

April 1, 2010

Mr. Jack M. Davis  
Senior Vice President and Chief Nuclear Officer  
Detroit Edison Company  
Fermi 2 – 210 NOC  
6400 North Dixie Highway  
Newport, MI 48166

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 29 RELATED TO  
THE SRP SECTION 13.06.01 FOR THE FERMI 3 COMBINED LICENSE  
APPLICATION

Dear Mr. Davis:

By letter dated September 18, 2008, Detroit Edison Company (Detroit Edison) submitted for approval a combined license application pursuant to 10 CFR Part 52. The U.S. Nuclear Regulatory Commission (NRC) staff is performing a detailed review of this application to enable the staff to reach a conclusion on the safety of the proposed application.

The NRC staff has identified that additional information is needed to continue portions of the review. The staff's request for additional information (RAI) is contained in the enclosure to this letter. To support the review schedule, you are requested to respond within 45 days of the date of this letter. If changes are needed to the safety analysis report, the staff requests that the RAI response include the proposed wording changes.

If you have any questions or comments concerning this matter, I can be reached at 301-415-8148 or by e-mail at [jerry.hale@nrc.gov](mailto:jerry.hale@nrc.gov).

Sincerely,

*/RA/*

Jerry Hale, Project Manager  
ESBWR/ABWR Projects Branch 1  
Division of New Reactor Licensing  
Office of New Reactors

Docket Nos. 052-033

eRAI Tracking Nos. 4505, 4516, 4517, 4523, 4540, 4550, and 4574

Enclosure:  
Request for Additional Information

April 1, 2010

Mr. Jack M. Davis  
Senior Vice President and Chief Nuclear Officer  
Detroit Edison Company  
Fermi 2 – 210 NOC  
6400 North Dixie Highway  
Newport, MI 48166

SUBJECT: REQUEST FOR ADDITIONAL INFORMATION LETTER NO. 29 RELATED TO  
THE SRP SECTION 13.06.01 FOR THE FERMI 3 COMBINED LICENSE  
APPLICATION

Dear Mr. Smith:

By letter dated September 18, 2008, Detroit Edison Company (Detroit Edison) submitted for approval a combined license application pursuant to 10 CFR Part 52. The U.S. Nuclear Regulatory Commission (NRC) staff is performing a detailed review of this application to enable the staff to reach a conclusion on the safety of the proposed application.

The NRC staff has identified that additional information is needed to continue portions of the review. The staff's request for additional information (RAI) is contained in the enclosure to this letter. To support the review schedule, you are requested to respond within 45 days of the date of this letter. If changes are needed to the safety analysis report, the staff requests that the RAI response include the proposed wording changes.

If you have any questions or comments concerning this matter, I can be reached at 301-415-8148 or by e-mail at [jerry.hale@nrc.gov](mailto:jerry.hale@nrc.gov).

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Jerry Hale, Project Manager  
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Docket Nos. 052-033  
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Enclosure:  
Request for Additional Information

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DATE	3/22/10	3/25/10	4/1/10

\*Approval captured electronically in the electronic RAI system.

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Request for Additional Information No. 4505

Fermi Unit 3  
Detroit Edison  
Docket No. 52-033  
SRP Section: 13.06.01 – Physical Security  
Application Section: Physical Security

13.06.01-6

General: The Physical Security Plan refers to the site as Fermi, Fermi Unit 3 or Detroit Edison. Please clarify the significance of this distinction and modify the document accordingly for consistency.

Regulatory Basis: Title 10 of the *Code of Federal Regulations* (10 CFR) 52.6, Completeness and accuracy of information, requires information provided “shall be complete and accurate in all material respects.” Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan.

13.06.01-7

Physical Security Plan, Section 1, Introduction: Clarify whether this plan applies to both Fermi Units 2 and 3. If so, state that it replaces the existing NRC approved PSP for Fermi 2 once approved, or that it will replace the existing NRC approved PSP for Fermi 2 at some point in time not yet defined.

Regulatory Basis: Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided “shall be complete and accurate in all material respects.” Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan.

