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Docket: NRC-2015-0287

Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities

Comment On: NRC-2015-0287-0001

Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities; Draft Regulatory Guide for Comment

Document: NRC-2015-0287-DRAFT-0005

Comment on FR Doc # 2015-32778

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80 FR 81376
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General Comment

The attached PDF files contain comments.

Attachments

02-26-16_NRC_Industry Comments on DG-5043 (NRC-2015-0287)

02-26-16_NRC_Industry Comments on DG-5043 (NRC-2015-0287)_Attachment

SUNSI Review Complete

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February 26, 2016

Ms. Cindy K. Bladey
Office of Administration
Mail Stop: OWFN-12H08
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Industry Comments on Draft Regulatory Guide DG-5043, "Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities," (*80 Federal Register 81376*) (Docket ID NRC-2015-0287)

Project Number: 689

Dear Ms. Bladey:

On behalf of the nuclear energy industry, the Nuclear Energy Institute (NEI)¹ appreciates the opportunity to provide comments on Draft Regulatory Guide (DG) DG-5043, "Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities," (Docket ID NRC-2015-0287). The purpose of DG-5043, a revision to Regulatory Guide (RG) 5.75, is to provide licensees with a methodology that the Nuclear Regulatory Commission (NRC) considers acceptable for the training and qualification of security officers responsible for implementing the Physical Security Plan at nuclear power reactor facilities. This revision is intended to address the requirement for a 5-year review of guidance document and incorporate significant operating experience (OE) accumulated since the previous revision was published. It's important to note that industry continues to successfully implement effective training programs, as demonstrated by decades of good to excellent performance regarding regulatory findings.

A complete list of comments based on our review of DG-5043 is provided in the attachment to this letter; however the five specific issues described below are of particular concern to the industry. These five issues are representative of pervasive industry concerns with the changes proposed in DG-5043, including the potential for "regulation-by-guidance," the inclusion of language that merely quotes or paraphrases regulatory

¹ The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, nuclear materials licensees, and other organizations and entities involved in the nuclear energy industry.

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requirements (without offering additional guidance), and revisions that are overly prescriptive in situations where site-specific approaches are most appropriate. We appreciate your consideration of these comments and look forward to resolution.

1. Sections 5.15, 5.16, and 5.17 address training and qualification of a mock adversary force. The industry fails to see the regulatory basis supporting the extremely prescriptive training and qualification requirements laid out in this draft guide. Furthermore, Section 5.16 (u) specifically requires qualification of the mock adversary force with weapons that require special licenses to authorize possession. This item would require all licensees to apply for combined enhanced weapons authority and preemption authority under, yet to be published, 10 CFR 73.18(e). Additionally, the proposed justification for seeking the enhanced weapons authority seems to be outside the scope of the intended purposes addressed in the proposed 10 CFR § 73.18(e)(3)(iii). Individual licensees have developed sound procedures for the selection, training, and qualification of mock adversary teams appropriate to their facility. NEI has expressed openness to discussion with the staff regarding the scope and content of an industry (NEI) guidance document addressing this issue.
2. Section 2.3.2 addresses medical qualifications. Section VI, Paragraph B.2.(a)(3) of Appendix B to 10 CFR Part 73 states, "This physical examination must be administered by a licensed health professional with the final determination being made by a licensed physician to verify the individual's physical capability to perform assigned duties and responsibilities" (emphasis added). But paragraph 2.3.2 calls for performance of the required physical by a licensed physician or physician's assistant. Thus, it appears that Paragraph 2.3.2 is imposing a more stringent requirement for performance of physicals than is required under Appendix B. This revised expectation would place a significant burden on the industry as many licensees rely on licensed nurses and nurse practitioners to conduct the actual physical with a licensed physician performing their regulatory role of reviewing the results of the physical examination and making the actual certification of ability.
3. Section 8.13 addresses use of force. The portion of this section that actually offers guidance is simultaneously too generic, suggesting that one-size-fits-all, and too vague, suggesting given situations "could" be justification for the use of deadly force. 10 CFR 73.55(k)(3) and Section VI, Paragraph C.2.(c) of 10 CFR Part 73 require training of the security force on the use of deadly force. This topic should be left to licensees to determine how best to meet the requirements of these sections of the rule within the bounds of their company policy and individual state laws.
4. Section B "Discussion," principally addresses the Systematic Approach to Training or SAT process. This discussion contains several flaws, including references to Institute of Nuclear Power Operators (INPO) documents that have been withdrawn and are no longer available to the industry. Furthermore, NEI has issued a guidance document, NEI 13-07, "Guidance on a Systematic Approach to Training for Nuclear Security." This section of the regulatory guide provides no additional beneficial guidance and should be removed.

