

PMComanchePeakPEm Resource

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Cc: ComanchePeakCOL Resource; Takacs, Michael
Subject: Comanche Peak RCOL Chapter 13 Section 13.6 - RAI Number 161
Attachments: RAI 4585 (RAI 161).docx

The NRC staff has identified that additional information is needed to continue its review of the combined license application. The NRC staff's request for additional information (RAI) is contained in the attachment. Luminant is requested to inform the NRC staff if a conference call is needed.

The response to this RAI is due within 42 calendar days of April 30, 2010.

Note: If changes are needed to the safety analysis report, the NRC staff requests that the RAI response include the proposed changes.

thanks,

Stephen Monarque
U. S. Nuclear Regulatory Commission
NRO/DNRL/NMIP
301-415-1544

Hearing Identifier: ComanchePeak_COL_Public
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Request for Additional Information (RAI) No. 4585 COLA Revision 1

RAI Number 161

4/30/2010

Comanche Peak Units 3 and 4
Luminant Generation Company, LLC.
Docket No. 52-034 and 52-035

SRP Section: 13.06.01 - Physical Security - Combined License
Application Section: 13.06

QUESTIONS for Reactor Security Rulemaking and Licensing Branch (NSIR/DSP/RSRLB)

13.06.01-1

1. **(U)** Part 2 – FSAR, Table 1.8-1R, Significant Site-Specific Interfaces with the Standard US-APWR Design, Interface No. 9 and No. 10 (Page 1.8-7): Luminant is requested to provide reference to Mitsubishi Heavy Industries (MHI) Technical Report UAP-SGI-08002 R1, U.S. APWR - High Assurance Assessment Evaluation Report, that contains descriptions of design and performance requirements for physical protection systems that are a part of the combined license (COL) design and licensing basis for meeting 10 CFR 52.79(a)(35), 52.80(a) and 10 CFR 73.

(U)Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to provide capabilities to detect, assess, interdict, and neutralize the design basis threat (DBT) and maintain at all time such capabilities. The design of physical protection systems beyond the scope of the design certification (DC) is required as COL Information Item 13.6.1. Title 10 CFR 52.80(a) requires the application to contain information for inspections, tests, and analyses (ITA) and criteria necessary and sufficient to provide reasonable assurance that the facility has been constructed and will operate in conformity with the combined license, the provisions of the Act, and the Commission's rules and regulations. The COL applicant must address interfaces and COL information items for the design of physical protection systems outside the scope of the US-APWR DC.

(U) Interface No. 9 states that "[s]ite security/surveillance systems, such as surveillance cameras, video displays, security detection sensors, communications, access control, etc. Interface is with the standard portion of the site communications system," are identified in the design control document (DCD) as items outside the scope of the standard design. The applicant may conform to guidance of Regulatory Guide (RG) 1.206 for meeting and providing appropriate descriptions for design. The applicant did not reference MHI Technical Report UAP-SGI-08002 contains descriptions of design and licensing bases for physical protection systems for the COL application. Part 8 of the COL application did not provide sufficient descriptions for the detail of design for physical protection systems conforming to guidance of RG 1.206 for a COL application.

(U) Interface No.10 states that "Landscaping features, roadways, walkways, security fences and barricades, and traffic control barriers, etc., that are not part of the standard US-APWR building designs," and "A site arrangement plan is provided in Figure 1.2-1R which shows site-specific features and improvements, as well as the standard US-APWR buildings and features." Figure 1.2-1R, Comanche Peak Units 3 and 4 Site Plan (Sheets 1 and 2) and Figures appearing in MHI Technical Report UAP-SGI-08002 R1 did not provide details, locations, or design for physical protection systems (fences, delays, and barriers) in sufficient design detail that conforms with guidance of RG 1.206 for a COL application.

13.06.01-2

2. **(U)** COL Part 2 – FSAR, Table 1.8-201, Resolution of Combined License Items for Chapter 1-19, Pages 50 – 52 and 54: Luminant is requested to provide a summary of how COL 13.3(4), "The COL Applicant is to develop the security-related aspects of emergency planning" was addressed in the Comanche Peak Nuclear Power Plant (CPNPP), Units 3 and 4 COL Application Part 5 "Emergency Plan."

(U) Regulatory Basis: Subpart C of Title 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. The DCD Tier 2 COL Information COL 13.3(4) is intended to ensure that applicant address the interfaces between programs and plans for implementing emergency response. COL Application Part 2, FSAR, Chapter 13.3, Emergency Planning, states that, "[e]mergency classification and action levels, but the security-related aspects of the emergency planning are addressed in the CPNPP Units 3 and 4 Combined License Application Part 5 "Emergency Plan," and did not describe what security-related considerations are appropriate or needed.

(U) Clarification is requested of how (or what) security-related aspects of emergency planning are required to be addressed in the emergency plan to adequately fulfill the stated COL information item (e.g., support, interfaces, and reliance on security programs and contingency response plan, support of emergency response organization, coordination during events, communications, access controls for emergencies, etc.).

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-3

3. **(U)** Part 2 – FSAR, Chapter 13, Section 13.1.1.2.1, CPNPP Units 3 and 4 Site Organization, Review Committee (3rd bullet, Page 13.1-3): Clarify whether the "Operations Review Committee (ORC) and the Station Operations Review Committee (SORC)" are applicable for independent reviews of activities affecting plant security during operations for managing safety/security interface.

(U) Regulatory Basis: Subpart C of Title 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. 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 applicability of review committees to provide independent reviews of activities affecting plant security should be specified. The applicant did not include descriptions or reference specific descriptions in COL Part 2 that address the requirements of 10 CFR 73.58. The descriptions in Part 8, Physical Security Plan, Section 17, Review, Evaluation and Audit of the Physical Security Program, did not adequately address how applicant will manage and plans to implement safety/security interface in accordance with NRC regulation. Section 17 of the security plan only addresses reviews and audits of program no longer than 12 months after changes.

13.06.01-4

4. **(U)** Part 2, Table 13.4-201, Operational Programs Required by NRC Regulations and Program Implementation, Item 15 (Page 13.4-7): Confirm the intent to fully implement physical protection requirements (i.e., all physical protection systems and operational programs) of an operating reactor in accordance with 10 CFR 73, including Appendix B and Appendix C, "prior to receipt of fuel on-site," as stated in Item 15 of proposed license conditions and implementation milestones. In addition, confirm and indicate in the COL application that requirements of 10 CFR 74.19, Recordkeeping, will be implemented for the possession and storage of Category III SNM. .

