NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR MATERIAL SAFETY AND SAFEGUARDS
WASHINGTON, D.C. 20555-0001

July xx, 2011

NRC REGULATORY ISSUE SUMMARY 2011-XXF HOMELAND SECURITY ADVISORY SYSTEM TRANSITION TO THE NATIONAL TERRORISM ADVISORY SYSTEM

ADDRESSEES

(U) All U.S. Nuclear Regulatory Commission (NRC) Category III Fuel Facilities

INTENT

(U) The U.S. Nuclear Regulatory Commission (NRC) previously issued guidance regarding the U. S. Department of Homeland Security's (DHS's) Homeland Security Advisory System (HSAS) to Category III Fuel Facilities in Regulatory Issue Summary (RIS) 2002-12F, and other generic communications. The NRC is issuing this new RIS to identify a change in the implementation of the HSAS as outlined in Homeland Security Presidential Directives (HSPD) -3 and HSPD-5. The change is required by Presidential Policy Directive (PPD) - 7, "National Terrorism Advisory System (NTAS)," dated January 26, 2011. This RIS requires no action or written response on the part of any addressee.

BACKGROUND

(U) On March 11, 2002, President George W. Bush signed HSPD-3, creating the HSAS, which is a graduated, color-coded threat advisory system to alert government authorities at all levels, private sector stakeholders, and the general public concerning the risk of terrorist attacks. HSAS consisted of five levels ranging from the lowest threat level "Green," to the most severe, "Red." Based on HSPD-3, the NRC issued regulatory issue summaries to inform NRC licensees of the descriptions of the various threat advisory conditions and provide guidance to NRC licensees concerning the preplanning of graded protective measures to respond to changes in the threat environment.

(U) On January 26, 2011, President Barack Obama issued PPD-7 which reaffirmed the need for a strong effective national-level advisory system which directed DHS to establish a new threat advisory system to replace HSAS.

Documents transmitted contain OFFICIAL USE ONLY Security Related Information. Upon removal of Attachment 2, this document is DECONTROLLED.

Enclosure

(U) The NTAS has replaced the previous color-coded threat levels with a two-tiered advisory system designed to provide timely and relevant terrorist threat information to affected government, private sector, and public stakeholders, as appropriate and in accordance with classification levels. The NTAS' two threat levels are "Elevated Alert" and "Imminent Alert".

(U) An Elevated Alert warns of a credible terrorist threat against the U.S. and its territories that is general in both timing and target, or details significant trends and developments in terrorism such that it is reasonable to recommend implementation of protective measures to thwart or mitigate an attack.

(U) An Imminent Alert warns of a credible, specific, and impending terrorist threat against the U.S. and its territories that is sufficiently specific and credible to recommend implementation of protective measures to thwart or mitigate an attack.

(U) In the event that DHS issues an NTAS Alert, the NRC recommends that licensees consider this RIS as constituting the notification by an authorized representative of the Commission. Accordingly, the NRC recommends that licensees respond to the NTAS Alert in a manner consistent with the guidance set forth in this RIS. The Commission may provide licensees with supplementary information, as warranted, when changes to the national threat level are issued by DHS.

BACKFIT DISCUSSION

(U) This RIS does not require any action or written response or any modification to plant structures, systems, components, or designs; therefore, the staff did not perform a backfit analysis.

***FEDERAL REGISTER* NOTIFICATION**

(U) A notice of opportunity for public comment was not published in the *Federal Register* because this RIS is informational and pertains to a staff position that does not represent a departure from current regulatory requirements and practice.

CONGRESSIONAL REVIEW ACT

(U) The NRC has determined that the RIS is not a rule as designated by the Congressional Review Act (5 U.S.C. §§ 801–808) and, therefore, is not subject to the Act.

PAPERWORK REDUCTION ACT STATEMENT

(U) The RIS does not contain any information collections and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

PUBLIC PROTECTION NOTIFICATION

(U) The NRC may not conduct or sponsor, and a person is not required to respond to, a request for information or an information collection requirement unless the requesting document displays a currently valid Office of Management and Budget control number.

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CONTACT

(U) Please direct any questions about this matter to the technical contact listed below.

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Attachments: (1) PPD-7, Homeland Security Advisory System
(2) Threat Conditions and Specific Actions for Category III Fuel Facilities

(U) Attachment 2 will not be released to the public because it contains Official Use Only – Security-Related Information.

Note: NRC generic communications may be found on the NRC Public Web site, http://www.nrc.gov, under Electronic Reading Room/Document Collections.

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