

UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
OFFICE OF NUCLEAR REACTOR REGULATION  
WASHINGTON, DC 20555-0001

March 14, 2012

**NRC REGULATORY ISSUE SUMMARY 2012-03  
REINTEGRATION OF SECURITY INTO THE REACTOR  
OVERSIGHT PROCESS ASSESSMENT PROGRAM**

**ADDRESSEES**

All holders of operating licenses for nuclear power reactors, issued under the provisions of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 50, "Domestic Licensing of Production and Utilization Facilities," except those that have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

**INTENT**

The U.S. Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to inform addressees of a change in agency policy regarding assessment of reactor licensees. This RIS does not require any specific action or written response.

**BACKGROUND**

The NRC currently treats safety and security inputs to the Reactor Oversight Process (ROP) Action Matrix separately. This practice prevents the staff from fully leveraging (unless an Action Matrix deviation is authorized) supplemental inspection procedures and resources to detect the potential existence of more systemic, organizational issues that can manifest themselves across multiple cornerstones of the ROP. In SECY-11-0073, "Staff Proposal to Reintegrate Security into the Action Matrix of the Reactor Oversight Process Assessment Program," dated June 5, 2011, the staff proposed to include the security cornerstone in the assessment program governed by Inspection Manual Chapter (IMC) 0305, "Operating Reactor Assessment Program."

In the staff requirements memorandum to SECY-11-0073, dated July 20, 2011, the Commission approved the staff's proposal to reintegrate security inspection findings and performance indicators into the ROP Action Matrix for commercial nuclear power licensees. The integrated approach to assessment, including the security cornerstone, will take effect upon issuance of the revised guidance in IMC 0305 on or around July 1, 2012.

**SUMMARY OF ISSUE**

As noted above, the staff is revising IMC 0305 to reflect an integrated approach to performance assessment and will issue it on or around July 1, 2012. The staff will conduct the calendar year 2012 mid-cycle performance assessments, scheduled for August 2012, in accordance with the new provisions of IMC 0305. As such, the NRC will begin including security-related inputs (inspection findings and performance indicators) under the IMC 0305 assessment program and will discontinue use of IMC 0320, "Security Assessment Program." Licensees will receive one assessment letter that will document an assessment across all seven ROP cornerstones. This

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assessment letter will contain a non-publicly available attachment with detailed information related to any security findings or performance indicators, if applicable.

Similarly, the NRC will modify the ROP public Web site to include all seven ROP cornerstones when the quarterly updates to Action Matrix inputs are posted in early August 2012. The Web site will display security inputs that are determined to be of very low security significance (i.e., of green significance); however, instead of including the actual color, a security input of white, yellow, or red significance will be a different color (blue) to reflect greater-than-green significance. Not specifying the actual color of greater-than-green security inputs is consistent with current Commission policy. Similarly, specific information about all security performance deficiencies will remain non-publicly available, consistent with current Commission policy.

When the quarterly updates are posted in August 2012, plants with preexisting greater-than-green security inputs will appear to have new performance inputs and associated changes in Action Matrix column designation. This appearance will be an artifact of the security reintegration for performance assessment governed by the new provisions of IMC 0305. The NRC will have already identified the performance input under the provisions of IMC 0320 and will be in various stages of planning, performing, or completing the supplemental inspection commensurate with the safety significance of the input(s) to the security Action Matrix.

Under the current provisions of IMC 0305, inputs are considered in separate assessment processes and are not combined for determining which Action Matrix column applies. However, in the interim before the NRC issues the revised IMC 0305 guidance, an NRC regional office may request a deviation from the ROP Action Matrix to designate an Action Matrix column based on combined inputs. Such a deviation would be considered if licensee performance warrants an elevated level of regulatory action. A determination that such a deviation is not warranted would be sustained upon issuance of the new provisions in IMC 0305. As such, the plant would not transition to a new Action Matrix column as a function of, or immediately upon, reintegration. Rather, the transition (if warranted) would result from a deliberate agency decision before issuance of the revised guidance in IMC 0305. For example, Plant X has inputs before reintegration such that if the region were to include inputs from the security cornerstone, Plant X would meet the criteria for entry into Column 4 (as either a repetitive degraded cornerstone or multiple degraded cornerstones). However, the region decides not to pursue an Action Matrix deviation to transition Plant X to Column 4 of the Action Matrix because Plant X's performance issues do not warrant the agency actions associated with Column 4. The agency will communicate this regional decision not to pursue an Action Matrix deviation to the licensee in publicly available correspondence such as an assessment follow-up letter or inspection report. Because the region made a deliberate decision not to pursue an Action Matrix deviation prior to reintegration, Plant X would remain in Column 3 of the Action Matrix upon reintegration until successful completion of the supplemental inspection under Inspection Procedure 95002, "Supplemental Inspection for One Degraded Cornerstone or Any Three White Inputs in a Strategic Performance Area," or unless the region decided that Plant X's performance had further declined such that entry into Column 4 was warranted.

## **BACKFIT DISCUSSION**

This RIS does not require action or response on the part of any licensee. Therefore, this RIS does not constitute a backfit under 10 CFR 50.109, "Backfitting." Consequently, the staff did not perform a backfit analysis.

## **FEDERAL REGISTER NOTIFICATION**

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because the RIS is informational and pertains to a staff position that does not depart from current regulatory requirements and practices.

## **CONGRESSIONAL REVIEW ACT**

In accordance with the Congressional Review Act, the NRC has determined that this action is not a major rule and has verified this determination with the Office of Information and Regulatory Affairs of the Office of Management and Budget (OMB).

## **PAPERWORK REDUCTION ACT STATEMENT**

This RIS does not contain new or amended information collection requirements that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.). Existing requirements were approved by the OMB, approval number 3150-0011.

## **PUBLIC PROTECTION NOTIFICATION**

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 OMB control number.

## **CONTACT**

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

### **/RA/ by SBahadur for**

Timothy J. McGinty, Director  
Division of Policy and Rulemaking  
Office of Nuclear Reactor Regulation

Technical Contact: Kevin M. Roche, NRR/IPAB  
301-415-3106  
E-mail: [Kevin.Roche@nrc.gov](mailto:Kevin.Roche@nrc.gov)

Note: NRC generic communications may be found on the NRC public Web site, <http://www.nrc.gov>, under NRC Library/Document Collections.

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