Ms. Cindy K. Bladey
February 26, 2016
Page 3

5. Sections 5.19 and 5.20 address exercise critiques. NEI 03-11, "Guidance for the Preparation and Conduct of Force-on-Force Exercises," was revised in 2014 to incorporate updated guidance for the conduct of force-on-force exercise critiques. This guidance was developed to enhance the critique process used by licensees from 2004 through 2013. The process described in the draft regulatory guidance is different from the 2013 revision of NEI 03-11 and could cause confusion among licensees as to which guidance to follow. The industry recommends that these sections be deleted from the document.

In addition to the specific issues identified above, a significant portion of the guidance document simply restates or paraphrases the regulations providing no implementation guidance. In closing, the industry recommends that the NRC establish a task force whereby the NRC and industry can systematically address the appropriate content for this regulatory guide.

If you have any questions, please contact me.

Sincerely,



Richard J. Speer

Attachment

c: Mr. James E. Vaughn, NSIR/DSP/SPSB, NRC
NRC Document Control Desk

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>A. INTRODUCTION</p> <p>Systematic Approach to Training A Systematic Approach to Training (SAT) is one technique used in developing Training and Qualification plans. The application of the SAT process during the development of a licensee Training and Qualification Plan is described in NRC staff endorsed Nuclear Energy Institute (NEI) guidance document NEI 03-12. The Training and Qualification Plan is a component of the license.</p> <p>As defined in 10 CFR 55.4, "Definitions," Systems [or Systematic] Approach to Training means a training program that includes the following five elements:</p> <ol style="list-style-type: none"> 1. Systematic analysis of the jobs to be performed. 2. Learning objectives derived from the analysis which describes desired performance after training. 3. Training design and implementation based on the learning objectives. 4. Evaluation of trainee mastery of the objectives during training. 	<p>The guidance offered in DG-5043, specifically regarding information on Systematic Approach to Training (SAT), has several flaws and is very limiting in providing guidance beyond what is already available for Nuclear Power Reactor Security. NEI-13-07, Guidance on a Systematic Approach to Training for Nuclear Security, was developed, published and made available to the Nuclear Industry Fleet in in December 2013. This document provides a detailed and tailored Systematic Approach to Training, specifically for Nuclear Security programs. The flaws with the SAT information in DG-5043, include, but are not limited to: 1) The reference to 10 CFR 55.4, "Definitions," Systems [or Systematic] in any way is inappropriate for use in this DG, as it is not applicable to Part 73 of 10 CFR; the definitions in § 55.4; specifically states; "As used in this part:" followed by the list of terms and definitions. Additionally, Part 55 in whole clearly relates to licensed operators, not security personnel; therefore, it is inappropriate to impose these terms and conditions outside of the rulemaking process through Regulatory Guidance.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>5. Evaluation and revision of the training based on the performance of trained personnel in the job setting.</p> <p>While 10 CFR Part 55 relates to licensed operators, the NRC has used and applied this definition throughout Section VI of Appendix B to 10 CFR Part 73 to address training for all personnel assigned duties and responsibilities directly associated with the effective implementation of the Commission approved security plans, licensee protective strategy, and implementing procedures.</p> <p>The following example, taken in part from the Institute of Nuclear Power Operations, INPO-AP-21 (Ref. 7), shows one approach or method for evaluating tasks associated with the development of knowledge, skills, and abilities required to effectively perform security-related duties and responsibilities. This example is intended to generically represent a Systematic Approach to Training.</p>	<p>2) reference to INPO-AP-21 (Ref. 7) is inconsistent with the reference on p. 84, References, which is listed as INPO-AP-921. Also, a search of the INPO website did not identify this document as being currently available and contact with a representative at INPO resulted in finding that the document has been "retired and is no longer available to industry." 3) The addition of "Trainee and instructor performance is evaluated. These evaluations serve two purposes; verify that trainees have achieved the learning objectives, and detect and solve instructor performance problems. Key records are maintained to support management information needs and to document the performance of both trainees and instructors" to the description of "<u>Evaluation</u>" description as written imposes specific requirements, on the security training program; specifically, 1) evaluating instructor performance and 2) maintaining "key records" to support management information needs and performance of instructors. 4) There is a subheading for "<u>Feedback</u>"; however, no substantive guidance follows.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>Example: Training System Development</p> <p>Training System Development (TSD) represents one systematic approach to training and qualification. This overview describes TSD and its inputs, methods, and products. TSD incorporates the attributes of: analysis, design, development, implementation, and evaluation (the ADDIE model), which are discussed in the following paragraphs. Activities within each attribute are discussed and their respective products are identified. Although shown in the sequence appropriate for initial development, TSD activities should be period based (i.e., the period of time in which training activities are developed and implemented) on the status of existing programs and other practical constraints. TSD offers a framework for action. When used to complement existing efforts and guide new developments, it can help improve training system performance.</p>		
	<p>Analysis provides a method of responding to changes in human resource requirements, solving job</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>performance problems, and learning from operating experience. It begins by gathering the facts needed to make informed training development decisions. This is necessary to make sure that apparent concerns can be resolved through training. If the facts confirm a valid training need, job analysis uses existing job data and incumbent employees to identify and rate job tasks. Tasks rated Difficult and Important are selected for training and emphasized. Their exact methods of correct performance and underlying competencies are then determined through task analysis. Completing this process reveals reliable information on safe work practices. The skills, knowledge, and abilities identified provide a task-specific content reference for both new and existing programs.</p>		