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Item 15 of the proposed license conditions and milestones requires full implementation of the Physical Security Program, Safeguards Contingency Program, and Training and Qualification Program, prior to initial receipt of fuel. Title 10 CFR 73.67, "Licensee fixed site and in-transit requirements for the physical protection of special nuclear material of moderate and low strategic significance, may be applied for protection to storage of Category III reactor fuel assemblies, along with 10 CFR Part 74, "Material Control and Accounting of Special Nuclear Material," and security enhancements requirements that followed the events of 9/11 (i.e., NRC Orders to Cat III fuel cycle licenses) are current regulatory requirements for physical protection for the possession of Category III special nuclear material (SNM). Appropriate physical protection commensurate with Category III material may be applied based on NRC Regulatory Guide 5.76, with appropriate application regulatory requirement for

processing request for exemption in accordance with 10 CFR Part 73.55(a)(4). Title 10 CFR 74.19 requires recordkeeping for special nuclear material of low strategic significance nuclear material for licensee not subject to 10 CFR 74.31 (i.e., utilization facility licensed pursuant to Part 50 or 70). Confirmation and a commitment are needed to ensure the Part 52 licensee will apply the same requirements for material control and accounting at the receipt of fresh fuel.

13.06.01-5

5. **(U)** Part 2, Section 13.5.1.2, Preparation of Procedure, Plant Security Procedures (page 13.5-6) and Section 13.6, Security (1st paragraph, Page 13.6-1): Describe the management controls for ensuring "information concerning specific design features and administrative provisions of the security plan" will be protected to limit access to only individuals with "a need-to-know basis." Specifically, describe the requirements for management and administrative controls (e.g., policies, processes, and procedures) that will be established for protection of safeguards information in accordance with requirements of 10 CFR 73.21 during constructions and operations of the CPNPP Units 3 and 4.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73. Security systems and procedures that are considered safeguards information are required to be protected in accordance with requirements of 10 CFR 73.21. Security plans submitted under Part 8 of the COLA did not describe how program will be established to meet requirements of 10 CFR 73.21. As an applicant, Luminant has established an acceptable management and administrative controls for meeting 10 CFR 73.21 for preparing COL application. However, the COL application did not include plans to apply similar or appropriate management controls required for construction (e.g., information on security systems, features, and hardware design, construction, and installation) and operations phases of the CPNPP, Units 3 and 4.

13.06.01-6

6. **(U)** Part 2, Section 13.6, Security (Page 13.6-1): Provide design and performance requirements for physical protection systems that are outside the scope of the referenced US-APWR DC. Indicate reference to MHI Technical Report, UAP-SGI-80002, US-APWR - High Assurance Assessment Evaluation Report, and the specific sections of the MHI technical report that describes the design and performance requirements for physical protection systems (PA security access point, sally port and vehicle barrier systems location and configurations, road layout to reduce force of vehicle impact) that will be relied on to provide a high assurance of adequate protection.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. The design of physical protection systems beyond the scope of the DC is

required as a COL information item, No. COL 13.6(2). Title 10 CFR 52.80(a) requires the application to contain information for ITA and criteria necessary and sufficient to provide reasonable assurance that the facility has been constructed and will operate in conformity with the combined license, the provisions of the Act, and the Commission's rules and regulations. The descriptions of design and performance requirements establish the design basis for licensing, detailed of design, and criteria for verification by inspections, tests, and/or analyses. The descriptions for the designs and performance requirements for physical protection systems may conform to guidelines of Regulatory Guide 1.206 to meet the requirement of 10 CFR 52.80(a).

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-7

7. **(U) Part 2, Section 13.6.1, Physical Security - Combined License (Page 13.6-1):** Indicate that security plans are submitted as Part 8 of the COL application.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The indicating that Part 8 of the COL application contains security plans would clarify that security plans are not in a separate licensing document, but is part of the COL application.

13.06.01-8

8. **(U) Part 2, Section 13.6.1, Physical Security - Combined License, Section 13.6.2.1, Barriers, Isolation Zones, and Controlled Access Point (Pages 13.6-1 to 13.6-2):** Indicate reference to MHI Technical Report UAP-SGI-08002, US-APWR - High Assurance Assessment Evaluation Report, for meeting COL Information Items 13.6(2) and 13.6(5).

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73. Title 10 CFR 52.80(a) required the application to contain information for ITA and criteria necessary and sufficient to provide reasonable assurance that the facility has been constructed and will operate in conformity with the combined license, the provisions of the Act, and the Commission's rules and regulations. Applicant may conform to guidance of RG 1.206 in providing required descriptions of detailed design and performance requirements addressing COL Information Items No. 13.6(2) and No. 13.6(5).

(U) COL Information Item No. 13.6(2) states that. "[t]he COL applicant is to develop and provide as part of its physical security plan site specific physical security features and capabilities, such as (i) the physical barrier surrounding the protected area boundary; (ii) the isolation zone in areas adjacent to the protected area boundary, (iii) security lighting, or use of low-light technology, for the isolation zone and protected area; (iv) the vehicle barrier system, (v) controlled access points to control entry of personnel, vehicles and materials into the protected area, (vi) the intrusion detection system, and (vii) the closed circuit television camera and video assessment systems to provide monitoring and assessment of the protected area perimeter." COL Information item No. 13.6(5) states that "[t]he COL applicant's physical security plan is to make provision for radio or microwave transmitted two-way voice communication to communicate with the local law enforcement agencies." The design, performance requirements, and design basis for physical protection systems between the vital barriers and the PA and OCA are described in MHI Technical Report UAP-SGI-08002. Reference 13.06-201, security plans submitted under Part 8 of the COLA, contains limited descriptions for design and performance requirements for meeting regulatory requirements of 10 CFR 52.80(a).

