



**NSIR/DSP-ISG-03**

**INTERIM STAFF GUIDANCE**

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**REVIEW OF SECURITY EXEMPTIONS/  
LICENSE AMENDMENT REQUESTS  
FOR DECOMMISSIONING NUCLEAR POWER  
PLANTS**

September 28, 2015

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## **1.0 PURPOSE**

The purpose of this interim staff guidance (ISG) is to provide guidance to U.S. Nuclear Regulatory Commission (NRC) staff on conducting technical reviews and safety evaluations of a licensee's requests for license amendments, alternative measures, and requests for exemption from security regulations for nuclear power plants that are undergoing the process of decommissioning. The staff should use this ISG until it is superseded or incorporated in other guidance or rulemaking.

The NRC issues guidance to describe, and make available to the public, methods that the NRC staff considers acceptable for use in implementing specific parts of the agency's regulations. The guidance is not a substitute for regulations, therefore methods that differ from those set forth in guidance may also be deemed acceptable if they meet the regulations and provide an adequate basis for licensing decisions.

## **2.0 APPLICABILITY**

This ISG is applicable to a nuclear power reactor licensee that has notified the NRC that it has permanently ceased operations in accordance with paragraph § 50.82(a)(1)(i), has certified permanent removal of fuel from the reactor vessel under paragraph § 50.82(a)(1)(ii), is storing spent fuel in a spent fuel pool (SFP), and is transitioning to dry cask storage in an Independent Spent Fuel Storage Installations (ISFSI). The Office of Nuclear Security and Incident Response (NSIR) provides the necessary guidance and technical support for licensing actions involving physical security protection programs for nuclear power plants, including those undergoing decommissioning. The Office of Nuclear Reactor Regulation (NRR) and the Office of Nuclear Materials Safety and Safeguards (NMSS) are responsible for processing license amendments with guidance and technical support from NSIR.

## **3.0 OBJECTIVES**

This ISG describes the basic process for the staff to conduct a technical review of a decommissioning licensee's security plan changes reported in accordance with 10 CFR 50.54(p)(2); 10 CFR 50.90, "Application for Amendment of License, Construction Permit, or Early Site Permit"; 10 CFR 73.55(r), "Alternative Measures"; and 10 CFR 73.5, "Specific Exemptions". Although this ISG is intended to enhance efficiency, effectiveness, and openness in achieving the NRC's strategic goals, it is not all-inclusive, therefore NSIR staff anticipates future revisions and changes to this ISG will be made to provide enhanced guidance based on experienced gained.

Specific objectives include the following:

- Protecting the public health and safety and the common defense and security through the maintenance of appropriate regulatory oversight .
- Promoting consistency in the processing, technical review, and documentation of security-plan changes proposed by licensees.
- Improving internal and external communications, coordination, and collaboration associated with the technical review of changes to Commission-approved security plans and the adequacy of licensee's implementation of 10 CFR 50.54(p)(2); 10 CFR 50.90, 10 CFR 73.5, and 10 CFR 73.55(r).

## 4.0 BACKGROUND

Generally, the power-reactor physical security requirements in 10 CFR 73.55, “Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage,” and the NRC security orders that apply to licensees of operating nuclear power reactors also apply to decommissioning power reactor licensees. This is because the license under 10 CFR Part 50, “Domestic Licensing of Production and Utilization Facilities,” is retained after permanent cessation of operations and removal of fuel from the reactor vessel.

To be consistent with paragraph § 73.55(a), each nuclear power reactor licensed under 10 CFR Part 50 shall meet the requirements for a Commission-approved physical security plan, training and qualification plan, safeguards contingency plan and cybersecurity plan (referred to collectively hereinafter as “security plans”). The general performance objective and requirements described in § 73.55(b) require licensees to establish and maintain a physical protection program that protects against the design basis threat (DBT) of radiological sabotage as stated in § 73.1, “Purpose and scope.”

Regulations in 10 CFR 73.1 outline the general characteristics of the DBT of radiological sabotage. The specific characteristics of the DBT of radiological sabotage for nuclear power reactors are described in the NRC order for interim compensatory measure (ICM) EA-03-086, “Design Basis Threat for Radiological Sabotage for Operating Reactors,” which was issued in April 2003 and portions of this order remain in effect. Further specific detail regarding the DBT of radiological sabotage is provided in Regulatory Guide 5.69, “Guidance for the Application of the Radiological Sabotage Design Basis Threat in the Design, Development and Implementation of a Physical Security Program that Meets § 73.55 Requirements.”

Regulations in 10 CFR 73.55(b)(3) require the physical protection program to be designed to prevent significant core damage and spent fuel sabotage. It further requires the licensee’s physical protection program to ensure that the capabilities to detect, assess, interdict, and neutralize threats (up to and including the DBT of radiological sabotage, as stated in Section 73.1) are maintained at all times. Regulations in 10 CFR 73.55(b)(3) also require that the licensee’s physical protection program provides defense in depth through the integration of systems, technologies, programs, equipment, supporting processes, and implementing procedures to ensure the program’s continued effectiveness.

As defined in 10 CFR 50.2, “Definitions,” “decommission” means to remove a nuclear facility from service and reduce residual radioactivity to a level that permits (1) the release of the property for unrestricted use and termination of the license or (2) the release of the property under restricted conditions and termination of the NRC license. During decommissioning, the licensee could request licensing actions to obtain exemptions from otherwise applicable regulatory requirements as they progress through the various stages of the decommissioning process. However, barring the NRC’s approval of a specific request for licensing action, as long as there is spent fuel in the SFP the licensee is subject to the requirements of 10 CFR Part 73, Physical Protection of Plants and Materials,” including the applicable appendices, and Order EA-03-086.

Consistent with paragraph § 50.82(a)(1)(i), when a nuclear power reactor licensee has determined to permanently cease operations, the licensee shall, within 30 days, submit a written certification to the NRC. Regulations in 10 CFR 50.82(a)(1)(ii) state that once fuel has been removed permanently from the reactor vessel, the licensee shall submit a written certification to the NRC that meets the requirements of § 50.4(b)(9). Regulations in 10 CFR 50.82(a)(2) state

that on docketing of the certifications for permanent cessation of operations and permanent removal of fuel from the reactor vessel, a 10 CFR Part 50 license no longer authorizes operation of the reactor, or emplacement of fuel into the reactor vessel.

The staff recognizes that licensees that have ceased operations permanently and have no fuel in the reactor vessel present a significantly lower risk to public health and safety than operating reactors. In particular, the risk of an offsite radiological release from irradiated fuel in a SFP is lower than the risk of an offsite radiological release from an operating power reactor. Because of the lower comparative risk<sup>1</sup> from a decommissioning power reactor, when compared to an operating reactor, licensees could request exemptions from certain requirements or rescission of orders on the basis that the application of the regulations or orders in the particular circumstance of decommissioning plants is not necessary to achieve the underlying purpose of the regulations or orders. The NRC's process for evaluating decommissioning power reactor licensees' requests for exemptions, license amendments, alternative measures, and security plan changes remains a flexible/transitional phased approach in which licensees could request exemption from otherwise applicable security requirements based on the site-specific conditions at the facility as decommissioning activities occur over a period of time.

The NRC's process for the regulation of a decommissioning power reactor allows licensees to use existing license amendment and exemption processes to propose changes to security requirements for the specific circumstances at the facility. Licensees can use the appropriate provisions of the regulations to: (1) request exemption from specific physical security requirements (i.e., under § 73.5); (2) request to amend their license regarding the implementation of the physical protection programs (i.e., under § 50.90); (3) request to implement an alternative measure in lieu of meeting a physical security requirement (under § 73.55(r)); or (4) make changes to their security plans that do not decrease the safeguards effectiveness of the plan (i.e., under § 50.54(p)). The licensee's technical and regulatory evaluation needs to be the basis for the selection of the appropriate regulatory provision that addresses the specific licensing action being requested (i.e., an exemption, license amendment, or alternative measure) or implemented (i.e., a security plan change).

If approved by the Commission, licensees are responsible to make corresponding changes to their NRC-approved security plans. Licensees could make changes to the security plans without prior Commission approval under 10 CFR 50.54(p), "Conditions of Licenses," if the changes do not decrease the safeguards effectiveness of the plans. The licensee shall maintain records of changes to the plans made without prior Commission approval for a period of 3 years from the date of the change, and shall submit (within 2 months after changes are made) a report containing the description of each change to the security plan that was made without prior Commission approval, as specified in 10 CFR 50.54(p)(1), 10 CFR 50.54(p)(2) and 10 CFR 50.4(b)(4)(iii).