	<p>Design uses the task performance information collected during analysis to specify, in measurable terms, the job skills, knowledge, and abilities that training will develop in the learner. Job performance measures are prepared for each task. By defining how individual tasks are performed, they focus training</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>development efforts and support in plant training and qualification. Learning objectives are developed for groups of task-related knowledge and skills. These written statements define exactly when, what, and how well the trainee must perform during training. Tests are produced to ensure that these competencies are reliably evaluated. Together, these measures of observable employee behavior serve as the program design basis. Decisions on training setting, trainee entry qualifications, and organization of learning objectives are also made. Design concludes with the development of a training plan.</p>		
	<p>Development organizes the instructional materials needed for trainees to achieve the learning objectives. Emphasis is on maximizing the use of existing materials and resources. Instructor and trainee activities are defined using the job performance measures, learning objectives, and tests produced in design. These activities describe how the instructor and trainees will perform during training to achieve the learning objectives. Existing suitable training</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>materials and lesson plans are selected, and new ones are produced as required. Resulting training materials are reviewed for technical accuracy, tried out with a group of trainees, and revised as necessary. Performance-based training materials are the products of this phase.</p> <p>Implementation is the process of putting training programs into operation. It begins by activating the training plan. Instructors are selected and trained, and the availability of trainees, facilities, and resources is confirmed. Training is delivered as planned.</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>Evaluation ensures training's continuing ability to produce qualified employees. By monitoring such indicators as employee job performance, plant and procedure changes, and operating experience, evaluation helps maintain and improve the training program. It is the dynamic process of assessing performance, identifying concerns, and initiating corrective actions. Trainee and instructor performance is evaluated. These evaluations serve two purposes; verify that trainees have achieved the learning objectives, and detect and solve instructor performance problems. Key records are maintained to support management information needs and to document the performance of both trainees and instructors. The program feedback it yields enables training to respond adaptively to unforeseen problems or changing conditions. Completing evaluation steps produces the performance data and feedback vital to any training system.</p>		
	<p>Feedback The flow chart below may be used as a resource to help understand the ADDIE model. Chart is on Page</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	8 of the DG		
	<p>Harmonization with International Standards</p> <p>The International Atomic Energy Agency (IAEA) has established a series of safety guides and standards constituting a high level of safety for protecting people and the environment. IAEA safety guides present international good practices that, while not required, increasingly reflect best practices to help users striving to achieve high levels of safety. Pertinent to this RG, IAEA Nuclear Security Series No. 13, "Nuclear Security Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/255/Revision 5)," (Ref. 8) issued January 2011 contains recommended training guidance for nuclear security personnel. This RG incorporates similar training recommendations and is consistent with the basic safety principles provided in IAEA Nuclear Security Series No. 13.</p> <p>The systematic approach to training has been accepted by many nuclear utilities as the international best</p>	<p>Industry challenges the imposition of international best practices through the regulatory guidance process. If the NRC believes that this harmonization is necessary, the proper course would be to undertake rulemaking.</p> <p>DG-5043 references IAEA Nuclear Security Series, No. 13, "Nuclear Security Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/255/Revision 5). The correct reference in this case would be 225, not 255. In addition, this publication does NOT contain "recommended training guidance for nuclear security personnel." The entire publication contains the word "training" six times, and in all cases the term is used generically and does not provide specific training guidance.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>practice for the training and qualification of nuclear power plant personnel. The IAEA International Working Group on Nuclear Power Plant Personnel Training and Qualification has emphasized the importance of sharing the experience gained and lessons learned by Member States in the course of their application of SAT in order to establish and maintain the best possible training program for nuclear power plant personnel. The International Working Group thus recommended the preparation and publication of an IAEA technical report on experiences in the use of SAT for nuclear power plant personnel. As a result of the working group recommendation, IAEA published "Experience in the Use of Systematic Approach to Training (SAT) for Nuclear Power Plant Personnel," IAEA, Vienna, 1998, IAEA-Tecdoc-1057 (Ref. 9), which provides significant discussion of the SAT process.</p>		
Section 1	<p>General Requirements and Introduction</p> <p>This RG endorses the methods described in NEI 03-12, Revision 7.</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>The NRC staff has determined that the methods described in the NEI document constitute procedures and processes generally acceptable to the NRC staff for demonstrating compliance with the regulatory requirements for requirements in Section VI of Appendix B to 10 CFR Part 73. Licensees may use methods other than those provided in NEI 03-12, Revision 7, to meet the regulatory requirements. The NRC staff will review such methods and determine their acceptability on a case-by-case basis.</p> <p>Licensees and applicants should use this guidance to select, train, equip, test, qualify, and requalify armed and unarmed security personnel, watchpersons, and members of the licensee staff that support the licensee's security organization, to ensure that these individuals possess and maintain the knowledge, skills, and abilities required to carry out their assigned duties and responsibilities effectively. During implementation of the requirements of Section VI of Appendix B to part 73, each site must consider site-specific conditions to ensure that the</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>licensee's training and qualification program provides the site-specific knowledge, skills, and abilities that individuals need to effectively protect against the Design Basis Threat (DBT) of radiological sabotage.</p> <p>For the purposes of this document, the physical protection program refers to the prevention of significant core damage and spent fuel sabotage, implementation of the Commission-approved security plans (including the Training and Qualification Plan, licensee response strategy, and implementing procedures). As described in the Introduction to Appendix B to 10 CFR Part 73, power reactor licensees and applicants subject to 10 CFR 73.55 must comply with the requirements in Section VI of Appendix B to 10 CFR Part 73.</p>		
Section 1, 4 th Paragraph	<p>The regulatory requirements discussed here, for an effective Training and Qualification plan include:</p> <ul style="list-style-type: none"> (a) minimum employment suitability and qualification; (b) minimum physical 		Change to read as (d) "duty and on the job training as describe in regulation"

