**
- 8. Imminent Aircraft Attack (OUO-SRI)**
- Other Regulatory Guidance**

# **Broad Input for Best Guidance**

- **Staff provided updates of the rule and regulatory guidance to ACRS**
  - **ACRS is reviewing 3 guides**
    - **Imminent Attack (scheduled for May 2009)**
    - **Safety Security Interface (completed Feb 2009)**
    - **Cyber Security (subcommittee, Feb.; full committee, April)**
- **Offices supporting: NRR, NRO, OGC, RES, NMSS, OIS, ADM, Regions**

# **Industry Guidelines/Templates**

- **Regulatory Guidance will incorporate:**
  - **NEI 03-01 Access Authorization**
  - **NEI 03-12 Generic Security Plan Template**
  - **NEI 08-09 Cyber Security Plan Template**

# **Next Steps**

- 1. Complete regulatory guide meetings & ACRS reviews**
- 2. Finalize guides**
- 3. Issue guides with or shortly after rule is published**

# **Future Activities**

- **Develop or revise internal NRC security licensing review documents**
  - **Operating reactors**
  - **New reactors**
- **Review of Licensee plan submittals**
  - **Security Plans**
  - **Cyber Security Plans**
- **Staff review of post 9/11 orders and recommendation to Commission**



# Summary

- **Rulemaking**
- **Regulatory Guidance**
- **Licensing**
- **Regulatory stability**