13.06.01-8

Physical Security Plan, Section 1.1, Facility Physical Layout, page 2: The last paragraph in this section references Sections 2.1 and 2.2 of the Fermi 3 Final Safety Analysis Report (FSAR) as the location of information describing the site in relation to nearby towns, transportation routes (e.g., rail, water, and roads), pipelines, airports, hazardous material facilities and pertinent environmental features that may have an effect upon coordination of response activities. NEI 03-12 (Revision 6) states this information should be contained in this section of the PSP. Provide the above information in the appropriate PSP sections and figure.

Regulatory Basis: 10 CFR 73.55(e)(1)(ii). Describe in the security plan, physical barriers, barrier systems, and their functions within the physical protection program. 10 CFR Part 73, Appendix C, Section II, paragraph B.3.b. Plans must include a site map depicting the physical structures located on site, including onsite independent spent fuel storage installations, and a description of the structures depicted on the map. Plans must also include a description and map of the site in relation to nearby towns, transportation routes (e.g., rail, water, and roads), pipelines, airports, hazardous material facilities, and pertinent environmental features that may have an effect upon coordination of response activities. 10 CFR 52.17(a)(1)(x) Information demonstrating that site characteristics are such that adequate security plans and measures can be developed. Title 10 CFR 52.6, Completeness and

accuracy of information, requires information provided “shall be complete and accurate in all material respects.” Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan.

13.06.01-9

Physical Security Plan, Section 4.1, Security Organization Management, page 6, second line: Clarify if the one full time member discussed in this paragraph has no other routine assignments that would preclude their ability to direct all activities of the security organization. The current text states security force; but this is inconsistent with the requirement and the standard format in NEI 03-12 (Revision 6).

Regulatory Basis: 10 CFR 73.55(d)(2)(ii). At least one member, onsite and available at all times, who has the authority to direct the activities of the security organization and who is assigned no other duties that would interfere with this individual's ability to perform these duties in accordance with the security plans and the licensee protective strategy.

Request for Additional Information No. 4516

Fermi Unit 3  
Detroit Edison  
Docket No. 52-033  
SRP Section: 13.06.01 – Physical Security  
Application Section: Physical Security

13.06.01-10

Physical Security Plan, Section 11.1, OCA Barriers, page 9: Add a clarifying statement that other than the VBS located in the OCA described in section 11.2, OCA barriers are not employed at the Fermi site, or justify its omission.

Regulatory Basis: 10 CFR 73.55 (a)(2). The security plans must identify, describe, and account for site-specific conditions that affect the licensee's capability to satisfy the requirements of this section.

13.06.01-11

Physical Security Plan, Section 11.2.1, Protection Against..., page 9: Provide clarification of the capability of the VBS to resist the kinetic energy of the DBT vehicle. The figures (1-3 and 1.3a to 1-3e) provided are not of sufficient size/magnification or detail to clearly identify or discern the appropriate information regarding the VBS. Provide figures that provide sufficient detail as to clearly identify or discern the appropriate information regarding the VBS.

Regulatory Basis: 10 CFR 73.55(e)(10) Vehicle control measures. Consistent with the physical protection program design requirements of § 73.55(b), and in accordance with the site-specific analysis, the licensee shall establish and maintain vehicle control measures, as necessary, to protect against the design basis threat of radiological sabotage vehicle bomb assault. 10 CFR 73.55(e)(1)(ii). Describe in the security plan, physical barriers, barrier systems, and their functions within the physical protection program.

13.06.01-12

Physical Security Plan, Section 11.2.3, Waterborne Threat Measures, page 11: The information provided describes measures taken from early spring until late fall. Provide information on the measures in place during the winter (between late fall and early spring). Provide information on the surveillance measures for this restricted area and the adjacent area or approach routes, as required in 10 CFR 73.55 and NEI 03-12 (Revision 6). Clarify whether measures are needed for the other waterways described in Section 1.1, or justify omission of the measures for the winter months.

Regulatory Basis: 10 CFR 73.55(e)(10)(ii) Waterborne vehicles. Identify areas from which a waterborne vehicle must be restricted, and where possible, in coordination with local, State and Federal agencies having jurisdiction over waterway approaches, deploy buoys, markers, or other equipment. In accordance with site specific analysis, provide periodic surveillance and observation of waterway approaches and adjacent areas. 10 CFR 73.55(e)(1)(ii). Describe in the security plan, physical barriers, barrier systems, and their functions within the physical protection program.

13.06.01-13

Physical Security Plan, Section 11.3, Protected Area Barriers, page 11, 2nd paragraph: Provide clarification to the description of the obstructions identified, or justify omission of the description of the obstructions.