13.06.01-9

9. **(U)** Part 2, Section 13.6.2.2, Vital Area and Vital Equipment (Page 13.6-2): Describe the design and performance requirements for the interfaces between the central alarm station (CAS) and secondary alarm station (SAS) to address redundancies of functions (i.e., detection, assessments, and communications capabilities) based on the stated change to the DCD subsection 13.6.2.2. Specifically, provide the conceptual design descriptions and performance requirements for alarm system, configurations, and interfaces required to provide redundancies of capabilities for intrusion detection, assessment, and communications to and from the CAS and SAS, along with the design requirements for system interfaces between the CAS and SAS.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73. Title 10 CFR 73.55(i)(4)(G)(iii) requires that both alarm stations shall be equal and redundant. Title 10 CFR 52.80(a) requires that the application contain information for ITA and criteria necessary and sufficient to provide reasonable assurance that the facility has been constructed and will operate in conformity with the combined license. The MHI Technical Report UAP-SGI-08002 should be referenced as applicable for the site specific configurations for CAS and SAS.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-10

10. **(U)** Part 2, Section 13.6.2.3, Alarm Systems and Detection Aids (Page 13.6-3): Provide descriptions of design and performance requirements for physical protection systems meeting regulatory requirements of 10 CFR 73.55(e)(7)(i)(c), for monitoring with assessment equipment that is designed to satisfy the requirements of § 73.55(i), and provide real-time and play-back/recorded video images of the assess activities before and after each alarm annunciation

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73. MHI Technical Report UAP-SGI-08002, U.S. APWR - High Assurance Assessment Evaluation should be incorporated by reference, if the descriptions of design and performance are applicable to the site specific configurations and physical protection that will be provided to detect and assess intrusions.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-11

11. **(U)** Part 2, Section 13.6.2.4, Security Lighting, Section 13.6.2.5, Security Communications Systems, and Section 13.6.2.6, Security Power (Pages 13.6-3 and 13.6.4): Indicate reference to MHI Technical Report UAP-SGI-08002, US-APWR - High Assurance Assessment Evaluation Report, that contains descriptions of design and performance requirements for security lighting.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73. Security systems design, performance requirements, and design basis for physical protection systems between the vital barriers and the PA and OCA are described in MHI Technical Report UAP-SGI-08002. The descriptions of design and performance requirements establish the design and basis for licensing and detailed design, which will be verified through ITA. The applicant may incorporated by reference the MHI technical report to establish the applicant's COL design and licensing basis and site specific requirements for meeting 10 CFR 52.80(a) requirements that the application contain information for ITA and criteria necessary and sufficient to provide reasonable assurance that the facility has been constructed and will operate in conformity with the combined license, the provisions of the Act, and the Commission's rules and regulations. The reference 13.06-201, security plans submitted under Part 8 of the COLA, contains limited descriptions for design meeting regulatory requirements of 10 CFR 52.80(a).

13.06.01-12

12. **(U)** Part 2, Section 13.6.4, Combined License Information (Page 13.6.4): Provide the following related to COL information items: (a) indicate the appropriate sections or parts of the COL application that describe the implementation schedule stated in the COL Information item 13.6(1); (b) indicate MHI Technical Report UAP-SGI-08002, in addition to Part 8, "physical security plan," for the descriptions of site specific physical protection systems design and performance requirements meeting for COL information item 13.6(2); and (c) include reference to MHI Technical Report UAP-SGI-08002 for meeting COL information item 13.6(5).

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." MHI Technical Report UAP-SGI-80002 contains descriptions of design and performance requirements for physical protection systems that are within the scope of the COL applicant that should be incorporated by reference.

13.06.01-13

13. **(U)** Part 2, Section 13.6.5, References (Page 13.6-4): Include, the MHI Technical Report UAP-SGI-08002, US-APWR - High Assurance Assessment Evaluation Report, as a reference.

(U) Regulatory Basis: The design of physical protection systems beyond the scope of the DC is required as COL Information Item 13.6.1. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." Title 10 CFR 52.80(a) required the application to contain information for ITA and criteria necessary and sufficient to provide reasonable assurance that the facility has been constructed and will operate in conformity with the combined license, the provisions of the Act, and the Commission's rules and regulations. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The MHI Technical Report UAP-SGI-08002 contains details of design and licensing basis information for proposed nuclear operations.

13.06.01-14

14. **(U)** General Comment (all portions of the security plans): Revise security plans to indicate consistently the name of the applicant (i.e., Luminant Generation Company LLC or Luminant, on behalf of Comanche Peak Nuclear Power Company LLC (CPNPC)) and the name of the generating plants (i.e., Comanche Peak Nuclear Power Plant Unit 3 and Unit 4, CPNPP Units 3 & 4, or CPNPP 3 and 4)).

(U) Regulatory Basis: Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The security plans uses the term "CPNPP" to identify the licensee and the plant, along with "CPNPP Unit 3 and 4" Part 1, Administration and Financial Information, Section 1.1, License Actions Requested, identifies Luminant and CPNPP as the recipients of the COL license for the new plant identified as "CPNPP Units 3 and 4" or CPNPP 3 & 4. These appear as a separate and distinct entity from the existing Comanche Peak nuclear power plant and must be accurate and consistently identified throughout the licensing document. The use of "CPNPP" is not consistent with Part 1 of the COL application, and it appears to refer to either the operating licensee or the new plants.

13.06.01-15

15. **(U) Part 8, Physical Security Plan, Section 1.0, Introduction (Page 1):** Indicate reference to regulatory requirements set forth in 10 CFR 52.79(a)(35)j, 52.79(a)(36)(i) and (ii) in lieu of "10 CFR 50.34(c) and (d)," for the COL application.

(U) 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 C of 10 CFR 52 establishes the regulatory requirements for CPNPP Units 3 and 4 combined license application. The security plans must meet requirements of 10 CFR 52 and the reference to the requirements of 10 CFR 50 as stated is not accurate.

13.06.01-16

16. **(U) Part 8, Physical Security Plan (PSP), Section 1.1, Facility Physical Layout (pages 1-2):** Provide clarification on whether Part 2, FSAR, Chapter 2, Site Characteristics, (i.e., Sections 2.1, Geography and Demography, 2.1.1, Site Location and Descriptions, 2.1.2, Exclusion Area Authority and Control, and 2.2, Nearby Industrial, Transportation, and Military Facilities) is applicable in providing additional details of the descriptions and Figures 1, 2, and 3 in PSP Section 1.1 for the meeting regulatory requirement of 10 CFR 73, Appendix C, Section II (B)(3)(b), Physical Layout. Provide a statement that references Part 2, FSAR, Chapter 2, Site Characteristics, for describing the facilities to complete and supplement information contained in Section 1.1 of the PSP.