A licensee desiring to make a change that would decrease the safeguards effectiveness is required to submit an application for a license amendment pursuant to 10 CFR 50.90 or request approval for an alternative measure pursuant to 10 CFR 73.55(r), as applicable. The effectiveness of the security plan should be determined commensurate with the risk of harm to the health and safety of the public.

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<sup>1</sup> NUREG-1738, "The Technical Study of Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Plants," describes risk from spent fuel pools at decommissioning nuclear power plants.

During the 1990s, several decommissioning power reactor facilities requested security related exemptions that reduced security requirements from that of an operating reactor to a level that was more appropriate for the reduced number of target sets at the decommissioning facility. NRC staff, on a case-by-case basis, granted exemptions from the security requirements for these facilities based on the reduced risk that these plants posed to the health and safety of the public. In a series of Commission papers issued between June 2000 and September 2003 (Reference items 1, 2, 4, 6, 7 and 8), NRC staff provided options and recommendations to the Commission to address emergency planning, insurance, safeguards, staffing and training, and backfitting at decommissioning nuclear power plants. In September 2003, the Commission approved the staff recommendation that decommissioning activities would continue to be addressed through the amendment and exemption processes.

All licensee submittals will be reviewed to verify that licensees have established adequate measures to maintain an onsite physical protection program that will provide high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not constitute an unreasonable risk to the public health and safety. The staff will document its review in a technical evaluation that will include consideration of safety and security measures implemented in response to both the September 11, 2001, terrorist attacks and the 2011 earthquake and tsunami in Japan. Because specific information about the physical protection program at a decommissioning power reactor is Safeguards Information (SGI) and not publicly available, portions of the technical evaluation prepared by the staff could therefore need to be designated as SGI. Staff should coordinate with the appropriate program office to develop and and publish of a non-safeguards summary of these reviews where appropriate.

## **5.0 SECURITY POSTURE FOR DECOMMISSIONING FACILITIES**

The security posture required for an operating nuclear power reactor is commensurate with the potential consequences caused by successful adversary actions. Possible adversary scenarios associated with the DBT of radiological sabotage cover a wide range of targets in several locations, requiring a complex security program. This contrasts with a permanently shutdown and defueled reactor that has irradiated fuel in the SFP and/or an ISFSI, where adversary scenarios are generally less complex and cover fewer target locations. Despite the reduced target sets and complexity of decommissioning reactor facilities' security programs, any changes to the site's security posture as the licensee transitions from one milestone to the next within the decommissioning process must be carefully considered.

During the initial phase of the decommissioning process, the reactor is permanently shut down, and the spent nuclear fuel (SNF) is permanently moved from the reactor to an SFP. Although the potential adversary targets are fewer, in fewer locations, the licensee is responsible to identify and analyze the "new" site-specific conditions to account for possible adversary approaches consistent with changes in facility configuration to include those that could not directly involve the SFP initially. Therefore, for the staff to reach a decision on any licensing action associated with a revised or modified security posture, the licensee must clearly describe site-specific configurations, decommissioning operations, the proposed implementation of physical protection measures at the site, and the proposed site protective strategy to enable NRC staff to evaluate the effectiveness of a licensee's security program in defending the SFP against the applicable DBT.

Licensees with reactors in the decommissioning transition process have submitted to the NRC various requests for both exemptions from the NRC security requirements under § 73.5 and requests for license amendment under § 50.90. However, licensees have submitted most

security plan changes under § 50.54(p). Recent examples of exemption requests and changes to the security plan using the § 50.54(p) process include elimination of licensee-conducted force-on-force (FoF) exercises and reduction of staffing levels.

For staff to conduct a timely review of a licensee's submittal (i.e., request for exemption, license amendment, alternative measure, or security plan change), it is critical that the licensee supply the staff with supporting documentation detailing the site-specific analysis done to support the request or change. It is important that supporting documentation addresses the details of the security program and the details of security implementation for the particular facility throughout the stages of the decommissioning process, including (1) the period during which spent fuel is stored in the SFP and (2) the period during which the SNF has been transferred from the SFP into dry cask storage at an ISFSI.

It is important that NRC staff has, at a minimum, knowledge of the following: (1) any remaining target set(s), including any credited operator actions; (2) all physical security measures and equipment employed to support the implementation of the protective strategy; (3) the detailed information that outlines the implementation of the protective strategy (e.g., response timelines, response locations, field-of-fire diagrams, responder equipment, etc.); and (4) any equipment or personnel necessary to address the multiple applicable DBT scenarios.

## **5.1 TRANSITIONAL SECURITY PHASES AT DECOMMISSIONING FACILITIES**

Staff has identified three phases generically applicable to the security posture of decommissioning facilities: 1) the initial transition period from full operating reactor security to permanent shutdown and defueled security; 2) long-term security of the spent fuel stored in the SFP (wet storage); 3) following removal of all fuel from the SFP, the long-term security of fuel stored in a dry cask storage in an ISFSI. Once the Commission determines that the licensee has met the criteria for license termination in 10 CFR 50.82(a), the site license can be terminated. Each phase considers key security milestones in the decommissioning process and the licensee's site-specific method for storing SNF in its SFP and/or at an on-site ISFSI.

For this ISG, these three phases are identified as described in the next three subsections.

**5.1.1 INITIAL TRANSITIONAL PERIOD (ITP)** - The ITP includes decommissioning activities that occur immediately after the reactor permanently shuts down and defuels (up to a period of several months). The overall facility is left intact, but the fuel that was in the reactor core when it permanently shut down has been removed from the reactor vessel and is stored in the SFP. There are typically many other fuel assemblies in the SFP from previous reactor refueling outages. In addition, most reactor facilities have dry cask storage ISFSIs for storage of older fuel. Radioactive decay during this time period will significantly reduce the levels of many of the short-lived radionuclides in the spent fuel in the SFP and reduces the risk from spent fuel handling accidents.

The security program requirements and protective strategy for a facility that has transferred its SNF from the reactor core to the SFP can potentially be changed without a reduction of the overall effectiveness of the security plans. In its analysis of the security program and protective strategy for the decommissioning reactor site, the licensee must review the overall security requirements to determine the continued applicability of existing security program and protective strategy measures to the site. After analyzing potential changes to the implementation of the site's physical protection program and protective strategy, the licensee could use the appropriate provisions of the regulations to submit proposed site-specific security

changes to the NRC for review and approval, or could implement such changes without prior NRC approval as specified in 10 CFR 50.54(p).

During the ITP, the licensee remains subject to the requirements of Part 73, including the applicable appendices, and the NRC DBT ICM Order EA-03-086.

The following is a list of activities that the staff anticipates that licensees could pursue during the ITP Phase of decommissioning:

1. Proposed changes to security program or protective strategy implementation in the form of license amendment requests under the provisions of 10 CFR 50.90, exemption requests under the provisions of § 73.5, and/or alternative measures under the provisions of § 73.55(r).
2. Target set revisions (supported by site-specific analysis of decommissioning conditions)
3. Devitalization and/or redesignation (of vital areas and equipment directly associated with the reactor and reactor support systems or the control room)
4. Protected area perimeter configuration changes
  - revised blast analysis (necessary to reconfigure the vehicle barrier system (VBS))
  - modifications to intrusion detection and assessment system (IDS) and equipment
5. Physical protection program and protective strategy realignment

**5.1.2 WET STORAGE** - The wet storage phase encompasses activities required for the long-term storage of SNF in the SFP. This period could begin months after all SNF has been removed from the reactor vessel.

The following is a list of activities that the staff anticipates licensees could pursue during the wet storage phase of decommissioning and NRC actions that could be necessary to support transitioning the storage of SNF in a SFP to dry cask storage in an ISFSI (and licensing of an operational ISFSI if no ISFSI existed onsite at the time the operating reactor permanently shut down):

1. Licensee: Licensee proposed license amendment requests.
2. NRC: If a new ISFSI is being constructed, the agency will issue orders to the licensee for ISFSI additional security measures (ASMs) and access authorization (AA) for fingerprinting (if not already in force).
3. Licensee: Response to the NRC consenting to the ISFSI ASMs (SGI) and AA for fingerprinting orders (if not already completed).
4. The security posture and/or protective strategy for a facility that has transferred its SNF to wet storage could be re-analyzed by the licensee to determine what changes could be made without a reduction in the overall effectiveness of the security plans.