Regulatory Basis: 10 CFR 73.55(e)(7)(ii). Obstructions that could prevent the licensee's capability to meet the observation and assessment requirements of this section must be located outside of the isolation zone.

13.06.01-14

Physical Security Plan, Section 11.3, Protected Area Barriers, page 11: In the 3<sup>rd</sup> paragraph, clarify if the items in the last sentence provide delay consistent with the remainder of the PA barrier in their normal configuration, or justify omission of this information.

Regulatory Basis: 10 CFR 73.55(e)(8)(ii). Penetrations through the protected area barrier must be secured and monitored in a manner that prevents or delays, and detects the exploitation of any penetration.

Request for Additional Information No. 4517

Fermi Unit 3  
Detroit Edison  
Docket No. 52-033  
SRP Section: 13.06.01 – Physical Security  
Application Section: Physical Security

13.06.01-15

Physical Security Plan, Section 14.1, Access Authorization and Fitness for Duty, page 15, 2nd paragraph: This section contains a commitment that the access authorization program implements regulatory requirements utilizing the provisions in Regulatory Guide 5.66. Section C in revision 1 of RG 5.66 states: “Licensees who adopt this regulatory guide should include the following statement in their physical security plans: All elements of Regulatory Guide 5.66, Revision 1, have been implemented to satisfy the requirements of 10 CFR 73.56 and 10 CFR Part 26 related to unescorted access and unescorted access authorization.” The PSP does not appear to contain the above statement. Please provide this additional information, or justify its exclusion.

Regulatory Basis: 10 CFR 73.55(b) (7). The licensee shall establish, maintain, and implement an access authorization program in accordance with § 73.56 and shall describe the program in the Physical Security Plan.

13.06.01-16

Physical Security Plan, Section 14.5, Vital Area Access Controls, page 21, 4th paragraph: The 4<sup>th</sup> paragraph does not include all the vital areas listed in the ESBWR Design Control Document, Tier 2, Chapter 13, Conduct of Operations, Section 13.6.1.1.2, Revision 6, dated August 2009. Include all vital areas identified in the ESBWR standard design or provide justification for exclusion.

Regulatory Basis: 10 CFR 73.55(e)(9)(i). Vital equipment must be located only within vital areas, which must be located within a protected area so that access to vital equipment requires passage through at least two physical barriers, except as otherwise approved by the Commission and identified in the security plans. 10 CFR 73.55(e)(9)(ii). The licensee shall protect all vital area access portals and vital area emergency exits with intrusion detection equipment and locking devices that allow rapid egress during an emergency and satisfy the vital area entry control requirements of this section. 10 CFR 73.55(e)(9)(iii). Unoccupied vital areas must be locked and alarmed.

Request for Additional Information No. 4523

Fermi Unit 3  
Detroit Edison  
Docket No. 52-033  
SRP Section: 13.06.01 – Physical Security  
Application Section: Physical Security

13.06.01-17

Physical Security Plan, Section 11.4, Vital Area Barriers, page 12, 2nd paragraph: This part does not state that the secondary alarm station will be equipped and protected equal to the central alarm station, whereas other sections of this plan do (e.g., Appendix C). For consistency, clarify whether the secondary alarm station shall be equal and redundant to the CAS in all applicable sections of this document.

Regulatory Basis: 10 CFR 73.55 (i)(4)(iii) Applicants for an operating license under the provisions of part 50 of this chapter, or holders of a combined license under the provisions of part 52 of this chapter, shall construct, locate, protect, and equip both the central and secondary alarm stations to the standards for the central alarm station contained in this section. Both alarm stations shall be equal and redundant, such that all functions needed to satisfy the requirements of this section can be performed in both alarm stations. 10 CFR 73.55(e)(9)(v)(D) At a minimum, the following shall be considered vital areas: (A) The reactor control room; (B) The spent fuel pool; (C) The central alarm station; (D) The secondary alarm station in accordance with § 73.55(i)(4)(iii).

13.06.01-18

Physical Security Plan, Section 15.2, Surveillance Systems, page 23: Clarify if any of the surveillance equipment at the PA perimeter requires UPS commensurate with the protective strategy. NEI 03-12 (Revision 6) states this type of information is to be included here. Provide this information, or justify its exclusion.

