

January 6, 2014

MEMORANDUM TO: Chairman Macfarlane
Commissioner Svinicki
Commissioner Magwood

FROM: Commissioner Ostendorff /RA/
Commissioner Apostolakis /RA/

SUBJECT: PROPOSED INITIATIVE TO CONDUCT A LESSONS-LEARNED
REVIEW OF THE NRC'S FORCE-ON-FORCE INSPECTION
PROGRAM

Background

The NRC has carried out force-on-force inspections at commercial operating nuclear power plants since 1991 as part of its comprehensive security program. These inspections assess a nuclear plant's physical protection measures to defend against the design basis threat. NRC originally conducted force-on-force inspections about once every eight years at all commercial nuclear plant sites. Following the September 11, 2001 attacks, the NRC increased security requirements for these facilities and the frequency of force-on-force inspections to once every three years in accordance with the Energy Policy Act of 2005. The NRC requires plants to defend against a design basis threat that reflects the threat environment.

The redesigned force-on-force program was fully implemented by late 2004. Since that time, the NRC has completed three cycles of force-on-force inspections. During this period, licensees have enhanced plant physical security and have significantly increased the number of guards at each facility.

At the same time, the force-on-force scenarios used to test licensee protective strategies are becoming increasingly complex, require numerous exercise timeouts, and have become less realistic as a result. The tactics employed by the composite adversary force are also becoming more sophisticated with each cycle of force-on-force inspections. In addition, it is required that the deficiencies identified by the force-on-force inspections be remedied, e.g., by compensatory measures, before the inspection team leaves the site. This practice is inconsistent with the treatment of deficiencies in the safety domain where their significance to risk is used to prioritize them. A consequence of such an approach may be a dilution of available resources and a lack of appropriate attention to those deficiencies that are truly important to security.

Proposed Staff Direction

The staff should conduct a lessons-learned review of the NRC's force-on-force inspection program to evaluate whether any adjustments are necessary to ensure efforts in this area are accomplishing intended objectives effectively and whether NRC's and licensees' efforts are focused on the most important issues to ensure security and safety at the sites.

Based on the experience to date, the review should include answers to the following questions:

1. Are current policies and practices for the conduct of force-on-force exercises consistent with the Energy Policy Act of 2005, the requirements of 10 CFR 73.1 and 73.55, and the design basis threat, as described in Regulatory Guide 5.69?
2. Are current policies and practices for immediate notifications of all deficiencies to State and Congressional stakeholders consistent with the Energy Policy Act of 2005? Have there been any unintended consequences?
3. Are the current composite adversary force tactics in accordance with the design basis threat?
4. Are the level of knowledge of the composite adversary force and the information it is provided by the licensee in accordance with the design basis threat?
5. Is the realism of the force-on-force exercises affected significantly by the number of timeouts?
6. Is the current guidance for unattended openings realistic?
7. Are the deficiencies identified by force-on-force exercises prioritized with respect to their significance?
8. Is the practice of requiring immediate compensatory measures (i.e., before the inspection team leaves the site) appropriate? Have there been any unintended consequences?

Based on the lessons-learned review, staff should provide a voting paper to the Commission with options and any staff plans or recommendations for revising the NRC security inspection program for commercial nuclear power plants.

Staff should provide this paper within 90 days of the issuance of the final Staff Requirements Memorandum.

SECY, please track.

cc: SECY
CFO
OGC
EDO