(U) Regulatory Basis: Title 10 CFR 73, Appendix C, Section II (B)(3)(b), Physical Layout, requires the safeguards contingency plan to "include a site map depicting the physical structures located on the site, including onsite independent spent fuel storage installations (if applicable), and a description of the structures depicted on the map. Plans must also include a descriptions 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. Descriptions and maps must indicate main and alternate entry routes for law enforcement or other offsite response and support agencies and the location for marshaling and coordinating response activities." Applicant may reference COL application Part 2, FSAR, Chapter 2, which already contains descriptions of site characteristics that would provide acceptable detailed descriptions and maps that supplement the information described in Section 1.1 of the PSP.

13.06.01-17

17. **(U)** Part 8, Physical Security Plan, Section 2, Performance Objectives (5th sentence, Page 2): State appropriately the reference to 10 CFR 73, or indicate all other specific parts of 10 CFR 73 that are required for the design of a physical protection systems and programs for CPNPP Units 3 and 4 in the 5th sentence of the paragraph.

(U) 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 C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73. The performance and prescriptive requirements for physical protection of power reactors are described in various sections of 10 CFR 73, in addition to requirements stated in 10 CFR 73.55. The statement that "The physical protection system and programs described here in are designed to protect against the Design Basis Threat (DBT) of radiological sabotage in accordance with the specific requirements of 10 CFR 73.55 (a) through (r) or equivalent measures that meets the same high assurance objectives provided by paragraph (a) through (r)," did not include regulatory reference for descriptions in the security plan for meeting 10 CFR 73.56 (access authorization described in Section 14.1), 10 CFR 26 (fitness for duty described in Section 14.1), 10 CFR 73.58 (safety/security interface requirements - not described or discussed), 10 CFR 73.54 (digital systems security described in Section 23).

13.06.01-18

18. **(U)** 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 28): 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 the CPNPP Units 3 and 4.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73. Title 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.

13.06.01-19

19. **(U)** Part 8, Physical Security Plan, Section 4, Establishment of Security Organization (Page 4): Clarify and indicate that the contract services, the security organization contractor, plans to meet and implement all remaining requirements of 10 CFR 73 applicable to a power reactor licensee, in addition to the requirements "10 CFR 73.55(b)(1)(i) through (iv) and (b)4(i)" indicated in Section 4.

(U) Regulatory Basis: Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The performance and prescriptive requirements for physical protection of power reactors are described in various sections of 10 CFR 73, in addition to requirements stated in 10 CFR 73.55. Clarification is needed to ensure that Luminant contracted service plans to meet and implement all applicable requirements of 10 CFR 73 and not only 10 CFR 73.55.

13.06.01-20

20. **(U)** Part 8, Physical Security Plan, Section 4.1, Security Organization Management (Page 4): Delete "Update" in "Updated Final Safety Analysis Report" and delete "U" from "UFSAR."

(U) Regulatory Basis: Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The facility management organization is outlined in the Updated Final Safety Analysis Report, as titled in the COL application, Part 2. For the purpose the COL application, FSAR is the appropriate and accurate reference to Part 2 of the application. Update to FSAR is performed after licensing and would be identified as "UFSAR".

13.06.01-21

21. **(U)** Part 8, Physical Security Plan, Section 4.1, Security Organization Management (Page 5): Delete "proprietary" and "or other qualified personnel" in the 6th paragraph on Page 5 to provide consistency with the statement in the first paragraph of Page 4 (i.e., "[t]he Security Force at CPNPP is a contract service").

(U) Regulatory Basis: Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." Luminant states that the security force for CPNPP Units 3 and 4 is a contract service.

13.06.01-22

22. **(U)** Part 8, Physical Security Plan, Section 4.1, Security Organization Management (Page 4): Delete "(Security Shift Supervisor qualified)" in the 5th paragraph of Section 4.1.

(U) Regulatory Basis: Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The qualification of Armed Response Team Leader (RTL) is addressed in the Table 1, Critical Tasks Matrix, of applicant Training and Qualification Plan. The Security Shift Supervisor (SSS), 2nd to last paragraph, states that the SSS does not have other routine assignments that would preclude their ability to direct all activities of the security organization. The quote implies that the SSS may also be a RTL, which would be contrary to regulatory requirement of 10 CFR 73.55(d)(2)(ii) that at least one member, on site and available at all times, who has the authority to direct the security activities and is assigned no other duties. Designation as a RTL interferes with this individual's ability to perform duties as a SSS.

13.06.01-23

23. **(U)** Part 8, Physical Security Plan, Section 4.1, Security Organization Management (Page 4), Training and Qualification Plan, Section 3.3, Critical Task Matrix (Pages B-7, B-15 through B-19 and Contingency Plan, Section 4.1, License Organization (Pages C-17 through C-19): Clarify and indicate the difference, if any, between the individual that is designated and defined as "Response Team Leader (RTL)," and the individual designated as "Response Force Leader (RFL)." Provide consistent use of either RFL or RTL in referring to the same individual.

(U) Regulatory Basis: Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The applicant uses "RTL" in the PSP and use "RFL" in the remaining two plans submitted under Part 8 of the application.

13.06.01-24

24. **(U)** Part 8, Physical Security Plan, Section 11, Physical Barriers (Pages 8-13): Indicate reference to MHI Technical Report UAP-SGI-08002, Revision 1, US-APWR High Assurance Assessment Evaluation Report, that addresses detailed descriptions of design and performance requirements of physical barriers - or - clarify what parts of the COL application addresses or incorporates the MHI Technical Report UAP-SGI-08002 that describes the details for the design of physical barriers described in Section 11.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to provide capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. The design of physical protection systems beyond the scope of the DC is required as COL Information Item 13.6.1. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." Title 10 CFR 52.80(a) required the application to contain information for ITA and criteria necessary and sufficient to provide reasonable assurance that the facility has been constructed and will operate in conformity with the combined license, the provisions of the Act, and the Commission's rules and regulations. MHI Technical Report UAP-SGI-08002 R1, U.S. APWR - High Assurance Assessment Evaluation Report, addresses the detailed descriptions of design and performance requirements that are intended to conform to guidance of RG 1.206 for a COL application. The applicant did not incorporate by reference the portions of the MHI Technical Report UAP-SGI-08002, which contain the design of physical protection systems within the scope of the COL applicant.

13.06.01-25

25. **(U) Part 8, Physical Security Plan, Section 11.2, Vehicle Barriers (Pages 9 and 10):** Indicate references to documents (e.g., MHI UAP-SGI-080002 or others) containing the analyzed results, analysis assumptions, and methods or approaches used, and technical basis for determining adequate stand off distance(s) for the vehicle bomb threats described in Sections 11.2.1 and 11.2.2.