Regulatory Basis: 10 CFR 73.55(i)(5)(ii). The licensee shall provide continuous surveillance, observation and monitoring of the owner controlled areas as described in the security plans to detect and deter intruders and ensure the integrity of physical barriers or other components and functions of the onsite physical protection program. Continuous surveillance, observation, and monitoring responsibilities may be performed by security personnel during continuous patrols, through use of video technology, or by a combination of both.

13.06.01-19

Physical Security Plan, Section 15.3, Intrusion Detection Equipment, page 23: This section does not appear to provide a specific description of the intrusion detection equipment at the vital areas or the CAS, SAS and the structures containing the security UPS system components. Additionally, this section did not describe the equipment at the PA perimeter or in the OCA that requires UPS to effectively implement the site protective strategy. Per NEI 03-12 (Revision 6), this information should be included in this section. Provide this additional information, or justify its exclusion.

Regulatory Basis: 10 CFR 73.55(i)(1) The licensee shall establish and maintain intrusion detection and assessment systems that satisfy the design requirements of § 73.55(b) and provide, at all times, the capability to detect and assess unauthorized persons and facilitate the effective implementation of the licensee's protective strategy.

Request for Additional Information No. 4540

Fermi Unit 3  
Detroit Edison  
Docket No. 52-033  
SRP Section: 13.06.01 – Physical Security  
Application Section: Physical Security

13.06.01-20

Physical Security Plan, Section 16.2, System Descriptions, page 27: The second full paragraph discusses communication capabilities of a Watchperson. A watchperson is not identified in Section 4.1 as a member of the security organization. Clarify the intended position and make conforming changes.

Regulatory Basis: 10 CFR 73.55 (d)(3): The licensee may not permit any individual to implement any part of the physical protection program unless the individual has been trained, equipped, and qualified to perform their assigned duties and responsibilities in accordance with appendix B to this part and the Training and Qualification Plan. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided “shall be complete and accurate in all material respects.” Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan.

13.06.01-21

Describe how Fermi Unit 3 will address COL action items 13.6-7-A, 13.6-8-A, 13.6-16-A, 13.6-17A, 13.6-18-A, 13.6-19-A, which are captured in the ESBWR, 26A6642BL Revision 6, DCD/Tier 2.

Regulatory Basis: 10 CFR 52.79(2). The final safety analysis report must demonstrate that the interface requirements established for the design under subsection 52.47 have been met.

10 CFR 52.79(3). The final safety analysis report must demonstrate that all requirements and restrictions set forth in the referenced design certification rule, other than those imposed under subsection 50.36b, must be satisfied by the date of issuance of the combined license. Any requirements and restrictions set forth in the referenced design certification rule that could not be satisfied by the time of issuance of the combined license, must be updated to account for site-specific design information and any design changes or departures.

10 CFR 52.79(3)(e) If the combined license application references the use of one or more manufactured nuclear power reactors licensed under subpart F of this part, then the following requirements apply: (1) The final safety analysis report need not contain information or analyses submitted to the Commission in connection with the manufacturing license, provided, however, that the final safety analysis report must either include or incorporate by reference the manufacturing license final safety analysis report and must contain, in addition to the information and analyses otherwise required, information sufficient to demonstrate that the site characteristics fall within the site parameters specified in the manufacturing license. In addition, the plant-specific PRA information must use the PRA information for the manufactured reactor and must be updated to account for site-specific design information and any design changes or departures. (2) The final safety analysis report must demonstrate that the interface requirements established for the design have been met.

10 CFR 52.47(a)(25) The interface requirements to be met by those portions of the plant for which the application does not seek certification. These requirements must be sufficiently detailed to allow completion of the FSAR.

13.06.01-22

Physical Security Plan, Section 16.2 1<sup>st</sup> paragraph. Clarify the use of the term “alternate” in this paragraph. Justify the deviation from the NEI 03-12 template text.

Regulatory Basis: 10 CFR 73.55 (a)(2). The security plans must identify, describe, and account for site-specific conditions that affect the licensee's capability to satisfy the requirements of this section.