5. Licensee: Licensee proposed license amendment requests related only to establishment of ISFSI only security requirements (in anticipation of offloading all fuel from SFP to dry cask storage).
  - Development of an ISFSI physical security plan.
  - Submission of an ISFSI physical security plan to the NRC for review and approval.
  - Development of a Protective Strategy (Protective Strategy for an ISFSI is to provide for detection, assessment and communication for an adequate offsite response by a local law enforcement agency (LLEA)).
6. Licensee: Licensing and construction of a general licensed ISFSI under its 10 CFR Part 50 license or, optionally, under an application for a 10 CFR Part 72 license for a specific license issued pursuant to 10 CFR 73.51, "Requirements for the Physical Protection of Stored Spent Nuclear Fuel and High-Level Radioactive Waste."

**5.1.3 DRY CASK STORAGE (ISFSI)** - This third phase of decommissioning includes those activities associated with the removal of all spent fuel from the SFP and storage of SNF in dry casks. The security program and protective strategy for a facility that has transferred its SNF from the SFP to an ISFSI should be re-analyzed to determine if changes can be made without a reduction in the overall effectiveness of the security plans.

The following is a list of activities that the staff anticipates licensees could pursue during the licensing and construction of an ISFSI and NRC actions that could be necessary to support movement of SNF from the SFP to a licensed ISFSI:

1. Licensee: A general license ISFSI licensee could submit a licensing action under the provisions under 10 CFR 73.55(r), "Alternative Measures", where the alternative measure is for applying the security requirements of a 10 CFR 73.51 "specific license" ISFSI to a general license ISFSI.
2. NRC: Review the licensee's proposed Physical Security Plan and document this review, to include technical bases and conclusions, in a technical evaluation or Safety Evaluation (SE) to document the results of the staff's determination.
3. NRC: Conduct of regional inspection activities to verify that the licensee can demonstrate adequate effectiveness in implementing the physical security program.
4. NRC: Office of Nuclear Material Safety and Safeguards issuance of the licensee notification and authorization to load and transfer SNF into the ISFSI licensed by the Office of Nuclear Material Safety and Safeguards.

## **6.0 GENERAL CRITERIA FOR THE REVIEW OF LICENSE AMENDMENT REQUESTS AND REQUESTS FOR EXEMPTION FROM SECURITY REQUIREMENTS FOR DECOMMISSIONING NUCLEAR POWER REACTOR LICENSEES**

Throughout the entire decommissioning process, a licensee's physical security program must continue to provide high assurance of adequate protection. Requests for exemption from NRC requirements for decommissioning power reactor licensees will not be processed until after the licensee submits a site specific analysis that demonstrates adequate protection will be maintained and that the facility can be operated without undue risk to public health and safety, the environment, and the common defense and security of the United States. Thus, the NRC staff will evaluate all requests in accordance with 10 CFR 73.5, to determine if each request (1) is authorized by law; (2) will not endanger life or property or the common defense and security; and (3) is otherwise in the public interest.

License amendment requests, submitted in accordance with 10 CFR 50.90, must include information that fully describes the changes desired, and following as far as applicable, the form prescribed for original applications. Specific information about the form, content, and process for license amendment requests is contained in 10 CFR 50.91, "Notice for public comment; state consultation," and 10 CFR 50.92, "Issuance of amendment."

Licensees are responsible for making the final determination for what type of licensing action is submitted to the NRC for each plan change made. The NRC endorsed the Nuclear Energy Institute (NEI) 11-08 (Revision 0), August 2012, "Guidance on Submitting Security Plan Changes" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML12159A388). It guides licensees as they determined the appropriate licensing action that can be made to change security plans under the provisions of 10 CFR Part 50, and 10 CFR 50.34(c) and (d). This guidance is intended to assist the licensee in determining the appropriate licensing action for a specific security plan change and the types of information that should be identified, reviewed, and analyzed to support the determination or conclusion that the security plan change meets the provisions of 10 CFR 50.90 or 50.54(p), before submitting the security plan to the NRC. The final decision on whether a 50.90 or a 50.54(p) change is the appropriate licensing action to submit to the NRC remains with the licensee.

In dispositioning any type of request, staff performs a technical review to evaluate the security, safety, and legal basis for the request and documents the results in a technical evaluation, or as an input to a larger SE prepared in support of a license amendment for requests that have multiple technical offices performing reviews. This technical review is intended to offer sufficient information to explain the staff's rationale to someone unfamiliar with the licensee's request. It will include a description of the proposed change, the regulatory requirements applicable to the issue, and an explanation of the analysis that supports the staff's decision of whether the request does, or does not, satisfy regulatory requirements. Staff ensures that the regulatory basis and basis for the staff's conclusions are clearly articulated. The staff could also review similar precedent licensing actions to inform its decision on the request.

Given that the staff's input to a SE serves as the record of the staff's disposition of an application for license amendment to include requests for exemption from regulatory requirements, the information relied on must be docketed and, as applicable, be submitted by the licensee under oath or affirmation. This is not meant to hamper questions and clarifications by telephone or in meetings. However, if the information is important in the staff's decision-making process and is not otherwise in the public domain or reasonably inferred by the staff, it must be formally provided by the licensee. NRC staff SEs, or inputs to an SE, are not part of a

plant's licensing basis; portions of them could be designated SGI and therefore not be made publically available.

A useful application of the staff's SEs, by both licensees and the staff, can be in assessing what information should be incorporated into mandated licensing bases documents in conjunction with issuance of the amendment (e.g., revision to the Defueled Safety Analysis Report (DSAR)).

The security requirements for a general license ISFSI issued under 10 CFR 72.210, "General License Issued," are in paragraph 10 CFR 72.212(b)(9). Regulations in 10 CFR 72.212(b)(9) require a holder of a general license to protect the SNF against the DBT of radiological sabotage in accordance with the same provisions and requirements as set forth in the licensee's physical security plan under 10 CFR 73.55; however, 10 CFR 72.212(b)(9) describes specific conditions and exceptions for the operation of an ISFSI. Staff members reviewing a decommissioning licensee's exemption requests need to be cognizant of the licensing dockets (10 CFR Part 50 and 10 CFR Part 72) through which the licensee submitted their request to the NRC and must evaluate the impact that granting an exemption will have as the licensee transitions through the decommissioning process in which the SNF is moved from a SFP to dry cask storage in an ISFSI.

## **7.0 TECHNICAL REVIEWER ACTIVITIES**

This section guides the technical security reviewer and outlines the responsibilities of the reviewer when reviewing a specific activity. The technical reviewer action items described below are not necessarily required to be in sequential order, and some could not be mandatory because they depend on an evaluation of licensee submitted documentation. Additional or modified reviews, coordination, communications, and planning items could be necessary.

The NRCs internal project management procedures for nuclear power reactors ensure the consistency and efficiency of regulatory oversight as the reactors transition from an operating status to decommissioning. The procedures for interfaces between NRR and NMSS are described in NRR Office Instruction COM-101, "NRR Interfaces with NMSS," November 2002, ADAMS Accession No. ML022110316.

Transferring the project management lead for decommissioning activities between program offices is based on safety and regulatory milestones. During initial decommissioning activities at nuclear power reactors, NRR will have the lead for all stakeholder activities. After project management lead has transferred from NRR to NMSS, NMSS will continue to coordinate with NRR for generic consideration of issues involving wet fuel handling, storage, and maintenance, at decommissioning nuclear power plants. NMSS will conduct and have the lead for all stakeholder activities concerning nuclear-waste safety activities, including the conduct of meetings for both general and specific ISFSI license termination and ISFSI licensing. Generally, NMSS has the lead responsibility for decommissioning project management activities after all of the following actions have been completed: (1) The nuclear power reactor is permanently shut down; (2) the SNF is out of the reactor and placed in the SFP (wet storage); (3) the PSDAR has been submitted to the NRC; and (4) the permanently defueled technical specifications (PDTS) have been issued.

Throughout the decommissioning process, NSIR is the technical lead for security and safeguards issues regardless of which program office (NRR or NMSS) has the oversight for decommissioning activities. NSIR staff will coordinate with the responsible licensing program

office's project manager (PM) to ensure that mutual support, coordination, and communications are maintained in conducting the technical reviews.

The NSIR staff security reviewer performs the technical review of 10 CFR 50.54(p)(2) security plan changes, 10 CFR 50.90 amendments, and 10 CFR 73.5 exemptions requests. These reviews require staff to use the appropriate Technical Assignment Control (TAC) numbers as designated by the program office requesting the review.

## **7.1 10 CFR 50.54(p)(2) PLAN-CHANGE REVIEWS**

The NSIR reviewer will perform the technical review and assessment of all licensees' 10 CFR 50.54(p)(2) security plan changes as described in the work flow diagram contained in Attachment 1 of this ISG. The branch chief assigning the 10 CFR 50.54(p)(2) security plan change review task to the NSIR staff member should give the assigned NSIR staff member all the information, such as due dates, TAC numbers, names of other assigned reviewers and project managers, and contact information for other assigned reviewers and project managers, as necessary.