(U) Regulatory Basis: Subpart B of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The applicant states that "[a] site-specific analysis has been conducted and physical barriers are [will be] used where appropriate in the OCA, PA, and VAs to perform any or more of the following functions . . . (7) protect the personnel, systems, and equipment needed to prevent . . . sabotage against a vehicle bomb . . ." Section 11.2 does not describe the minimum required stand off distance(s) for the design of the VBS or provide the supporting licensing basis for adequate minimum stand off distance(s) that protecting against the DBT vehicle bomb(s). The reference to technical report and specific blast analysis that contains the technical basis and a summary of results supporting the applicant statements of adequate protection against vehicle bombs may be addressed in Part 2, FSAR Chapter 13.6 and/or incorporated by reference.

13.06.01-26

26. **(U)** Part 8, Physical Security Plan, Section 11.2, Vehicle Barriers (Page 9): Clarify and indicate the specific design and performance requirements for meeting what is considered an "acceptable level" in the statement that the "[r]oad layout up to the active barriers is designed to reduce the force of the moving vehicle to an acceptable level." Confirm that the design and performance requirements of the physical protection systems applied the bounding vehicle size and maximum speed of the DBT.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Title 10 CFR 52.80(a) required the application to contain information for ITA and criteria necessary and sufficient to provide reasonable assurance that the facility has been constructed and will operate in conformity with the combined license, the provisions of the Act, and the Commission's rules and regulations. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The design performance requirement of "acceptable level" must be sufficiently described for verification by inspections, test, or analysis of the engineered features that will be designed and constructed. Specific design and performance requirements must be sufficiently describe for verification and assurance of adequate protection.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-27

27. **(U)** Part 8, Physical Security Plan, Section 11.2.3, Waterborne Threat Measures (Page 11): Indicate reference to the technical report or document that contains the site-specific analysis providing the technical and licensing basis supporting the conclusions in this section that the ". . . (closest vital equipment) and remaining vital equipment buildings have been analyzed for blast and found to be acceptable for performing their functions."

(U) Regulatory Basis: Subpart B of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT. Title 10 CFR 73.1(1)(E)(iv) requires protection against the DBT waterborne vehicle bomb. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and

accurate in all material respects." The applicant stated that it has analyzed (i.e., documented) for blast and provided an adequate protection. The blast analysis providing the applicant technical basis of adequate protection must be incorporated by reference for completeness of licensing basis and a summary of analysis result must be provided in the COL application to demonstrate how it met regulatory requirements of 10 CFR 73.1(E)(iv).

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-28

28. (U) Part 8, Physical Security Plan, Section 11.3, Protected Area Barriers (Page 11): Provide descriptions of design requirements of the physical protection systems that will provide continuity of the detection of penetrations above the Access Control Building (ACB) and building penetrations (including doors, HVAC, and windows) of the ACB that serves as a portion of the PA barrier. Include in the response, clarify whether fencing, as described is a design requirement on the roof of the ACB.

(U) Regulatory Basis: Subpart B of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT. The design of the ACB serving as part of the PA barrier must include capabilities for detection. The design of ACB did not describe capabilities of detecting attempted penetrations of the portion of the ACB structure that will serve the PA barrier.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-29

29. (U) Part 8, Physical Security Plan, Section 11.3, Protected Area Barriers (last sentence, Page 12): Describe the design requirements of engineered systems or features that will be established to "limit the potential for an unauthorized train to penetrate the protected area boundary." In addition, describe if the design and performance requirements for the assessment systems (CCTV or others) provided, including capabilities to provide surveillance to verify conditions and availability of the "measure" provided.

(U) Regulatory Basis: Subpart B of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The applicant states that "[m]easures have been established" to limit potential for an unauthorized train to penetrate the PA. Section 11.3 did not describe the system or feature and the design requirements to perform the intended function of stopping or preventing a train. The reference to technical report that contains descriptions design and performance requirements of physical protection systems may be addressed in Part 2, FSAR Chapter 13.6 and/or appropriate reference to MHI UAP-SGI-080002.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-30

30. **(U) Part 8, Physical Security Plan, Section 11.3, Protected Area Barriers (Page 11):** Provide descriptions of the types of "interior security features" (i.e., engineered systems) for performing PA packages and material searches described in the Section 14.4.2 and personnel search described in Section 14.4.4. Specifically address whether descriptions for the maintenance of search equipment in Section 20.2, Search Equipment, are the types of interior security features that will be incorporated by design to meet requirements for search of packages, material, and persons.

(U) Regulatory Basis: Subpart B of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT. The description of interior security features must include, in general, the types of engineered systems or technologies that will be provided for search of packages, material, and personnel. Section 14.4.2, and 14.4.4 states that special purpose detector or equipment capable of detecting firearms, explosives, incendiary devices or other items used to commit radiological sabotage are provided to conduct searches, along with the option of conducting physical search.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-31

31. **(U)** Part 8, Physical Security Plan, Section 14.2, Insider Mitigation Program (Page15): Clarify whether the statement "utilizing the guidance provided in Regulatory Guide 5.75" means implementing the insider mitigation program in accordance with all portions of referenced Regulatory Guide 5.77, Insider Mitigation Program, that would provide a licensing basis for how Luminant will meet 10 CFR 73.55(a)(9).

(U) Regulatory Basis: Subpart B of Title 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. Title 10 CFR 73.55(a)(9) requires an applicant to provide program and physical protection against insider threat, as characterized by the adversarial characteristics of the design basis threat. Regulatory Guide 5.77, Insider Mitigation Program, provide guidance that may be applied for meeting regulatory requirements on mitigating insider threat.

13.06.01-32

32. **(U)** Part 8, Physical Security Plan, Section 14.2, Insider Mitigation Program (last sentence, Page 15): Provide justifications and technical bases for the proposed "alternative methodology" described in Section 14.2 as it relates to the "fuel pool." Identify clearly the specific regulatory requirement(s) of 10 CFR 73 that this alternative methodology is intended to address. Provide a specific request of alternate measure for review and approval in accordance with 10 CFR 73.55(r).

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Title 10 CFR 73.55(r), Alternative measures, requires an applicant to submit technical basis for the proposed alternative measure(s) to the Commission for review and approval. In the case of a COL applicant, the applicant proposed alternative measure is reviewed during review of the applications, prior to issuance of a license. Section 14.2 includes a proposed an alternative without specifying the regulation and did not provide detailed descriptions of alternative measures and justifying technical basis. The application of NRC accepted industry template NEI 03-12 for submitting security plans is guidance and conformance to the NEI template is not a justification for alternative to or a noncompliance with regulatory requirements. Any alternative to regulatory requirements of 10 CFR 73 in the application must be addressed under 10 CFR 73.55(r).