13.06.01-23

Appendix B, Section 2.3, Physical Examination, page B-2: This section (and several other sections) refers to personnel performing watchperson-type duties. However, this position is not defined in the PSP Section 4.1 as a member of the security organization. Additionally, Appendix C, Safeguards Contingency Plan, Section 4.1.1, Page C-25, lists duties and communication protocols for “Supplemental Security Officers.” This position is not defined in either the PSP or Appendix B. The PSP, Section 4.1 lists an unarmed individual as a member of the security organization, but their duties, qualification and contingency response actions are not defined in Appendix B or C. Clarify the duties, responsibilities and training requirements for these positions and ensure consistency throughout the document and appendices.

Regulatory Basis: Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided “shall be complete and accurate in all material respects.” Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. 10 CFR 73.55 (d)(3): The licensee may not permit any individual to implement any part of the physical protection program unless the individual has been trained, equipped, and qualified to perform their assigned duties and responsibilities in accordance with appendix B to this part and the Training and Qualification Plan.

13.06.01-24

Appendix B, Section 2.3, Physical Examination, page B-2, last sentence: Clarify if facility personnel not assigned to the security organization who are performing watchperson-type duties (i.e., material searches, vehicle escort, etc.) are required by meet the minimum physical requirements listed on page B-3 and B-4, because they are fulfilling duties listed as critical tasks in Table 1, Critical Task Matrix, pages B-15 to B-21. If not, state rationale for exclusion.

Regulatory Basis: 10 CFR 73.55 (d)(3): The licensee may not permit any individual to implement any part of the physical protection program unless the individual has been trained, equipped, and qualified to perform their assigned duties and responsibilities in accordance with appendix B to this part and the Training and Qualification Plan.

13.06.01-25

Appendix B, Section 2.52, Professional Psychological Examination, page B-5: Clarify whether all individuals listed in Table 1, Critical Task Matrix, page B-16, (e.g., watchperson) are required to meet

the criteria in the first sentence. If not, clarify how the critical tasks they perform (Pages B-15 to B-21) require less strict requirements.

Regulatory Basis: 10 CFR 73.55 (d)(3): The licensee may not permit any individual to implement any part of the physical protection program unless the individual has been trained, equipped, and qualified to perform their assigned duties and responsibilities in accordance with appendix B to this part and the Training and Qualification Plan.

13.06.01-26

Appendix B, Section 3.4, Initial Training and Qualification Requirements, page B-8: The second sentence uses the phrase "The station training program..." Clarify whether this is specific to Fermi 2, Fermi 3 or the entire Fermi site.

Regulatory Basis: Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan.

13.06.01-27

Appendix B, Section 4, Performance Evaluation Program, page B-15, 5<sup>th</sup> bullet: Clarify if facility personnel not assigned to the security organization who are performing critical task, watchperson-type duties (i.e., material searches, vehicle escort, etc.) and if "watchpersons" who are part of the security organization are required to participate in at least 1 tactical response drill on a quarterly basis and 1 force-on-force drill on an annual basis. (Question based off of 03-12 Template Text)

Regulatory Basis: 10 CFR 73.55 (d)(3): The licensee may not permit any individual to implement any part of the physical protection program unless the individual has been trained, equipped, and qualified to perform their assigned duties and responsibilities in accordance with appendix B to this part and the Training and Qualification Plan.

13.06.01-28

Appendix B, Table 1, Critical Task Matrix, pages B-20: Given the "Watchperson" duties defined in the PSP and this matrix, clarify why critical tasks 22, 23, and 24 do not apply to the "Watchperson", and clarify if "Watchpersons" are participating in critical tasks 15 and 16.

Regulatory Basis: Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan.

13.06.01-29

Appendix C, Section 4.1.2, Security Chain of Command/Delegation of Authority, page C-25: Add the chain of command used to maintain command and control in the event that the Response Force Leader is unavailable to fulfill their duties. See suggested wording in NEI 03-12 (Revision 6).

Regulatory Basis: Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan.

13.06.01-30

Appendix C, Section 5.8, Federal Response Agencies, page C-29: The information in the second paragraph is inconsistent with the information presented in Section 11.2.3 of the PSP, where it states the measures described here are only implemented during certain times of the year. Clarify when these measures are in place and what is in place during other times of the year.