The scope of each technical review should be limited to whether specific changes proposed by the licensee have been submitted under the appropriate regulatory provision (i.e., whether the proposed change is an exemption from a regulatory requirement, or the proposed change did or did not reduce the safeguards effectiveness of Commission-approved security plans). In any case, the NSIR staff reviewer is responsible to ensure that the licensee has provided in writing, the detailed information required to support a technical basis for each conclusion/determination made in the written technical evaluation or SE. The NSIR staff reviewer should consider the guidance provided in NEI 11-08. Generally, the following screening criteria are applicable:

- A change to the PSP is deemed not to decrease the safeguards effectiveness of the plan if the change does not decrease the ability of the onsite physical protection system and security organization, or equivalent measures, to protect the SNF with high assurance against the DBT for radiological sabotage.
- A change that increases the effectiveness of any plan could be made without prior NRC approval.

The NSIR staff reviewer should verify that the proposed security program changes do not, or did not result in (1) a noncompliance or violation of established regulatory requirements, or (2) a reduced or decreased availability or reliability of security measures (systems, personnel, or programs) previously established by license condition or by Commission-approved security plans.

Staff will draft a preliminary technical evaluation or SE based on available information and will notify the NRR/NMSS PM on status updates as needed. Staff performs the technical reviews by: (1) evaluating compliance of proposed changes with regulatory requirements that are appropriate to the phase of decommissioning; (2) comparing specific changes with descriptions of programs and commitments described in the licensee's NRC-approved site specific security plans; (3) evaluating the adequacy of the licensee's technical bases for each proposed change; (4) validating, as necessary, the consistency of proposed changes with regulatory guidance, including generic communications such as information notices, security advisories, NRC staff resolutions to security-related frequently asked questions, and NRC inspectors' reports of interactions; (5) evaluating changes against descriptions in the latest NRC endorsed version of

the NEI security-plan template (NEI-03-12) or guidance, and (6) conducting specific reviews as directed by the branch chief.

Staff will prepare questions for licensee clarification for 10 CFR 50.54(p)(2) technical reviews as needed and will coordinate through the NRR/NMSS PM, as needed.

***Instructions for NSIR staff reviewers:***

In cases that might not meet the criteria for 10 CFR 50.54(p)(2), coordinate with other NRC headquarters (HQ) security staff, regional offices, the Office of the General Counsel, and the Office of Enforcement, as needed. Coordinate with NRC HQ staff or regional office staff responsible for security inspection to follow up the review findings (i.e., that a licensee could have decreased the safeguards effectiveness of their NRC-approved security plans without prior approval).

If a licensee submits a proposed change that does not meet regulatory requirements, provide the information to the Chief, Materials Waste Security Branch in NSIR's Division of Security Policy (NSIR/DSP/MWSB) and the appropriate regional office for follow up actions. Inform the responsible NRR/NMSS PM with oversight of the licensee about possible future licensing actions.

Coordinate with the responsible NRR/NMSS PM and appropriate NRC staff as needed on required interactions with a licensee. The interactions could include telephone calls, email communications, meetings (open and/or closed), and/or site visits to obtain additional necessary information.

Maintain the knowledge management/status tracking folder in the following locations as appropriate:

- 1) The agency's internal SharePoint site at <http://fusion.nrc.gov/nsir/team/DSP/MWSB/isfsi/decommsecurityisg/default.aspx> and
- 2) The agency's secure IAN electronic Safe (SLES). SLES is NRCs secure electronic repository for SGI which enables authorized users to work with SGI while at a desktop computer or at one of the kiosks located in the agency.

Prepare required NRC Form 665S related to declaration of sensitivity and access to the SE in the ADAMS. SEs containing SGI are placed in SLES in accordance with NSIR Office Procedure ADM 117.

Move modifications completed in accordance with the above procedure into:  
SLES: Cabinets/Site Specific Security and Safeguards Case Files / Nuclear Reactors and Fuel Processing Plants (Docket 50)/(Site Name) Decommissioning.

Inform the responsible branch chief of all incoming correspondence for determining modifications required for technical review assignments or modifications to due dates.

Ensure, when required, that SEs containing SGI are submitted to SLES as a final official agency record. A sample SE format is provided in Attachment 2.

Ensure that final non-SGI SEs are entered into ADAMS. The administration staff will proof the document and enter it into ADAMS. The NSIR staff reviewer will ensure that appropriate information is input on the NRC Form 665S and is provided in hard copy to the NSIR office administration staff.

Transmit the final SE to the appropriate program office PM.

## **7.2 10 CFR 50.90 LICENSE AMENDMENT REQUEST REVIEWS**

The security reviewer will perform the technical review and assessment of a 10 CFR 50.90 license amendment request, submitted under the provisions of 10 CFR 50.90 according to the work flow of Attachment 3. The reporting responsible branch chief assigning the 10 CFR 50.90 review should give the assigned staff conducting the review all appropriate information such as the due dates, assigned TAC numbers, and names and contact information of assisting reviewers as necessary.

NSIR Staff will use the NRR Licensing Instruction (LIC)-109, "Acceptance Review," and LIC 101, "License Amendment Review Procedures," for the 10 CFR 50.90 technical reviews.

Staff will perform technical reviews by: (1) comparing specific amendments with descriptions of programs and commitments in Commission approved security plans; (2) reviewing the adequacy of licensees' technical bases for amendments; (3) reviewing as necessary the consistency of amendments with staff guidance, including generic communications such as information notices and security advisories, security related frequently asked questions, and NRC inspectors' reports of interactions; (4) reviewing amendments against descriptions in the latest NRC endorsed version of the NEI security plan template or guidance; (5) reviewing consistency of amendments with NRC-approved amendments specific to the site; (6) reviewing compliance of amendments with regulatory requirements (including NRC Orders); and (7) conducting specific reviews as directed by the reporting branch chief.

As described in Section 5.1.3 above, a general license ISFSI licensee could submit a licensing action under the provisions under 10 CFR 73.55(r), "Alternative Measures", where the alternative measure is a request to apply the security requirements of a 10 CFR 73.51 "specific license" ISFSI to the a general license ISFSI. The licensee would have to clearly demonstrate that the proposed alternative measures provided the equivalent measure of protection to those in 10 CFR 73.55 and meet all other provisions of 73.55(r). These measures would have to be submitted to the NRC in accordance with 50.4 and 50.90 and.

### ***Instructions for NSIR reviewers:***

Identify any significant issues or concerns, including possible omissions, to ensure that regulatory requirements have been met by security statements or commitments described in the security plans.

Consult with the reporting branch chief, the appropriate NRR/NMSS PM, and the regional staff when applicable.

Prepare formal request for additional information (RAI) questions for the licensee as needed to support the 10 CFR 50.90 technical reviews. The current revision of LIC-101, "License Amendment Review Procedures," (ADAMS Accession No. ML113200053) should be used to the extent possible as guidance for developing questions (i.e., clear and concise questions with

required regulatory basis, reduce unnecessary burden, etc.). A sample RAI format is enclosed in Attachment 4.

Coordinate with the NSIR staff, NRR/NMSS PM, regional office staff, and resident inspectors as needed on required interactions with a licensee. The interactions could include telephone calls, e-mail communications, meetings (open or closed), and site visits to obtain additional necessary information.

After coordinating with NSIR staff and others, request additional clarification from licensee as needed and document those interactions.

Draft a preliminary SE based on available information and notify NRR/NMSS PM on status updates.

Conduct site visits if needed. Typically, site visits are limited to situations in which a licensee's responses to staff questions (RAI responses) are not sufficient for the technical reviewer to understand the site-specific conditions, security operations, or changes to arrive at a final determination as to the appropriateness of the licensee's amendment request. A sample RAI format is provided in Attachment 4. Maintain the knowledge-management/status tracking folder in the following locations as appropriate:

- 1) The agency's internal SharePoint site at <http://fusion.nrc.gov/nsir/team/DSP/MWISB/isfsi/decommsecurityisg/default.aspx> and
- 2) SLES.

For non-SGI SEs, prepare required NRC Form 665S related to declaration of sensitivity and access to the SE in ADAMS. SEs containing SGI are placed in SLES in accordance with NSIR Office Procedure ADM 117. Documents located in SLES are designated as Safeguards Information and shall be protected in accordance with the provisions of 10 CFR 73.21, "Protection of Safeguards Information: Performance Requirements," and NRC Management Directive (MD) 12.7.