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	qualifications; (c) minimum psychological qualifications; (d) duty and on-the-job training; (e) weapons and tactical response training, exercises, and drills; (f) demonstration of individual knowledge, skills, and abilities; (g) readiness of individuals to perform assigned duties and responsibilities; (h) maintenance of equipment; (i) maintenance and retention of program records; (j) the conduct of reviews and self-audits; and (k) performance evaluation program.		
Section 1, 4 th Paragraph	Requalification is required annually on all attributes contained in a. through g. above.	Evaluation of employment suitability (item (a) in the paragraph above) is accomplished via an initial background investigation or reinvestigation conducted on a three year periodicity in accordance with 10 CFR 73.56(i)(1)(v)(B), not an annual requirement. Evaluation of psychological	Proposed language "Requalification is required annually as described in regulation and committed to in commission approved Physical Security Plans."

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
		<p>qualification (item (c) in the paragraph above) is conducted on a five year periodicity in accordance with 10 CFR 73.56(i)(1)(v)(B). This is not an annual requirement.</p> <p>On-the-job training (item (d) in the paragraph above) is conducted concurrent with initial training in accordance with Section VI, Paragraph C.2 of Appendix B to 10 CFR 73. This is not an annual requirement.</p> <p>“Readiness of individuals to perform assigned duties and responsibilities” (item (g) in the paragraph above) is not a criterion that lends itself to the development of an annual qualification. The perceived intent of this item is accomplished through the completion of tasks associated with item (f) in the paragraph above.</p>	
Section 1 5 th Paragraph	As described in Section VI, paragraph A.1 of Appendix B to 10 CFR Part 73, the licensee shall ensure that the personnel who are assigned duties and responsibilities required to implement the Commission-approved security plans meet minimum training and	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>qualification requirements to ensure each individual possesses the knowledge, skills, and abilities required to effectively perform assigned duties and responsibilities.</p>		
Section 1.1, 2 nd Paragraph	<p>As described in Section VI, paragraph A.5 of Appendix B to 10 CFR Part 73, the licensee shall ensure that the training and qualification program simulates, as closely as practicable, the specific conditions under which the individual shall be required to perform assigned duties and responsibilities.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 1.2, 1 st Paragraph	<p>The licensee may consider establishing a methodology for identifying and accounting for site specific conditions (e.g., independent spent fuel storage installation patrols, security owner controlled area (SOCA) vehicle search requirements, SOCA alarm response, or armored vehicle deployments). The identification of site-specific conditions will aid the licensee in determining the specific actions, duties, and responsibilities required to sustain the effectiveness of the physical protection program. Site-specific conditions must be</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	accounted for in the development of the site training and qualification program.		
Section 1.2, 2 nd Paragraph	<p>As described in Section VI, paragraph A.6 of Appendix B to 10 CFR Part 73, the licensee may not allow any individual to perform any security function, assume any security duties or responsibilities, or return to security duty until that individual satisfies the training and qualification requirements of the Commission-approved Training and Qualification plan.</p> <p>(The Commission recognizes that knowledge, skills, and abilities are perishable or can be lost or forgotten over time.)</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 1.2, 3 rd Para	As described in Section VI, paragraphs A.7, C.2, and D of Appendix B to 10 CFR Part 73, to ensure that individuals maintain knowledge, skills, and abilities after their initial qualification, the licensee training and qualification program shall provide for periodic requalification and remedial training, as needed.	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p> <p>Additionally, Section VI, paragraphs A.(7) and C.