Regulatory Basis: Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. 10 CFR 73.55(e)(10)(ii) Waterborne vehicles. Identify areas from which a waterborne vehicle must be restricted, and where possible, in coordination with local, State and Federal agencies having jurisdiction over waterway approaches, deploy buoys, markers, or other equipment. In accordance with site specific analysis, provide periodic surveillance and observation of waterway approaches and adjacent areas. 10 CFR 73.55(e)(1)(ii). Describe in the security plan, physical barriers, barrier systems, and their functions within the physical protection program.

13.06.01-31

Appendix C, Section 7 Primary Security Functions, page C-31: Provide a reference to the reference documents that were used to develop the target sets and the method used to develop them.

Regulatory Basis: 10 CFR 73.55 (f)(1). (f) Target sets. (1) The licensee shall document and maintain the process used to develop and identify target sets, to include the site-specific analyses and methodologies used to determine and group the target set equipment or elements.

13.06.01-32

Appendix C, Section 8, Protective Strategy, page C-33, 3<sup>rd</sup> full paragraph: Clarify the use of the term “security officer(s)” in this paragraph. Are these “security officers” part of the armed responders available at all times inside the protected area, part of the minimum number of armed security officers available onsite at all times, or are they in another category? Specifically define them in the same terms used in the Section 4 of the PSP and in Appendix B.

Regulatory Basis: 10 CFR Part 73, Appendix C, Section II, Paragraph B.3.c. Safeguards Systems. The safeguards contingency plan must include a description of the physical security systems that support and influence how the licensee will respond to an event in accordance with the design basis threat described in § 73.1(a). The licensee’s description shall begin with onsite physical protection measures implemented at the outermost facility perimeter, and must move inward through those measures implemented to protect target set equipment. (i) Physical security systems and security systems hardware to be discussed include security systems and measures that provide defense in

depth, such as physical barriers, alarm systems, locks, area access, armaments, surveillance, and communications systems. (ii) The specific structure of the security response organization to include the total number of armed responders and armed security officers documented in the approved security plans as a component of the protective strategy and a general description of response capabilities shall also be included in the safeguards contingency plan.

13.06.01-33

Appendix C, Section 8, Protective Strategy, page C-34, 1<sup>st</sup> paragraph: Clarify the duties and number of officers that are described in the last paragraph of page C-34 and the last paragraph of C-33.

Regulatory Basis: 10 CFR 73.55 (k)(4) The licensee shall provide armed response personnel consisting of armed responders which may be augmented with armed security officers to carry out armed response duties within predetermined time lines specified by the site protective strategy.

13.06.01-34

Appendix C, Section 8, Protective Strategy, page C-36: Clarify if the surveillance system described in the third to last sentence are also monitored in the CAS/SAS.

Regulatory Basis: 10 CFR 73.55 (d)(3): The licensee may not permit any individual to implement any part of the physical protection program unless the individual has been trained, equipped, and qualified to perform their assigned duties and responsibilities in accordance with appendix B to this part and the Training and Qualification Plan.

13.06.01-35

Physical Security Plan, Section 11.2: Clarify that the VBS was designed in accordance with NUREG/CR-4250, "Vehicle Barriers: Emphasis on Natural Features." Describe what applicable NRC guidance (e.g., RIS 2008-06 "Protection Against The Malevolent Use Of Vehicles When Utilizing Landform Obstacles", PDC-TR-06-05 "Evaluating Adequacy of Landform Obstacles as Vehicle Barriers" (dated August 2007), RG 5.68, NUREG/CR 6190, NUREG/CR-4250) was considered for this portion of the VBS, as well as the remaining portions of the VBS described in section 11.2.2 of the PSP.

Regulatory Basis: 10 CFR 73.55(e)(10)(A), vehicle barrier systems passive and active are designed positioned at a stand-off distance adequate to meet physical performance objectives for a vehicle bomb assault. 10 CFR 73.55(e)(2). The licensee shall retain, in accordance with §73.70, all analyses and descriptions of the physical barriers and barrier systems used to satisfy the requirements of this section, and shall protect these records in accordance with the requirements of § 73.21.

13.06.01-36

Section 11.2.2, Vehicle Barriers, page 10: Clarify if the VBS described in section 11.2.2 is the same VBS discussed in Section 11.2.1.

Regulatory Basis: Regulatory Basis: 10 CFR 73.55(e)(10) Vehicle control measures. Consistent with the physical protection program design requirements of § 73.55(b), and in accordance with the site-specific analysis, the licensee shall establish and maintain vehicle control measures, as necessary, to protect against the design basis threat of radiological sabotage vehicle bomb assault.