Move modifications completed in accordance with the above procedure into:  
E-Safe address: Cabinets / Site Specific Security and Safeguards Case Files / Nuclear Reactors and Fuel Processing Plants (Docket 50) / (Site Name) Decommissioning.

Inform the branch chief of all incoming correspondence for determining modifications required for technical review assignments or modifications to due dates.

Ensure, when required, that SEs containing SGI are submitted to SLES as a final official agency record.

Ensure that final non-SGI SEs are entered into ADAMS. This information is input on Form 665S and provided in hard copy to the NSIR office administration staff. The administration staff will proof the document and enter it into ADAMS. NOTE: A sample SE template is provided in Attachment 2.

Transmit the final SE to the appropriate program office PM.

Handle the SE appropriately, because it could contain sensitive or SGI information. SEs should at least be categorized as “Official Use Only Security Related Information.” If it does contain SGI, the Technical Reviewer shall ensure the document has the correct markings (“SAFEGUARDS INFORMATION”) in accordance with 10 CFR 73.22(d). The Technical Reviewer ensures that the document is stored in SLES by attaching the proper NRC Form 771ES to the document and forwarding it to the DPC E-Safe Processing Center.

If the staff’s review of the proposed amendment determines that the amendment request should be denied, the staff will prepare an SE documenting the basis for the denial after consulting with the appropriate NRR/NMSS PM and consistent with office procedures.

### **7.3 10 CFR 73.5 EXEMPTION REQUEST REVIEWS**

The security reviewer will perform the technical evaluation of 10 CFR 73.5 exemption requests according to the work flow of Attachment 5 as needed. The reporting branch chief assigning the exemption review should give the staff conducting the review information such as the due dates, assigned TAC numbers, and names and contact information of assisting reviewers as necessary.

Staff will conduct a technical review of the licensee’s submittal to verify compliance with 10 CFR 73.5 requirements. Staff shall identify any significant issues or concerns, including possible omissions, to ensure that the conditions listed have been met in the exemption request, including (1) identification of the specific requirement or requirements of the rule from which the licensee is requesting exemption and (2) a detailed analysis that describes the basis for the exemption and how the licensee will continue to meet the general performance objectives of 10 CFR 73.55(b). Consistent with Title 10, “Energy,” of the Code of Federal Regulations (10 CFR) Section 73.5, “Specific Exemptions,” the Commission may, upon application by any interested person or upon its own initiative, grant exemptions from the requirements of 10 CFR Part 73 when the exemption is authorized by law, will not endanger life or property or the common defense and security, and is otherwise in the public interest.

If a licensee cannot provide sufficient basis to support a licensing determination in a way consistent with the criteria of § 10 CFR 73.5 and the general performance objective of 10 CFR 73.55(b), the licensee has the option to withdraw the exemption request. If the licensee chooses not to withdraw, the Technical Staff will coordinate appropriate actions with the NRR/NMSS PM.

#### ***Instructions for NSIR reviewers:***

Perform the technical evaluation and identify any significant issues or concerns.

- If questions, significant issues, or concerns arise during the technical evaluation, contact the NRR/NMSS PM to facilitate discussion with the licensee for clarification or issue RAIs to the licensee.

Maintain the knowledge-management/status tracking folder in the following locations as appropriate:

- 1) The agency’s internal SharePoint site at <http://fusion.nrc.gov/nsir/team/DSP/MWISB/isfsi/decommsecurityisg/default.aspx> and

2) SLES.

## **8.0 PHYSICAL SECURITY LICENSING ACTIONS FOR DECOMMISSIONING NUCLEAR POWER PLANTS**

Generally, the entirety of 10 CFR 73.55 remains applicable to all phases of decommissioning, up to license termination, with the exception of the protection of structures, systems, and components (SSCs) that are no longer operational (e.g., the reactor, SSCs that prevent core damage, and target-set components associated with the reactor and with SSCs that prevent core damage). Licensee submittals to the NRC concerning the design and implementation of the physical security program are commonly designated as SGI and should be protected as such.

In preparing this ISG, staff reviewed 10 CFR 73.55 in its entirety to verify its applicability to decommissioning nuclear reactor facilities. Additionally, the staff conducted a review of previous 10 CFR 50.54(p)(2) PSP change submission or approved decommissioning licensees' security-plan changes in accordance with license amendments (10 CFR 50.90), alternative measures (10 CFR 73.55(r)), and exemptions (10 CFR 73.5).

Table 1 contains a list of physical-security licensing actions for decommissioning nuclear reactor facilities that licensees have submitted to the NRC for approval. This table should be used as guidance by technical reviewers. However, because of the unique site-specific characteristics of decommissioning facilities, each licensing action request submitted to the NRC must be independently evaluated by the staff to determine whether to grant or deny the requested action.

Staff could review SEs containing previous NRC determinations for site-specific security licensing actions in SLES. SEs for the disposition of specific licensing actions are listed in Annex 1 located in SLES under NS113150. Those persons with the correct access authorization and need-to-know may view the safeguards information (SGI) version of the SEs, and Annex 1, which is located in the NRC's Secure LAN.

**Table 1: PHYSICAL-SECURITY LICENSING ACTIONS FOR DECOMMISSIONING  
NUCLEAR POWER FACILITIES**

The table below lists previously approved exemptions which licensees undergoing decommissioning have been granted to security regulations contained in § 10 CFR 73.55, “Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors against Radiological Sabotage.” This table was developed to provide reviewers with historical information compiled from previously issued Safety Evaluations (SEs). These SEs contain Safeguards Information and are located in the NRC’s Secure LAN Electronic Safe (SLES). The specific bases for the NRC’s decision to grant an exemption to 10 CFR 73.55 requirements have been compiled in Annex 1, which is located in SLES under **NS113150**.

Documents located in SLES are designated as Safeguards Information and shall be protected in accordance with the provisions of § 10 CFR 73.21, “Protection of Safeguards Information: Performance Requirements,” and NRC Management Directive 12.7, “NRC Safeguards Information Security Program.”

<b>Requested Exemption From 10 CFR 73.55 Security Regulation</b>	<b>Applicability to Decomm Sites and G/L ISFSIs</b>	<b>Exemption Disposition or Policy Decision</b>	<b>Applicable SLES Reference Number (NS)</b>
<p><b>73.55(a)(1)</b> By March 31, 2010, each nuclear power reactor licensee, licensed under 10 CFR part 50, shall implement the requirements of this section through its Commission-approved Physical Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, and Cyber Security Plan referred to collectively hereafter as “security plans.”</p> <p>Current applicants for an operating license under 10 CFR part 50, or combined license under 10 CFR part 52 who have submitted their applications to the Commission prior to the effective date of this rule must amend their applications to include security plans consistent with this section.</p>	<p>Applicable to nuclear power-reactor facilities licensed under Part 50, “Domestic Licensing for Production and Utilization Facilities”; this includes licensees in decommissioning status.</p> <p>Not applicable to standalone general-licensed ISFSIs.</p>	<p>The cybersecurity requirements under 10 CFR 73.54, “Protection of Digital Computer and Communication Systems and Networks,” are applicable to licensees that were licensed to operate a nuclear power plant under Part 50 at the time 10 CFR 73.54 became effective. Exemptions will not be granted until the functions protected under 10 CFR 73.54 (i.e., the safety, security, and emergency preparedness functions) are no longer necessary.</p> <p>ISFSIs are spent fuel storage facilities, so the requirements under 10 CFR 73.55 that cite cybersecurity or protection of digital assets under 73.54 are not applicable to general licensed ISFSIs.</p>	<p>NS113046</p>

















Requested Exemption From 10 CFR 73.55 Security Regulation	Applicability to Decomm Sites and G/L ISFSIs	Exemption Disposition or Policy Decision	Applicable SLES Reference Number (NS)
<p><b>73.55(f)(3)</b> Target set equipment or elements that are not contained within a protected or vital area must be identified and documented consistent with the requirements in § 73.55(f)(1) and be accounted for in the licensee's protective strategy.</p>	<p>Applicable to licensee with SNF in the SFP.</p> <p>Not applicable to standalone general licensed ISFSIs.</p>	<p>Target-set reviews will continue on a triennial basis for nuclear power-reactor sites until the definition of a target set is no longer applicable. For Decomm sites, reviews will continue until there is no longer fuel in the reactor or SFP.</p> <p>ISFSIs are dry spent fuel storage facilities and the licensee is no longer authorized to operate a reactor or place fuel in the reactor core because the core has been removed. Therefore, the licensee does not have target sets and the requirements of 10 CFR 73.55(f)(1) through (4) are not applicable to an ISFSI facility.</p>	

