

June 23, 2009

MEMORANDUM TO: Chairman Jaczko
Commissioner Lyons
Commissioner Klein
Commissioner Svinicki

FROM: R. W. Borchardt */RA/*
Executive Director for Operations

SUBJECT: RESPONSE TO STAFF REQUIREMENTS – AFFIRMATION
SESSION, 1:55 P.M., WEDNESDAY, DECEMBER 17, 2008,
COMMISSIONERS' CONFERENCE ROOM, ONE WHITE FLINT
NORTH, ROCKVILLE, MARYLAND (OPEN TO PUBLIC
ATTENDANCE); SECY-08-0099 – FINAL RULE – POWER
REACTOR SECURITY REQUIREMENTS (RIN 3150-AG63)

This memorandum responds to SECY-08-0099 – Final Rule – Power Reactor Security Requirements (RIN 3150-AG63), which directed the staff to allocate the necessary resources to inspect the security plans in the Reactor Oversight Process (ROP) baseline inspection program through the Performance Budget Formulation Process, and informs the Commission on actions taken and planned to accomplish these inspections.

For FY 2009 and FY 2010, NSIR has allocated the necessary resources to inspect current licensee security plans in the ROP baseline inspection program.

In May 2009, the Office of Nuclear Security and Incident Response (NSIR) completed a triennial assessment of the security baseline inspection program in accordance with the ROP. The assessment was conducted to evaluate information gained through the implementation of the inspection program and to adjust the program as necessary for increased efficiency. The assessment also considered the impact on the security baseline inspection program and the anticipated inspection requirements of the recent Title 10 of the *Code of Federal Regulations* Part 73 rulemaking. This resource information influenced the development of NSIR's Fiscal Year (FY) 2011 budget within the Performance Budget Formulation Process.

By April 1, 2010, licensees must comply with the new Part 73 rule requirements. Most of the new rule requirements, which primarily codify the post-9/11 Orders, are presently included in the current baseline inspection procedures.

CONTACT: Nathan Egan, NSIR/DSO
301-415-4067

The Commissioners

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The staff will issue the new baseline procedures by March 31, 2010. The staff will use the time between now and the implementation date of March 31, 2010, to provide training to regional inspectors and complete the revision of the security baseline inspection procedures to include the new rule requirements. The inspection program for FY 2010, after March 31, 2010, and 2011, will ensure a focus on new Part 73 requirements and a sampling of the current requirements.

cc: SECY
OGC
OCA
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DATE	06/09/2009 NTE	06/ 10/2009 RHC	06/ 10/2009 for by RHC	06/16/2009 BCW	06/18/2009 PKH	06/19/2009 For by PHolahan	06/23/2009

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