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text

in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-33

33. **(U)** Part 8, Physical Security Plan, Section 14.5, Vital Area Access Control (6th bullet, Page 21): Clarify and indicate the design and performance requirements associated with the two class (or types) of alarm supervision indicated in the 6th bullet. In addition, describe what portions of the intrusion detection and alarm system and components will be designed to meet a particular class of supervision stated and describe the specific industry or consensus that establishes the standard for providing the supervision functions.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT. The 6th bullet describing the design and performance requirements for intrusion alarm system identify a choice of two types of alarm line supervision. Clarification is requested to explain what is specifically required for design and that applicant's assumptions for each of the class of supervision and what industry standard are applied (e.g., NFPA 72, UL standard, Factory Mutual, or others).

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-34

34. **(U)** Part 8, Physical Security Plan, Section 14.5, Vital Area Access Control (Page 21): Describe the design and performance requirements for interior intrusion detection systems (IDS) and alarms for detecting unauthorized access to vital areas (VA). Specifically, address the following: (a) describe the assumptions regarding detecting unauthorized access through other than VA normal and emergency access points (i.e., other penetrations); (b) describe how other penetrations or openings would be locked and alarmed; (c) describe, if any, assumptions for a maximum size of openings or penetrations in the VA barriers would not required physical barrier and alarmed; and (d) describe how the interior IDS will be integrated with the internal surveillance system for assessment.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the

requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Title 10 CFR 73.55(b)(9)(ii) and (iii) requires openings in VA barriers to be alarmed for detection of unauthorized access. The MHI Technical Report UAP-SGI-080002 technical contains descriptions design and performance requirements of physical protection systems that are described in Part 2, FSAR Chapter 13.6 and may be incorporated by reference.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-35

35. **(U) Part 8, Physical Security Plan, Section 14.5, Vital Area Access Control and Section 16.2 System Description (7th bullet, Page 21 and last paragraph, Page 27):** Clarify and indicate whether the standby power described in the first sentence (with capabilities as indicated) is in addition to backup power indicated in the last sentence. Include in the following in the RAI response: (a) indicate whether an uninterruptable power supply (UPS) is incorporated in the design to provide continuity of IDS functions without interruption between loss of off-site power and the availability of power from the standby and/or backup power system(s); (b) Indicate the technical basis for the adequacy of the minimum hours indicated for the design of standby power; (c) clarify whether surveillance system is provided in the design for assessment of the vital areas (e.g., similar to selected capabilities described in Section 15); and (d) clarify whether "emergency power system" in Section 6.2 for security communications is the same as "standby power" described in Section 14.5.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. The reliability and availability of IDS to continue performing its intended functions up on the lost of primary power is required to initiate assessment and response to protect the plant against the DBT. Clarification is required for identified power supply and the licensing basis for adequate detection capabilities to initiate assessment and response. Section 15, Surveillance Observation and Monitoring, describes UPS that appears to be limited to the IDS and surveillance systems for areas outside of the VA. The application contain different terms for describing the source of secondary power and clarification is needed for the system(s) that will be provided for assure continuity of physical protections systems functions upon loss of primary power.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-36

36. **(U) Part 8, Physical Security Plan, Section 14.5, Vital Area Access Control (6th bullet, Page 22):** Verify the consistency between the listed vital areas on Page 22 of the PSP and the designations of vital areas in Appendix E of MHI Technical Report UAP-SGI-08001, Revision 2, dated December 2009, that is incorporated by reference.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The DCD, referenced technical report, MHI Technical Report UAP-SGI-08001 identifies vital areas in Appendix E. Figure 11, appears to identify additional vital areas that are not described in Section 14.5. The vital areas described in the PSP and those described and shown on figures of the DCD referenced MHI Technical Report UAP-SGI-08001 must be consistent

13.06.01-37

37. **(U) Part 8, Physical Security Plan, Section 15.4, Central Alarm Station (CAS) and Secondary Alarm Station (SAS) Operations (3rd paragraph, Page 24):** Describe the design and performance of physical security systems that will reside within CAS and SAS. Include the following in the response: (a) descriptions of design and performance requirements, a conceptual design block diagram of systems and components within the CAS and SAS and their interfaces with plant systems (public announcement system, emergency exits, access control features, active barriers, primary and secondary power, etc.); (b) the interfaces between CAS and SAS; and (c) a summary of evaluation and resulting design and performance requirements, including crediting spatial separation, to provide protection against single act that could lead to loss of security functions of both the CAS and SAS.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such

capabilities. Title 10 CFR 73.55(i)(4)(i) and (iii) requires design against single act the can disable both alarm stations and provisions for equal and redundant CAS and SAS. The descriptions design and performance requirements of physical protection systems may be addressed in Part 2, FSAR Chapter 13.6 and/or appropriate reference to MHI UAP-SGI-080002.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-38

38. (U) Part 8, Physical Security Plan, Section 18, Response Requirements (Page 29) and Safeguards Contingency Plan, Section 8, Protective Strategy (2nd paragraph, Page C-25): Clarify whether the number of "additional armed security offices (ASO) on site that are available at all times to respond" are dedicated to CPNPP Units 3 and 4 - or - whether they are available for all reactors, operating CPNPP Units 1 and 2 and CPNPP Units 3 and 4. If the indicated ASO are available for protection of all reactor units, address the following: (a) indicate the distribution of ASO between the new and operating units under full power operations, refueling outage, and under heightened threat environment of imminent attack; (b) describe how the responses of ASO were considered based on distributions of ASO between operating and new units; (c) describe how the ASO will be deployed and how engineered systems relied on to implement response to deny adversaries access to the VA; (d) discuss whether the ASO response include pursuit of adversaries; and (e) describe measures considered to address friendly fire in implementing pursuit portion of the strategy. If the number of ASO are dedicated to Units 3 and 4 only, (f) provide supplemental information to MHI Technical Report UAP-SGI-08002, R1 on how they are applied or supplement the numbers of responders and responses to postulated bounding adversaries scenarios described in MHI Technical Report; and (g) what engineered physical protection systems or features (e.g., fighting positions and strategic placements) are relied and technical basis that provides tactical advantages for the ASO.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Title 10 CFR 73.55(b)(ii) requires defense-in-depth through integration of engineered and administrative controls for effective physical protection. Clarification is required to establish clearly the assumptions for availability of ASO as described in Section 18 of the PSP and the statements of the Safeguards Contingency Plan (2nd paragraph, Page C-25) that the "two facility [CPNPP Units 1 and 2 and CPNPP Units 3 and 4] security plans are not contingent upon providing support to each other."