Requested Exemption From 10 CFR 73.55 Security Regulation	Applicability to Decomm Sites and G/L ISFSIs	Exemption Disposition or Policy Decision	Applicable SLES Reference Number (NS)
<p><b>73.55(f)(4)</b> The licensee shall implement a process for the oversight of target set equipment and systems to ensure that changes to the configuration of the identified equipment and systems are considered in the licensee's protective strategy. Where appropriate, changes must be made to documented target sets.</p>	<p>Applicable to licensee with SNF in the SFP.</p> <p>Not Applicable to Standalone general licensed ISFSIs</p>	<p>Target-set reviews will continue on a triennial basis for nuclear power-reactor sites until the definition of a target set is no longer applicable. For Decomm sites, reviews will continue until there is no longer fuel in the reactor or SFP.</p> <p>ISFSIs are dry spent fuel storage facilities and the licensee is no longer authorized to operate a reactor or place fuel in the reactor core because the core has been removed. Therefore, the licensee does not have target sets and the requirements of 10 CFR 73.55(f)(1) through (4) are not applicable to an ISFSI facility.</p>	
<p><b>73.55(i)(4)(ii)(G)</b> Ensure that operators in both alarm stations are knowledgeable of final disposition of all alarms.</p>	<p>Applicable to licensee with SNF in the SFP.</p> <p>Applicable to Standalone general licensed ISFSIs</p>	<p>Staff has granted sited specific exemptions to standalone ISFSIs from the 10 CFR 73.55(i)(4)(ii)(G) requirement. The bases for granting this exemption contain Safeguards Information and are found in Annex 1, Table 1 of this document located in the NRC's SLES/E-Safe system under NS113150.</p>	<p>NS113046</p>







## REFERENCES AND ASSOCIATED PUBLICATIONS

- 1) U.S. Nuclear Regulatory Commission (NRC), "Integrated Rulemaking Plan for Nuclear Power Plant Decommissioning," SECY-00-0145, June 28, 2000, Agencywide Documents Access and Management System (ADAMS) Accession No. ML003721626. (Submitted to the Commission proposing an integrated rulemaking language for NPP decommissioning covering the following areas: emergency planning, insurance, safeguards, staffing and training, and backfitting.)
- 2) NRC, "Staff Requirements - SECY-00-0145 - Integrated Rulemaking Plan for Nuclear Power Plant Decommissioning," SRM-SECY-00-0145, September 27, 2000, ADAMS Accession No. ML003754381. (SECY-00-0145 returned to staff without a Commission vote pending completion of NUREG-1738, "Technical Study of Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Plants," supporting proposed integrated rulemaking.)
- 3) NRC, "Technical Study of Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Plants," NUREG-1738, February 28, 2001, ADAMS Accession No. ML010430066.
- 4) NRC, "Policy Issues Related to Safeguards, Insurance, and Emergency Preparedness Regulations at Decommissioning Nuclear Power Plants Storing Fuel in Spent Fuel Pools," SECY-01-0100, June 4, 2001, ADAMS Accession No. ML011450420. (Submitted providing options and recommendations to the Commission regarding insurance, emergency planning, and safeguards for decommissioning NPPs.)
- 5) Travers, W.M., Executive Director for Operations, NRC, memorandum to the members of the Commission, October 25, 2001, ADAMS Accession No. ML012920758. (Recommended withdrawal of SECY-01-0100 in order to allow staff resources to be focused on assessing the impact of the 9/11 terrorist attack.)
- 6) NRC, "2002 Annual Update - Status of Decommissioning Program," SECY-02-0169, September 18, 2002, ADAMS Accession No. ML022120432. (Stated that the staff will revise and submit a policy options paper on decommissioning issues related to insurance and emergency planning (superseding SECY-01-0100) 3 months after Commission direction is received.)
- 7) NRC, "Changes in Staff Regulatory Oversight of Decommissioning Commercial Nuclear Power Reactor Plants," SECY-02-0198, "November 8, 2002, ADAMS Accession No. ML022910247. (Reflected on responsibility for project management being transferred from NRR to NMSS and described the staff's intent to terminate integrated decommissioning rulemaking. In addition, the staff indicated that it would reassess the need for decommissioning rulemaking after NSIR, through its rulemaking efforts, determines the requirements for security and physical protection.)
- 8) NRC, "2003 Annual Update - Status of Decommissioning Program," SECY-03-0161, September 15, 2003, ADAMS Accession No. ML032250265. (Stated that given the absence of any anticipated NPP decommissioning, resources are being deferred for NPP decommissioning. Staff indicated that if any NPPs do unexpectedly shut down,

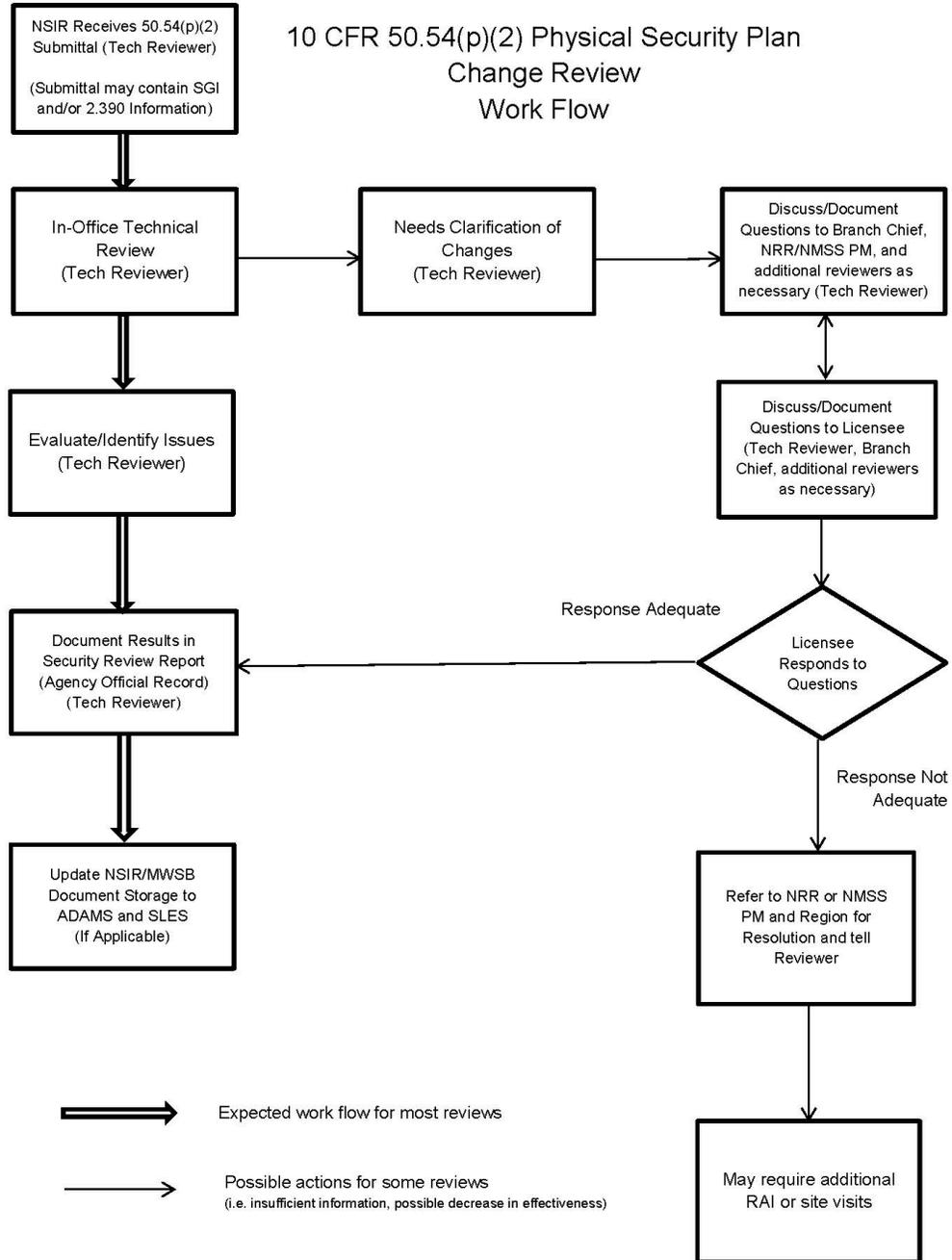
decommissioning activities would continue to be addressed through amendment and exemption processes.)