Request for Additional Information No. 4550

Fermi Unit 3  
Detroit Edison  
Docket No. 52-033  
SRP Section: 13.06.01 – Physical Security  
Application Section: Physical Security

13.06.01-37

The use of NEI 03-12 Appendix E by operating reactors is described in the NRC Letter (April 27, 2007), provided to NEI (ML071000055). Clarify the submission of Appendix E in the new reactor application.

13.06.01-38

Section 18, Response Requirements, page 28, 2<sup>nd</sup> paragraph, 3<sup>rd</sup> sentence: Clarify the duties and responsibilities assigned to "Armed Responders." Appendix A to the PSP indicates that armed responders must be available at all times inside the PA. However, the statement contained in parenthesis regarding performance of duties in the OCA (section 15.5.1 of the PSP) is not applicable to armed responders. Clarify this discrepancy.

Regulatory Basis: 10 CFR 73.55(k)(5)(iii). Armed responders shall be available at all times inside the protected area and may not be assigned other duties or responsibilities that could interfere with their assigned response duties.

13.06.01-39

Appendix B, Section 3.5, Continuing Training and Qualification, page B-9: The first paragraph specifies the restrictions for an armed individual if requalification is not achieved. Clarify the restrictions that will be placed on an unarmed individual if requalification requirements are not achieved.

Regulatory Basis: 10 CFR 73.55 (3) The licensee may not permit any individual to implement any part of the physical protection program unless the individual has been trained, equipped, and qualified to perform their assigned duties and responsibilities in accordance with appendix B to this part and the Training and Qualification Plan. Non-security personnel may be assigned duties and responsibilities required to implement the physical protection program and shall: (i) Be trained through established licensee training programs to ensure each individual is trained, qualified, and periodically requalified to perform assigned duties.

13.06.01-40

Appendix C, Section 8, Protective Strategy, page C-34, 2<sup>nd</sup> paragraph: Clarify the locations of the strategic positions for Armed Responders who can monitor the VBS. Additionally, clarify which Armed Responder positions have the capability to observe "appropriate portions of the OCA" and how the determination of the term "appropriate portions of the OCA" was made.

Regulatory Basis: Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Subpart B of 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan.

13.06.01-41

Appendix C, Section 8, Protective Strategy, page C-35, 3<sup>rd</sup> full paragraph: The 4<sup>th</sup> sentence states that the backup power supply for the PA and VA intrusion detection and assessment equipment is located within a vital area. Specify the VA that contains this equipment.

Regulatory Basis: 10 CFR 73.55(e)(9)(vi). At a minimum, the following shall be located within a vital area: (A) The secondary power supply systems for alarm annunciation equipment. 10 CFR Part 73, Appendix C, Section II, Paragraph B.3.c. Safeguards Systems. The safeguards contingency plan must include a description of the physical security systems that support and influence how the licensee will respond to an event in accordance with the design basis threat described in § 73.1(a). The licensee's description shall begin with onsite physical protection measures implemented at the outermost facility perimeter, and must move inward through those measures implemented to protect target set equipment. (i) Physical security systems and security systems hardware to be discussed include security systems and measures that provide defense in depth, such as physical barriers, alarm systems, locks, area access, armaments, surveillance, and communications systems. (ii) The specific structure of the security response organization to include the total number of armed responders and armed security officers documented in the approved security plans as a component of the protective strategy and a general description of response capabilities shall also be included in the safeguards contingency plan.

13.06.01-42

STD COL 13.6-9-A. A milestone for developing and implementing procedures addressed in STD COL 13.6-9-A is identified in Section 13.5.2.1 and a different milestone for STD COL 13.6-12-A and STD COL 13.6-13-A is identified in Table 13.4-201. Although the specific procedures addressed in STD COL 13.6-9-A are related to operations, some of these procedures are directly linked to security procedures addressed in STD COL 13.6-12-A and STD COL 13.6-13-A. Clarify when procedures will be developed and implemented relative to operator actions associated with security events.

Regulatory Basis: 10 CFR 52.79(ii) A description of the implementation of the physical security plan; 10 CFR 52.79(iv) A description of the implementation of the safeguards contingency plan, training and qualification plan, and cyber security plan.