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-39

39. **(U) Part 8, Training and Qualification Plan, Section 3.6.4, Firearms Qualification Courses and Section 3.6.4.1, Course of Fire (Pages B-12):** Remove reference to enhanced weapons.

(U) Regulatory Basis: The training and qualification plan indicates qualification for weapon and courses of fire on "enhanced weapons." Current NRC regulation does include or authorize the use of enhanced weapons. Rulemaking is under consideration by the Commission, and the use of enhanced weapon is not yet authorized. In addition, Section 9.0 of the Physical Security Plan does not specify or plans for the use of enhanced weapons.

13.06.01-40

40. **(U) Part 8, Physical Security Plan, Safeguards Contingency Plan, Section 4.1.1, Duties/Communications Protocols and Section 4.1.2, Security Chain of Command/Delegation of Authority (Pages C-17 and C-18):** Reconcile the term "Response Force Leader" and "Armed Response Team Leader" (Security Shift Supervisor Qualified)" indicated Section 4.1, Security Organization Management, on Page 4 of the PSP.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and descriptions of implementation of the physical security plan. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The applicant uses different terms for describing the same security position.

13.06.01-41

41. **(U) Part 8, Safeguards Contingency Plan, Section 4.1.2, Security Chain of Command/ Delegation of Authority (Page C-18) and T&Q Plan, Table 1 (Page B-15 to B-24):** Provide appropriate revision to training requirements for CAS and SAS operators in the T&Q Plan, Table 1, Critical Task Matrix, Pages B-15 to B-24, to justify that the CAS or SAS operators would be qualified to fulfill the chain of command as a RFL during a security contingency event. In addition, provide clarification and justifications of how the CAS or SAS operators assigned duties of alarm responses, assessments, and

communications (e.g., providing redundancies of functions and performing internal and external interface requirements) will perform RFL responsibilities at the same time. Clarify when or under what conditions would a CAS or SAS operator may take on succession of chain of command as stated in Section 4.1.2 without interfering with performing alarms, assessments, and communications responsibilities.

(U) Regulatory Basis: Subpart C of Title 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. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and descriptions of implementation of the physical security plan. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." Section 4.1.2 indicates that the CAS or SAS Operator may assume command and control if the RFL is unavailable. The Training Matrix in Appendix B did not include all training tasks that would provide assurance that a CAS or SAS Operator would be appropriately trained and qualified to command and control of the security response (i.e., qualified as a RFL). Clarification and justifications are needed regarding when a CAS or SAS operator may take on succession of chain of command when the RFL is unavailable as stated in Section 4.1.2 (i.e., without interfering with performing alarms, assessments, and communications responsibilities).

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-42

42. **(U) Part 8, Safeguards Contingency Plan, Section 4.3, Safeguards Systems (Page C-19):** Clarify whether the "design documents" stated include the MHI Technical Report UAP-SGI-80002 that describes the design and performance requirements and licensing bases that will be referenced or submitted with Part 8 of the application. Provide definition of "Safeguards Systems," to clarify the difference between "Physical Protection System" as used in Section 2, Performance Objective of the PSP (Page 2) and "safeguards systems."

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The applicant states that "[s]afeguards systems are described in Section 9, 11, 12, 13, 15, and 16 or the PSP, and in facility implementation procedures/design documents."

Clarification is needed on whether MHI UAP-SGI-80002 containing descriptions of design and performance requirements and design basis for physical protection system (i.e., detection, assessment, delay and response) is consider a design document.

13.06.01-43

43. **(U)** Part 8, Safeguards Contingency Plan, Section 7, Primary Security Functions (3rd paragraph, Page C-23): Describe the types of facility procedures that will contain the "process for the oversight of target set equipment and systems to ensure that changes to configuration of identified safety-related equipment and system are considered in the site protective strategy," as stated for change controls and how the safety/security interface will be addressed.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and 10 CFR 73.55(h) requires maintaining reliable and available search capabilities of persons and materials at all time. Target sets (safety structures, systems and components) are identified by the applicant in accordance with 10 CFR 73.55(f) are SSC that the applicant will protect based on the DBT. Title 10 CFR 73.58 requires management of safety/security interface to ensure changes affecting security and the applicant must describe how it manages the interface. Target sets are safety-related structures, systems and components and/or operational related administrative controls that must be maintained updated based on configuration changes to plant systems and equipment.

13.06.01-44

44. **(U)** Part 8, Safeguards Contingency Plan, Section 7, Primary Security Functions (6th paragraph, Page C-24): Provide clarification and confirm the accuracy of the statement that the state (i.e., Texas Department of Public Safety (DPS)) is the "primary command and control organization." Include the following in the RAI responses: (a) provide justification of why the lead federal response agency (i.e., Federal Bureau of Investigation), identified in Section 5.8, would not be the lead law enforcement agency for a terrorist event, once it arrive on site; (b) why the applicant commits the Texas DPS the requirement that it "shall implement the necessary actions to recovery from the contingency and return to normal operations" of the CPNPP Units 3 and 4, and (c) describe how Texas DPS formally commits and provide assurance it will met the requirements as stated in this Section.

(U) Regulatory Basis: Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The licensee is responsible for both the safety and security of the licensed facility at all times. In a terrorist event, the FBI is the lead federal agency for response to terrorist events at any federal or state licensed facilities. The lead law enforcement agency is the FBI, and it would lead the incident command for both the response to the threat that has not been neutralized and the criminal investigation afterwards, with the support of

licensee security personnel and the state and local law enforcement organizations (including Texas DPS). Clarification, and confirmation, is needed for the statement that the Texas DPS will be the lead "command and control" organization for either security or safety.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-45

45. **(U) Part 8, Safeguards Contingency Plan, Section 8, Protective Strategy (1st paragraph, 9th line, Page C-25):** Clarify whether the stated "Security Officers (SOs)" should be "Armed Responders (AR)" as described in Section 18, Response Requirements, on page 29 of the PSP.