- 9) NRC, "Interim Compensatory Measures (ICMs) Decommissioning Nuclear Power Plants with Spent Fuel in the Spent Fuel Pool and ISFSIs Using Wet Storage (ISFSIs)," May 23, 2002, Secure LAN Electronic Safe (SLES) Ref. No. NS107942.
- 10) NRC, "Implementation Guidance for Interim Compensatory Measures (ICMs) for Decommissioning Facilities Located Inside Reactor PA," May 23, 2002, SLES Ref. No. NS100051-01.
- 11) NRC, "ICMs Decommissioning Nuclear Power Plants with Spent Fuel in the Spent Fuel Pool and ISFSIs Using Wet Storage (ISFSIs)," May 23, 2002, SLES Ref. No. NS107942.
- 12) NRC, "Interim Compensatory Measures (ICMs) for Dry Spent Fuel Storage (ISFSIs)," October 16, 2002, SLES Ref. No. NS106674.
- 13) NRC, "Additional Security Measures (ASMs) for ISFSIs," September 28, 2007, SLES Ref. No. NS106675.
- 14) NRC, "Additional Security Measures for Access Authorization and Fingerprinting at Independent Spent Fuel Storage Installations," December 19, 2007, SLES Ref. No. NS107943.
- 15) NRC, "Physical Security Requirements for Independent Spent Fuel Storage Installations," Inspection Procedure 81311, June 2, 2011, ADAMS Accession No. ML103440331.
- 16) NRC, "Decommissioning of Nuclear Power Reactors," Regulatory Guide (RG) 1.184, Rev. 1, October 2013, ADAMS Accession No. ML13144A840.
- 17) NRC, "Entry/Exit Control for Protected Areas, Vital Areas, and Material Access Areas," RG 5.7, Revision 1, May 1980, ADAMS Accession No. ML003739976.
- 18) NRC, "General Use of Locks in the Protection and Control of Facilities and Special Nuclear Materials," RG 5.12, November 1973, ADAMS Accession No. ML003740035.
- 19) NRC, "Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities," RG 5.75, July 2009, ADAMS Accession No. ML091690037.
- 20) NRC, "Insider Mitigation Program," RG 5.77, March 2009, ADAMS Accession No. ML090721034.
- 21) NRC, "Perimeter Intrusion Alarm Systems," RG 5.44, Revision 3, October 1997, ADAMS Accession No. ML003739217.
- 22) NRC, "Standard Format and Content for a Licensee Physical Security Plan for the Protection of Special Nuclear Material of Moderate or Low Strategic Significance," RG 5.59, Revision 1, February 1983, ADAMS Accession No. ML100341301.

- 23) NRC, "Protection of Safeguards Information," RG 5.79, April 2011, ADAMS Accession No. ML103270219.
- 24) NRC, "Protection Against Malevolent Use of a Vehicle at Nuclear Power Plants," RG 5.68, August 1994, ADAMS Accession No. ML003739379.
- 25) NRC, "Standard Review Plan for Physical Protection Plans for the Independent Storage of Spent Fuel and High-Level Radioactive Waste," NUREG-1619, July 1998, ADAMS Accession No. ML020720453.
- 26) NRC, "Technical Study of Spent Fuel Pool Accident Risk at Decommissioning Nuclear Power Plants," NUREG-1738, January 2001, ADAMS Accession No. ML010430066.
- 27) NRC, "Consolidated Decommissioning Guidance: Decommissioning Process for Materials Licensees," NUREG-1757, Volume 1, Revision 2, September 2006, ADAMS Accession No. ML063000243.
- 28) NRC, "Protection Against Malevolent Use of Vehicles at Nuclear Power Plants," NUREG/CR-6190, Vols. 1 and 2, March 2004, NS105985. (Reflects revised design-basis threat.)
- 29) NRC, "Acceptance Review Procedures," Office of Nuclear Reactor Regulation (NRR) Office Instruction LIC-109, Revision 1, July 20, 2009, ADAMS Accession No. ML091810088.
- 30) NRC, "Security Review Procedure for Security Plan Changes," Office of Nuclear Security and Incident Response (NSIR) Office Instruction LIC-800, Revision 2, June 2011, ADAMS Accession No. ML101180052.
- 31) NRC, Office of Federal and State Materials and Environmental Management Programs (FSME) Policy and Procedure 5-1, Revision 2, December 16, 2010, ADAMS Accession No. ML103050137.
- 32) NRC, "NRR Interfaces with NMSS," Office of Nuclear Reactor Regulation Office Instruction COM-101, November 2002, ADAMS Accession No. ML022110316.
- 33) Nuclear Energy Institute (NEI)( NRC Endorsed), "Guidance on Submitting Security Plan Changes," NEI 11-08, Revision 0, June 2013, ADAMS Accession No. ML12159A388.
- 34) NRR Office Instruction LIC-101, "License Amendment Review Procedures, Revision 4, May 22, 2012, ADAMS Accession No. ML113200053.

**ATTACHMENT 1**

**10 CFR 50.54(p)(2) Physical Security Plan  
Change Review  
Work Flow**



## **ATTACHMENT 2    SAMPLE SECURITY EVALUATION REVIEW TEMPLATE**

NSIR REVIEW - TAC XXXXXX

10 CFR 50.54(p)(2) CHANGES TO SECURITY PLAN

[PLANT NAME, UNIT NUMBERS]

[LICENSEE]

DOCKET NOS. [50-XXX AND 50-XXX]

LICENSE NOS. [NPF-XX AND NPF XX]

### 1.0 INTRODUCTION

By letter dated [INSERT DATE], the licensee submitted change (Revision X) to its security plans (Physical Security Plan (PSP), Safeguards Contingency Plan (SCP), and Training and Qualification Plan (T&QP)), under the provisions of 10 CFR 50.54(p)(2).

This review was conducted using NSIR Procedure LIC 800 "Security Review Procedure for 10 CFR 50.54(p)(2) and the NRC-endorsed NEI 03-12, Revision [latest approved revision], as appropriate.

### 2.0 REGULATORY EVALUATION

Pursuant to 10 CFR 50.54(p)(2), "The licensee may make changes to the plans without prior Commission approval if the changes do not decrease the safeguards effectiveness of the security plans. The licensee must submit a report to the NRC containing the description of each change, within two months after changes are made."

The NRC staff review consisted of determining whether the licensee properly concluded that the changes did not decrease the safeguards effectiveness of the Commission-approved security plans.

### 3.0 TECHNICAL EVALUATION

The reviewer compared these changes with the previous Revision [PRIOR REVIEWED REVISION NUMBER] of the PSP, SCP, and T&QP, dated [PRIOR REVIEWED REVISION DATE], and referred to the guidance documents listed above.

[If the reviewer identified issues that required clarification, action and resolution, a description of those resolutions follows:]

ITEM [1]:

Reviewer Action:

Resolution:

### 4.0 CONCLUSION

[The staff determined that the licensee properly concluded that the reported changes did not result in a decrease in safeguards effectiveness.]

or

[The staff determined that the licensee's reported changes do not meet the requirements for security plan changes under 10 CFR 50.54(p)(2). The staff recommended further action as noted above.]

The effectiveness of the implementation of this revision is subject to future NRC review and inspection.