(2) do not address requalification requirements. Requalification, in the context written, is addressed in Section VI, paragraph D.(2).</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 1.3, 1 st Paragraph	When determining appropriate enhanced training frequencies, the licensee should consider the perishable nature of each knowledge, skill, or ability and give the greatest attention to those that are not used for long periods of time (i.e., between training cycles) but are critical when needed and are most likely to be necessary under high-stress conditions.	The industry does not understand the intent in adding the word "enhanced" with regard to determining appropriate training frequencies.	This paragraph should be revised to read "When determining appropriate training frequencies, the licensee should consider the perishable nature of each task and give the greatest attention to those that are not used for long periods of time (i.e., between training cycles) but are critical when needed and are most likely to be necessary under high-stress conditions."
Section 1.3, 2 nd Paragraph	As described in Section VI, paragraph H of Appendix B to 10 CFR Part 73, licensees shall develop and retain individual qualification records for each individual who receives training required by the Appendix.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken. Additionally, the requirements regarding record keeping is not isolated to the topic of this section.	
Section 1.4, 1 st Paragraph	In developing their Training and Qualification Plans, licensees should include within this plan the Knowledge Skills and Abilities Matrix (Attachment 1) or Critical Task Matrix provided in NEI 03-12, "Template for the Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, [and Independent Spent Fuel Installation Security Program]," as a means to ensure that all of the requirements	The Critical Task Matrix in NEI 03-12 focuses at the appropriate level for developing a Training and Qualification Plan. Individual knowledge, skills, and abilities associated with specific tasks are attributes that should be left to the implementing procedures.	Revise this paragraph to read "In developing their Training and Qualification Plans, licensees should include within this plan the Critical Task Matrix provided in NEI 03-12, "Template for the Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, [and Independent Spent Fuel Installation Security Program]," as a means to ensure that all of the requirements in Section VI of Appendix B are

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>in Section VI of Appendix B are satisfied. This matrix is composed of knowledge, skills or abilities or critical tasks upon which all individuals who perform physical protection and/or armed response duties must be trained and qualified. Each task is described in detail through sub-tasks found in this guidance and it is these sub-tasks that make up the complete task and upon which each person identified must maintain qualification and proficiency.</p>		<p>satisfied. This matrix is composed of critical tasks upon which all individuals who perform physical protection and/or armed response duties must be trained and qualified. Each task is described in detail through sub-tasks found in this guidance and it is these sub-tasks that make up the complete task and upon which each person identified must maintain qualification and proficiency.”</p>
<p>Section 1.5, 1st Paragraph</p>	<p>The first row of the matrix describes duty positions and functions within positions for members of the security organization. Licensees may choose to include in the matrix facility personnel who perform limited physical protection duties (e.g., package searches outside of the licensee protected area). The final two columns of the matrix must show the licensee’s frequency of performance and the method of performance for each sub-task.</p> <p>Note that knowledge, skills or abilities that are specified in 10 CFR Part 73 to be completed annually and that must actually be performed</p>	<p>The 4th sentence states “Note that knowledge, skills or abilities that are specified in 10 CFR Part 73 to be completed annually and that must actually be performed successfully to be credited are not subject to change using the SAT process.”</p>	<p>Revise sentence to read, “Note that tasks that are identified in Section VI of Appendix B to 10 CFR Part 73 as being required to be completed within a specified periodicity are not subject to change using the SAT process.”</p>