(U) Regulatory Basis: Subpart C of Title 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. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Armed Security Officers are credited in implementing the site protective strategy in the PSP. The term "Security Officer" is not defined in Appendix A of the PSP and the term "Supplemental Security Officers" are not required or relied on for immediate response.

13.06.01-46

46. **(U) Part 8, Safeguards Contingency Plan, Section 8, Protective Strategy (3rd paragraph, 2nd to last sentence, Page C-25):** Describe the design and performance requirements for the interface of the Units 3 and 4 engineered system (as indicated) to the Units 1 and 2 Secondary Alarm Station. Include the description for the following in the RAI response: (a) the intended purpose for requiring the engineered systems control interfaces between the two facilities; (b) the required assessments and communications capabilities to perform the intended functions; (c) the design requirements for assuring the integrity of actuation signal (including line supervisions, alarm indications, trouble conditions, etc.) from the locations of the engineered systems from Units 3 and 4 to the Secondary Alarm Station for Units 1 and 2, through the OCA; (d) clarify whether the same functions are provided within the CAS for CPNPP Units 3 and 4; and (e) describe how requirements for redundancy of functions are provided in the SAS of CPNPP Units 3 and 4.

(U) Regulatory Basis: Subpart C of Title 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. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Clarification is required of the intended purpose for requiring support from Units 1 and 2 for a physical protection system protecting the proposed CPNPP Units 3 and 4. The configuration proposed must be designed with assurance that the intended functions will be reliable and available.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-47

47. **(U) Part 8, Safeguards Contingency Plan, Section 8, Protective Strategy (1st paragraph, 2nd line, Page C-26):** Include CPNPP Unit 4 in "the Memorandum of Understanding (MOU) will be in place prior to operations on CPNPP Unit 3 to address this arrangement."

(U) Regulatory Basis: Subpart C of Title 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. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. The reliance on Units 1 and 2 to support and response to security events in the OCA that is shared between the plants include both CPNPP Units 3 and 4. The plans for an MOU should include CPNPP Unit 4.

13.06.01-48

48. **(U) Part 8, Safeguards Contingency Plan, Section 8, Protective Strategy (2nd paragraph, 2nd line, Page C-26):** Verify, and indicate, the design dimensions of the concrete blocks indicated in this section and the dimensions indicated in Sections 11.2.1 and 11.2.2 of the PSP. Specifically, verify whether that the thickness indicated is correct and indicate the length for the blocks described in this section.

(U) Regulatory Basis: Subpart C of Title 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. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Title 10 CFR 52.6, Completeness and accuracy of information, requires information provided "shall be complete and accurate in all material respects." The design dimensions for concrete blocks providing the same physical protection functions are inconsistent between security plans.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-49

49. **(U) Part 8, Safeguards Contingency Plan, Section 8, Protective Strategy (Page C-24 through C-27):** Indicate reference to MHI Technical Report UAP-SGI-080002 for descriptions of design and performance requirements of physical protection systems and supporting technical bases and assumptions for the summary of protective strategy described in this section.

(U) Regulatory Basis: Subpart C of Title 10 CFR (10 CFR) 52, § 52.79(a)(35)(i) and (ii) requires that information submitted for COL include how the applicant will meet the requirements of 10 CFR 73 and descriptions of implementation of the physical security plan. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. The descriptions and details for design, performance requirements, and technical assumptions for the summary for detection, assessment, communications, delay and response of the protective strategy, including integration of programmatic requirements for IMP, in Section 8 of the SCP are described in the MHI Technical Report UAP-SGI-080002, Revision 1, dated January 22, 2010 (i.e., Sections 5 and 6, attachments, and Appendix A, "Example Protective Strategy for US-APWR Reference Plant"), and should be incorporated by reference.

13.06.01-50

50. **(U) Part 8, Safeguards Contingency Plan, Section 8, Protective Strategy (3rd line, Page C-27):** Provide clarification and assumptions for what is considered the "soft walls." Identify their locations and describe the design and constructions requirements for categorizing the exterior structural walls of the power block buildings as "soft walls." In addition, clarify whether other portions of the exterior perimeter walls of the power block (vital island and buildings) are provided with the same protection to neutralize adversaries attempting to access the vital areas by other than the normal entrances and exits and soft walls.

(U) Regulatory Basis: Subpart C of Title 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. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. Title 10 CFR 73.55(b)(ii) requires defense-in-depth for physical protection program. Defense-in-depth is required to provide assurance of layered protection to neutralize adversaries. Clarification is needed to understand the technical

basis and assumptions for the describe protection of power block against the DBT adversaries.

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.

13.06.01-51

51. **(U) Part 8, Safeguards Contingency Plan, Section 8, Protective Strategy (2nd sentence, 2nd paragraph, Page C-27):** Provide clarification and the design and performance requirements for the planned camera systems as indicated. Include in the RAI response the following: (a) the intended application of the camera system for the assessment; (b) describe, in general, the types of technology that may be applied to meet both functions stated; (c) describe the differences between the camera systems described in this section and Section 15.2 of the PSP; (d) describe the design considerations for interface of the camera systems with the CAS and SAS, if any; and (f) describe the design and performance requirements for secondary power supply for assuring systems availability in the event of loss of primary power.

(U) Regulatory Basis: Subpart C of Title 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. Title 10 CFR 73.55(b)(3)(i) requires applicant to ensure that the capabilities to detect, assess, interdict, and neutralize the DBT and maintain at all time such capabilities. The design of physical protection systems beyond the scope of the DC is required as COL Information Item 13.6.1. Title 10 CFR 52.80(a) required the application to contain information for ITA and criteria necessary and sufficient to provide reasonable assurance that the facility has been constructed and will operate in conformity with the combined license, the provisions of the Act, and the Commission's rules and regulations. The applicant describes a physical protection system that may be applied for performing detection, assessment, and aid in neutralization of adversaries. Additional descriptions of design and performance requirements are needed to understand capabilities and intended functions to establish the design basis for licensing and sufficient details of design and criteria for verification by inspections, tests, and/or analyses. The descriptions may conform to guidelines of Regulatory Guide 1.206 to meet the requirement of 10 CFR 52.80(a).

(U) Note: The information addressing specific details related to security features or providing security functions will be safeguards information (SGI) and should be marked and protected in accordance with 10 CFR 73.21. The applicant should portion mark text in the response to request for additional information (RAI) as appropriate to identify SGI (or Official-Use-Only Security-Related Information) that reveals the specific details of physical protection.