

January 17, 2012

MEMORANDUM TO: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff

FROM: Eric J. Leeds, Director */RA/ (Bruce A. Boger for)*
Office of Nuclear Reactor Regulation

SUBJECT: PROTECTING SECURITY-RELATED INFORMATION ONCE
SECURITY IS REINTEGRATED INTO THE ACTION MATRIX OF THE
REACTOR OVERSIGHT PROCESS ASSESSMENT PROGRAM

The purpose of this memorandum is to inform the Commission of the process the staff intends to use to ensure that security-related information is identified and separated before public letters and other documents related to the Reactor Oversight Process (ROP) evaluations are released once the security cornerstone is reintegrated into the Action Matrix of the ROP assessment program.

As described in the Staff Requirements Memorandum for SECY-11-0073, "Staff Proposal to Reintegrate Security into the Action Matrix of the Reactor Oversight Process Assessment Program," dated July 20, 2011, the Commission approved the staff's proposal to reintegrate the security cornerstone into the ROP assessment program. The staff is preparing a Regulatory Issue Summary (RIS) to inform stakeholders of the implementation plan and effective date. If the RIS is issued in first quarter calendar year 2012, the staff intends to implement this reintegration beginning on or around July 1, 2012. In this case, the staff will revise the governing ROP procedures for issuance before July 1, 2012, and update the public Web site to reflect the integrated Action Matrix concurrent with the quarterly ROP update on or around August 6, 2012. If issuance of the RIS is delayed, the implementation date will shift accordingly to afford sufficient advance notification of external stakeholders. Additionally, the staff will continue to update external stakeholders on the implementation status during the ROP monthly meetings. Inspection Manual Chapter (IMC) 0305, "Operating Reactor Assessment Program," dated July 6, 2011, outlines the ROP assessment process, and IMC 0320, "Operating Reactor Security Assessment Program," dated April 9, 2009, currently provides guidance for the assessment of the security cornerstone. The staff will suspend the use of IMC 0320 and revise IMC 0305 to reflect that the assessment process is governed solely by IMC 0305.

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During its planning for reintegrating the security cornerstone, the staff confirmed that integrating inspection findings and performance indicators under the security cornerstone into a single Action Matrix will not result in the distribution of security-related information to a broader array of individuals. Staff members in the Office of Nuclear Security and Incident Response and the regional offices who routinely work with security-related Sensitive Unclassified Non-Safeguards Information and Safeguards Information will continue to handle and protect that information in accordance with Management Directive 12.6, "NRC Sensitive Unclassified Information Security Program," dated December 20, 1999, and Management Directive 12.7, "NRC Safeguards Information Security Program," dated June 25, 2008. Security inspection reports and significance determination letters will continue to be issued and controlled in accordance with current practices. Integrated assessment letters will contain only publicly available information about security issues, and detailed security-related information will either be provided in a non-publicly available enclosure or will be sent to the licensee via separate non-publicly available correspondence. Individuals who do not currently handle this type of information are not expected to start handling this information as a function of the reintegration. The staff does not anticipate those who are not experienced in identifying and protecting security-related information to incur new responsibilities in this area because of the change in ROP assessment across all seven cornerstones. As such, current provisions (i.e., training, procedures, and management oversight) will ensure that security-related information continues to be identified and separated before public letters (and other documents related to the ROP evaluations) are released.

Additionally, the agency will modify the ROP public Web site to reflect an assessment across all seven cornerstones. However, the Web site will not display details related to security inputs (findings or performance indicators), nor will it display the exact significance of greater-than-green security inputs. Along with inputs from the six safety cornerstones, the Action Matrix will reflect movement based on greater-than-green security cornerstone inputs, which is information that was previously not publicly available. It may be possible to infer some information regarding the specific significance of a greater-than-green (i.e., white, yellow or red) security input based on the Action Matrix Column designation. This same inference can already be made from the supplemental inspection procedure number and title, which list the Action Matrix inputs resulting in the inspection. The supplemental inspection procedure number and title are listed on the publicly available security inspection report cover letters. The website changes resulting from reintegration of the security cornerstone may enable members of the public to

infer the significance of a security input more easily and quickly; however, security issues are corrected or compensated for prior to the conclusion of the inspection, and specific details regarding any potential vulnerability will not be publicly available.

Given these considerations, the staff expects that security-related information will continue to be adequately protected following reintegration.

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