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	successfully to be credited are not subject to change using the SAT process.		
Section 1.5, 2 nd Paragraph	<p>The following codes are used in the "Performance Method" column of the matrix:</p> <p>(a) M-Must Perform: The individual must actually perform the indicated task under the supervision of a qualified individual. This element or critical task must be performed annually as specified in 10 CFR Part 73 and is not subject to change using the SAT process.</p> <p>(b) P-Perform: The individual performs the actual task. However, where there is an alternate approach listed, then that may be used to demonstrate adequate ability to perform the task (e.g., written examinations).</p> <p>(c) S-Simulate: The individual simulates, under realistic conditions, the completion of the indicated task.</p> <p>(d) D-Discuss: The individual must be orally examined to determine the adequacy of knowledge to perform the</p>	<p>Sub-paragraph (d) "D-Discuss: The individual must be orally examined to determine the adequacy of knowledge to perform the indicated task." Verbal examinations are not necessarily the best method of conducting knowledge based examinations in all circumstances; therefore, written examinations are an appropriate alternative that should be included.</p>	<p>This item should be revised to state "D-Discuss: The individual must be administered a written or verbal examination to determine the adequacy of knowledge to perform the indicated task."</p>

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	indicated task.		
Section 1.7	Bracketed and unbracketed "X"— The brackets "[X]" identify the critical task as one that may be site-specific (may not apply to all sites). The "X" (unbracketed) identifies the responsible duty position/function and assigns the critical task to that duty position/function.	Except as otherwise specified by regulation, licensees should determine specific tasks associated with a duty position, the periodicity, and method of evaluation appropriate to their site specific conditions via the SAT process.	Revise the second sentence to read "The "X" (unbracketed) identifies the responsible duty position/function and assigns the critical task to that duty position/function as identified in the Commission approved licensee Security Plan.
Section 1.8, 1 st Paragraph	All critical tasks should be assigned to a duty position/function in the Commission-approved Training and Qualification plan.	This paragraph is ambiguous in meaning.	Recommend revising this paragraph to read "All licensee identified critical tasks should be assigned to at least one duty position/function in the Commission-approved Training and Qualification plan.
Section 1.8, 2 nd Paragraph	As described in Section VI, paragraph A.7 of Appendix B to 10 CFR Part 73, training requirements must be scheduled at a nominal twelve (12) month periodicity.	Delete this paragraph as it both redundant and misleading. Not all training requirements are required to be scheduled on an annual basis.	
Section 2, 1 st Paragraph	Employment Suitability and Qualification As described in Section VI, paragraph B.1 of Appendix B to 10 CFR Part 73, individuals who are assigned security duties and responsibilities must meet minimum requirements to determine their	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>initial and continued suitability (i.e., acceptability) and to ensure that they are and continue to be qualified (i.e., proven capable) to provide the required services before employment or assignment to the security organization. To accomplish this, the licensee training and qualification program shall ensure, as described in Section VI of Appendix B, that all personnel assigned duties and responsibilities required to implement the Commission-approved security plans achieve and maintain an acceptable level of professional competence in the performance of those tasks.</p>		
Section 2, 2 nd Paragraph	<p>As described in Section VI, paragraph B.1.(b) of Appendix B to 10 CFR Part 73, the qualification of each individual to perform assigned duties and responsibilities must be documented by a qualified training instructor and attested to by a security supervisor. The licensee shall document each individual's qualification as a record of that individual's demonstrated abilities.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken:</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 2.1,	<p>Suitability</p> <p>As described in Section VI, paragraphs B.1.(a) and B.1.(b) of Appendix B to 10 CFR Part 73, licensees must ensure that individuals satisfy suitability requirements.</p>	Section 2.1 in its entirety simply restates various sections of the regulations and does not provide any implementation guidance; therefore, this section should be stricken in its entirety.	
Section 2.1.1	Before an individual can be employed by or assigned to the security organization, the licensee shall verify that the individual possesses, at a minimum, a high school diploma or has passed an equivalent performance examination designed to measure basic mathematical, language, and reasoning skills, abilities, and knowledge required to perform security duties and responsibilities.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.1.2	The Commission has determined that a General Education Development, or GED, test designed to measure basic job-related mathematical, language, and reasoning skills is an acceptable alternative to a high school diploma.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 2.1.3	All individuals must have reached the age of 21 before they can be assigned duties and responsibilities involving the possession or use of a firearm, and must have attained the age of 18 before they can be assigned duties and responsibilities in an unarmed capacity. The licensee shall establish and implement a reasonable verification process to satisfy this requirement and confirm the age of potential employees before employment or assignment.