13.06.01-43

STD SUP 13.6-1. In FSAR Section 13.6.2, STD SUP 13.6-1 states that the Physical Security Plan during construction, including control of access to the new plant construction site, is consistent with NEI 03-12, Appendix F (Reference 13.6-201), which is 'currently under NRC review and that Table 13.4-201 provides milestones for security program implementation. In a letter to Mr. Russell J. Bell at NEI, dated November 13, 2008, the NRC stated that the staff deferred a formal review and endorsement of Appendix F until completion of a rulemaking effort specifically addressing power reactor construction sites. Until such regulations are established, the staff will not evaluate physical security programs for new construction. Please revise FSAR Section 13.6.2 accordingly.

13.06.01-44

NEDE-33391, Rev 2, ESBWR "Safeguards Assessment Report." Describe how the specific security features identified in NEDE-33391 will be tracked, incorporated, verified, and demonstrated through a combined Fermi Unit 3 physical protection program.

Regulatory Basis: 10 CFR Part 73.55(a): (2) The security plans must identify, describe, and account for site-specific conditions that affect the licensee's capability to satisfy the requirements of this section. (3) The licensee is responsible for maintaining the onsite physical protection program in accordance with Commission regulations through the implementation of security plans and written security implementing procedures.

13.06.01-45

Physical Security Plan, Page 10, 4<sup>th</sup> paragraph. Provide a general description of how Fermi Units 3 will design, construct, and locate the Central and Secondary Alarm Stations. This description should generally address redundancy and separation to provide protection against the design basis vehicle bomb as well as protection against a single act. For example, will Fermi upgrade the current SAS to CAS standards, construct a new CAS and SAS for only Unit 3, construct a new CAS and SAS for Units 2 and 3, construct a new CAS to be used in conjunction with the existing CAS?

Regulatory Basis: 10 CFR 73.55(i)(4)(iii). Applicants for an operating license under the provisions of part 50 of this chapter, or holders of a combined license under the provisions of part 52 of this chapter, shall construct, locate, protect, and equip both the central and secondary alarm stations to the standards for the central alarm station contained in this section. Both alarm stations shall be equal and redundant, such that all functions needed to satisfy the requirements of this section can be performed in both alarm stations.

13.06.01-46

Physical Security Plan, Section 14.2, Insider Mitigation Program, page 15: The last paragraph in implies an alternative means of monitoring the spent fuel pool may be used. Clarify the method chosen for monitoring these areas.

Regulatory Basis: 10 CFR 73.55(i)(5)(v) Armed security patrols shall periodically inspect vital areas to include the physical barriers used at all vital area portals. Subpart B of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73

Request for Additional Information No. 4574

Fermi Unit 3  
Detroit Edison  
Docket No. 52-033  
SRP Section: 13.06.01 – Physical Security  
Application Section: Physical Security

13.06.01-47

General Comment, Part 8, Physical Security Plan, Section 2, Performance Objectives (Page 2), and Section 17, Review, Evaluation and Audit of the Physical Security Program (Page 27): Describe how the requirements of 10 CFR 73.58 for managing safety/security interface will be met. Provide descriptions in the FSAR (i.e., Part 2) that describe of how plant management controls and process will be applied to meet 10 CFR 73.58 to manage the safety/security for Fermi Unit 3.

Regulatory Basis: Subpart C of 10 CFR 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for combined license (COL) include how the applicant will meet the requirements of 10 CFR 73. 10 CFR 52.6, Completeness and accuracy of information, requires information provided “shall be complete and accurate in all material respects.” Title 10 CFR 73.58 states that each licensee shall assess and manage the potential for adverse effects on safety and security, including the site emergency plan, before implementing changes to plant configurations, facility conditions, or security. The application did not include descriptions, in any parts of the application, on how plant management controls and processes will address the management of safety/security interface to meet requirements of 10 CFR 73.58. The applicant's description for the management of safety/security interface indicated in Part 8, Section 17, Review, Evaluation and Audit of the Physical Security Program, did not adequately address how applicant will manage and plan to implement safety/security interface in accordance with regulatory requirements. Section 17 only addressed reviews and audits of program no longer than 12 months after changes. The descriptions of how the applicant will apply plant's management controls and processes to provide assurance that safety/security interface will be adequately managed should not be described in Part 8, security plans. Security plan should reference the requirements in described in the FSAR for completeness.