5.0 REVIEWED BY:                    [INSERT NAME]    [INSERT TODAY'S DATE]

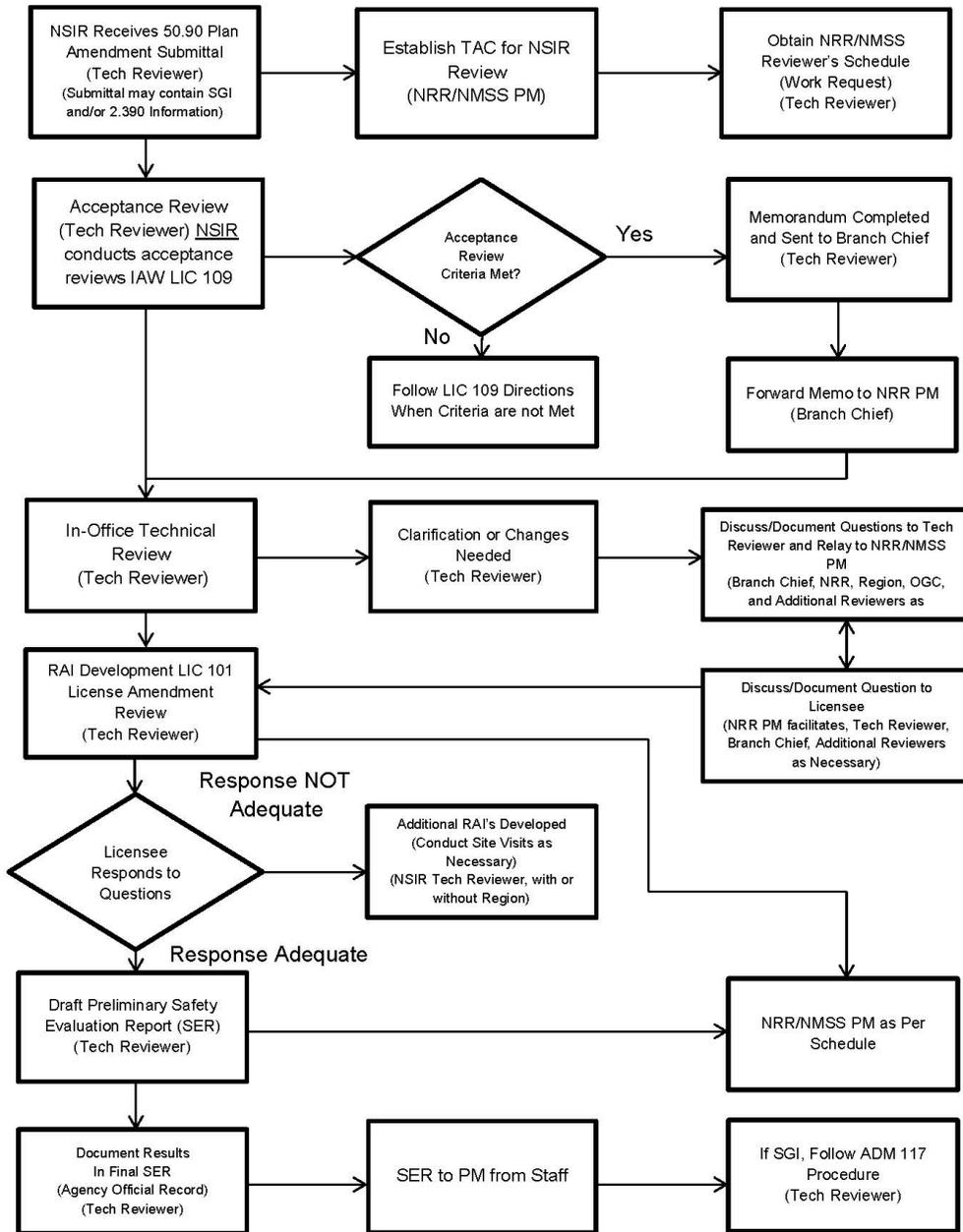
ADAMS Accession Number:

	Technical Reviewer	B/C (One Signature)
NAME		
DATE		

**OFFICIAL RECORD COPY**

**ATTACHMENT 3**

10 CFR 50.90 Physical Security Plan License Amendment Review Work Flow



**ATTACHMENT 4**

~~OFFICIAL USE ONLY - SECURITY RELATED INFORMATION~~

***SAMPLE FORMAT REQUEST FOR ADDITIONAL INFORMATION REGARDING  
LICENSEE NAME***

*(TAC NO. XXXXXX)*

**PARAGRAPH - 1:** *General statement of whom (licensee) asked for what (type of request – license amendment, alternative measure, or exemption).*

**PARAGRAPH - 2:**

*These items are identified as draft at this time to confirm your understanding of the items of information needed to complete our evaluation. If the items are understood, we would like a response within [30 days] of receipt, estimated to be (Month, Day, 20XX). As needed to clarify the requested items or request another response date, please contact (Project Managers name, Phone number, Email Address).*

**PARAGRAPH - 3:** *Statement(s) regarding the specific Request(s) for Additional Information (RAI) staff is requesting.*

**RAI-1**

**RAI-2**

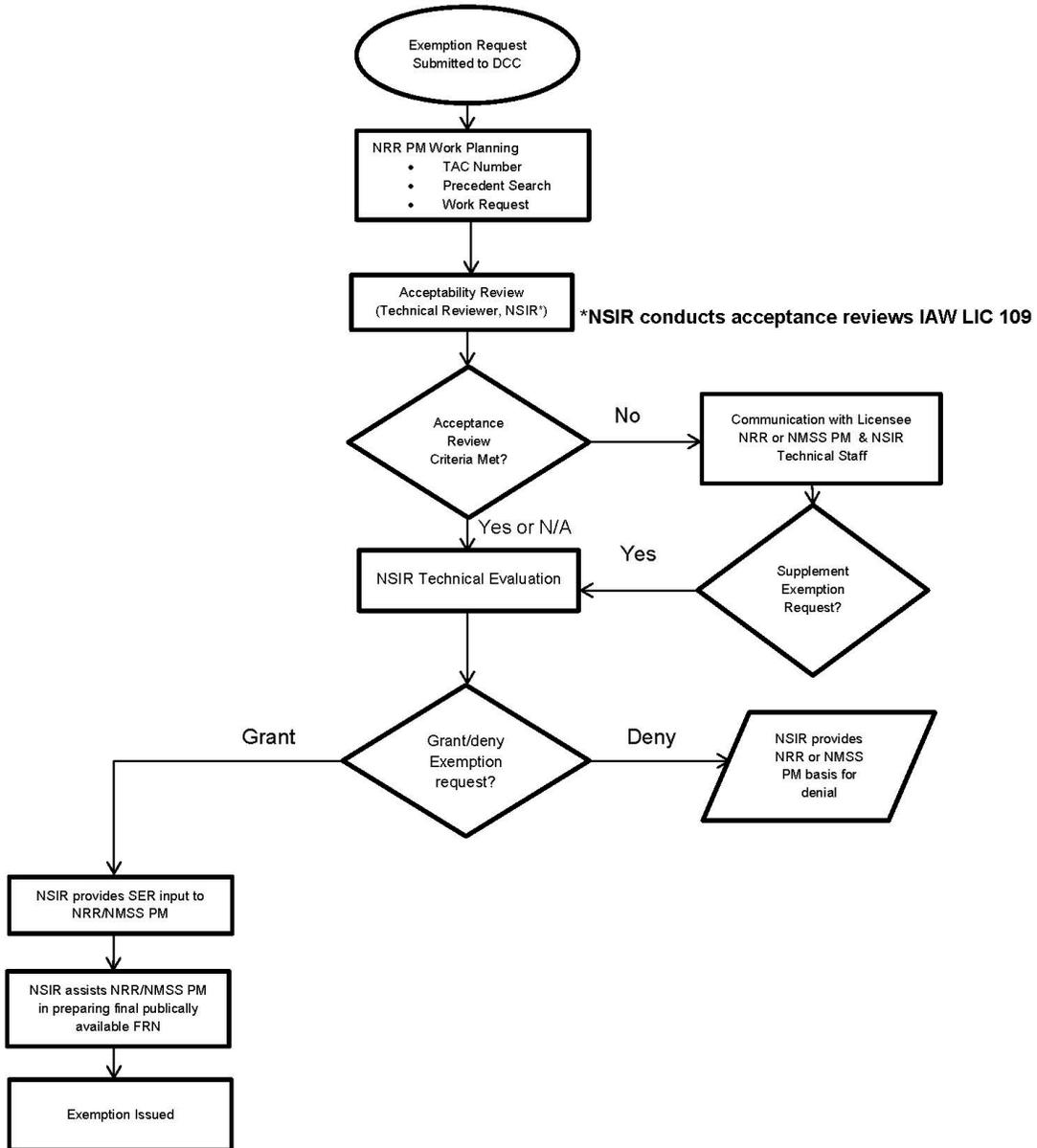
**RAI-3**

**PARAGRAPH - 4:** *Statement describing the regulatory basis for staff asking the question.*

~~OFFICIAL USE ONLY - SECURITY RELATED INFORMATION~~

**ATTACHMENT 5**

10 CFR 73.5 Licensee Exemption Review Work Flow



## **ANNEX 1: Physical-Security Licensing Actions for Decommissioning Nuclear Power Facilities**

Annex 1 is a standalone Safeguards document located in the NRCs Secure Local Area Network (LAN) Electronic Safe (SLES) under NS113150. The table identifies previously approved exemptions that licensees undergoing decommissioning have been granted to security regulations contained in 10 CFR 73.55. This table was developed to give reviewers historical background information compiled from previously issued SEs. These SEs contain Safeguards Information and are also located in SLES.

Documents located in SLES are designated as Safeguards Information and shall be protected in accordance with the provisions of 10 CFR 73.21, "Protection of Safeguards Information: Performance Requirements," and NRC Management Directive 12.7, "NRC Safeguards Information Security Program."

Revision History Sheet for ISG-03

Commitment Tracking Number	Issue Date	Description of Change	Training Needed	Training Completion Date	Comment Resolution Number
NA	09/28/2015	Document issued to provide interim staff guidance for conducting the technical reviews for licensee licensing actions for security regulations for decommissioning nuclear power plants.	NA	NA	NA