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.1.4	To determine suitability, a background check as described in Section VI, paragraph B.1.(a)(4) must be completed for all personnel who are assigned duties and responsibilities involving the possession of firearms.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.1.5	Licensees may use the results of background investigations completed consistent with 10 CFR 73.56, "Personnel Access Authorization Requirements for Nuclear Power Plants." Licensees must also ensure that all personnel who will perform armed duties are in compliance with applicable state or federal law, to include the	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	Lautenberg Amendment (1996) to the Gun Control Act (Public Law 104 208, 18 U.S.C. § 922(g)(9)) (Ref. 10).		
Section 2.1.6	The licensee must ensure that members of the security organization do not have felony convictions that reflect negatively on the individual's trustworthiness and reliability to perform their assigned duties and responsibilities consistent with Commission regulations.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.1.7	The licensee should adjudicate potentially derogatory information about an individual consistent with 10 CFR 73.56, whether such information is obtained during pre-employment application or after hiring. In addition, as outlined in the Violent Crime Control Act of 1994 (Public Law 103 322, H.R. 3355) (Ref. 11) and the Lautenberg Amendment (1996) to the Gun Control Act (Public Law 104 208, 18 U.S.C. § 922(g)) Firearm Possession Prohibition, the licensee should ensure that armed members of the security organization do not have any felony convictions involving the use of any type of	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>weapon or any legal restraints preventing the possession of a firearm consistent with the requirements of the U.S. Department of Justice.</p>		
Section 2.2	<p>Physical Qualifications</p> <p>As described in Section VI, paragraph B.2.(a)(1) of Appendix B to 10 CFR Part 73, individuals whose duties and responsibilities are directly associated with the effective implementation of the Commission-approved security plans, licensee protective strategies, and implementing procedures may not have any physical conditions that would adversely affect their performance of assigned security duties and responsibilities within required performance standards as described in Sections 2.3 through 2.7 and 2.10 of this document.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 2.3	<p>General Physical Qualification</p> <p>As described in Section VI, paragraphs B.2.(a)(1) through (4) and B.5.(a) of Appendix B to 10 CFR Part 73, before assignment and annually thereafter, all individuals who are performing</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p> <p>Additionally, revised language is more restrictive than rule language. If the intent is to disallow certain licensed</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	security functions for the security organization must be subject to a physical examination administered by a licensed physician or physician's assistant, with final determination of physical suitability being made by a licensed physician.	health professionals this should be addressed through rulemaking.	
Section 2.3.1	The purpose of this physical examination is to verify the individual's physical capability to perform assigned duties and responsibilities, as identified in Commission-approved security plans and implementing procedures.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.3.2	Physical examinations should be commensurate with assigned duties, and the licensed physician or physician's assistant administering the examination should have knowledge of the assigned security duties. Personnel not assigned to the security organization who are performing watchman-type duties required to implement the physical protection program (i.e., personnel performing material searches and personnel assigned to perform vehicle escort duties) must also have physical examinations. In such cases, physical examinations should	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p> <p>Additionally, revised language is more restrictive than rule language. Licensed health professionals are by definition limited to practicing medicine only within the scope of their license; therefore, further restriction to eliminate unqualified personnel from performing these activities is unnecessary. If the intent is to disallow certain licensed health professionals this should be</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	be limited to the physical attributes required to perform the specific security function.	addressed through rulemaking.	
Section 2.3.3	<p>Licenses and licensed physicians should consider the physical demands associated with the specific security duties of security personnel when certifying the individual's physical capability to perform them. The following are examples of factors the licensed physician should consider when conducting medical certifications for personnel, taking into account the individual's specific duties and responsibilities required to implement the Commission-approved security plans, for duty within the security organization:</p> <ul style="list-style-type: none"> (a) results of medical examination; (b) firearms activities to include the tactical course of fire; (c) central alarm and secondary alarm station activities; (d) contraband searches to include vehicle searches; (e) equipment that individuals need to carry, wear, or operate; 	<p>This is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p> <p>Additionally, the 1st sentence states that "<u>Licenses</u> and licensed physicians should consider the physical demands associated with the specific security duties of security personnel when certifying the individual's physical capability to perform them." This conflicts with the rule that requires a "licensed physician" make the final determination of the individual's physical capability to perform the duties.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	(f) protected and vital area posts and patrol routes; and (g) ability to respond to contingency events.		
