

Regulatory Guide Periodic Review

Regulatory Guide Number: **5.74**

Title: **Managing the Safety/Security Interface**

Office: **NSIR/DSP/SPSB**

Technical Lead: **Wesley Held**

Recommended Staff Action: **Revise**

1. What are the known technical or regulatory issues with the current version of the Regulatory Guide (RG)?

RG 5.74, Section C.2.d states in part that:

“To facilitate the safety/security assessment process, the licensee may choose to evaluate changes using predetermined questions that are specifically designed to identify potential conflicts in an efficient, yet adequately detailed, manner.” Current “change management” processes that licensees may consider for use in developing screening questions include, but are not limited to 10 CFR 50.59, “Changes, Tests, and Experiments,” and Regulatory Guide 1.187, “Guidance for Implementation of 10 CFR 50.59, ‘Changes, Tests, and Experiments.’”

10 CFR Part 50.59 contains provisions to allow licensees to make changes to their facilities and procedures without prior NRC approval under certain conditions. Implementing guidance in RG 1.187 provides an exception for low risk maintenance activities and temporary modifications that are expected to be in place for less than 90 days.

During inspection activities it was noted that licensees using the Part 50.59 process as a screening tool for evaluating the safety-security interface may have a process shortfall in that short-term temporary modifications or maintenance activities screen from further evaluation resulting in a failure to evaluate the safety-security interface. Title 10 CFR, Part 73, “Physical Protection of Plants and Materials,” contains no such exemption. Specifically, 10 CFR 73.58(b) requires that, “The 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,” and the staff believes that this requirement is applicable at all times.

The lack of detailed guidance in RG 5.74 with respect to the timeliness for evaluation of temporary changes or maintenance activity effects on the safety-security interface requires clarification.

- 2. What is the impact on internal and external stakeholders of not updating the RG for the known issues, in terms of anticipated numbers of licensing and inspection activities over the next several years?**

The impact on stakeholders of not updating the RG 5.74 for the known issue is that licensees could implement short-term temporary modifications and/or maintenance activities which have the potential to impact the safety-security without full evaluation, thereby degrading the safety-security interface without full consideration of the need for compensatory measures.

- 3. What is an estimate of the level of effort needed to address identified issues in terms of full-time equivalent (FTE) and contractor resources?**

Approximately 0.24 full-time equivalency (FTE) will be required to complete the review and update of the regulatory guide. This may be accomplished with either internal personnel or contractor support.

- 4. Based on the answers to the questions above, what is the staff action for this guide (Reviewed with no issues identified, Reviewed with issues identified for future consideration, Revise, or Withdraw)?**

Revise – A revision will provide clarity on the relevant regulations for stakeholders.

- 5. Provide a conceptual plan and timeframe to address the issues identified during the review.**

A revision to this RG is planned and a draft is expected to be issued for public comment by the second quarter of FY 2015.

Note: This review was conducted in June 2014 and reflects the staff's plans as of that date. These plans are tentative and subject to change.