

## Regulatory Guide Periodic Review

Regulatory Guide Number: **5.65**

Revision Number: **0**

Title: **VITAL AREA ACCESS CONTROLS, PROTECTION OF PHYSICAL SECURITY EQUIPMENT, AND KEY AND LOCK CONTROLS**

Office: **NSIR/DSP**

Technical Lead: **James Vaughn & Al Tardiff**

Recommended Staff Action: **Withdrawal**

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

This 1986 document has a number of regulatory and technical issues including the following:

- Does not account for the requirements stipulated in 10 CFR 73.55(p), "Suspension of Security Requirements"
- Overlaps the scope of RG 5.66, "Access Authorization Program at Nuclear Power Plants"
- Overlaps the scope of RG 5.76, "Physical Protection at Nuclear Power Reactors." Specifically, duplicative (and outdated) discussions regarding protection of security equipment, vital and protected area transients, delays, barriers, underground pathways, power, escort, ingress and egress, records keeping and review/audit requirements
- The outline of the document is inconsistent with the 2009 rulemaking of 10 CFR 73.55 and 73.56.
- Overlaps the scope of RG 5.12, "General Use of Locks in Protection and Control of Facilities and Special Nuclear Materials, Classified Matter, and Safeguards Information. The document is currently being updated.
- Overlaps the scope of RG 5.74, "Managing the Safety/Security Interface." This document was recently updated in 2015.
- The document references Category I seismic requirements that are outdated and need to be reviewed by NRR.
- The discussion regarding spent fuel is dated and should be reviewed by NSIR/DSP/MWSB. MWSB is currently pursuing a rulemaking in which the contents of this regulatory guide will be updated and incorporated into a new regulatory guide.

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?**

This Regulatory Guide is essentially abandoned by current licensees and the aforementioned regulatory guides take precedence. As a result, there is no impact associated with not updating the RG.

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 0.050 full-time equivalency (FTE) will be required to complete a regulatory cross walk with other, more current regulatory guides and related rules, and then place it into a process for withdrawal concurrence. 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)?**

The staff recommends withdrawal when sufficient FTE is available to do so.

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

The staff plans to withdraw the document when FTE is available to do so.

**Note: This review was conducted in September 2015 and reflects the staff's plans as of that date. These plans are tentative and subject to change**