Section 2.4, 1 st Paragraph	Vision and Hearing As described in Section VI, paragraphs B.2.(b) and B.2.(c) of Appendix B to 10 CFR Part 73, the licensee must ensure that personnel assigned duties and responsibilities directly associated with the effective implementation of Commission-approved security plans, licensee protective strategies, and implementing procedures meet minimum requirements for vision and hearing to effectively perform their duties and responsibilities.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.4, 2 nd Paragraph	As described in Section VI, paragraph B.2.(c)(2), the use of a hearing aid is acceptable provided that suitable testing procedures demonstrate appropriate hearing levels.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.4, 3 rd Paragraph	As described in Section VI, paragraph B.2.(b)(7), for personnel who exhibit a mild color vision defect, an on-the-job evaluation must be performed and the results	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	must be found acceptable.		
Section 2.4.1,	For personnel who utilize a hearing aid, the hearing aid may not decrease the effective performance of the individual's assigned security duties during normal or emergency operations.	This is a restatement of the regulation (Section VI, Paragraph B.2.(c)(3)) and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.4.2	The results of evaluations conducted as described in Sections 2.4.1 must be documented.		Revise section to read "Personnel who exhibit a mild color vision defect or minor hearing loss may be subject to a performance-based evaluation to determine if they can meet the required performance standards. The results of this evaluation should be documented."
Section 2.5	<p>Existing Medical Conditions</p> <p>As described in Section VI, paragraph B.2.(d) of Appendix B to 10 CFR Part 73, individuals may not have an established medical history or medical diagnosis of existing medical conditions that could interfere with or prevent the individual from effectively performing assigned duties and responsibilities. If a medical condition exists, the individual shall provide, as described in B.2.(d)(2), medical evidence that the condition</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>can be controlled with medical treatment in a manner that does not adversely affect the individual's fitness-for-duty, mental alertness, physical condition, or capability to otherwise effectively perform assigned duties and responsibilities.</p>		
Section 2.6	<p>Addiction</p> <p>As described in Section VI, paragraph B.2.(e) of Appendix B to 10 CFR Part 73, individuals may not have any established medical history or medical diagnosis of habitual alcoholism or drug addiction. Where this type of condition has existed, the individual shall provide certified documentation of the completion of a rehabilitation program that would give a reasonable degree of confidence that the individual would be able to perform assigned duties and responsibilities. Additional Commission requirements for certification regarding fitness-for-duty appear in 10 CFR Part 26, "Fitness for Duty Programs" (Ref. 12).</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 2.7	<p>Other Physical Requirements</p> <p>As described in Section VI, paragraph B.2.(f) of Appendix B to 10 CFR Part 73, an individual who has been incapacitated due to a serious illness, injury, disease, or operation which could interfere with the effective performance of assigned duties and responsibilities shall, before resumption of assigned duties and responsibilities, provide documented medical evidence of recovery and ability to perform these duties and responsibilities.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 2.7.1	<p>A licensed physician familiar with the specific physical demands of the individual's duties and responsibilities at a nuclear facility should concur that the individual is able to perform assigned duties before these individuals are allowed to return to a duty status.</p>	<p>Revised language is more restrictive than rule language. If the intent is to disallow certain licensed health professionals from making this determination, this should be addressed through rulemaking.</p>	<p>Proposed language "A licensed health professional familiar with the specific physical demands of security-related duties and responsibilities at a nuclear facility should concur that the individual is able to perform assigned duties before these individuals are allowed to return to a duty status."</p>
Section 2.8	<p>Psychological Qualifications</p> <p>As described in Section VI, paragraph B.3 of Appendix B to 10 CFR Part 73, armed and unarmed individuals assigned duties and responsibilities directly associated</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	with the effective implementation of the Commission-approved security plans and implementing procedures must demonstrate the required psychological qualifications.		
Section 2.9, 1 st Paragraph	<p>Medical Examinations and Physical Fitness Qualifications</p> <p>As described in Section VI, paragraph B.4.(a) of Appendix B to 10 CFR Part 73, armed members of the security organization shall be subject to a medical examination by a licensed physician to determine their fitness to participate in physical fitness tests.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.9, 2 nd Paragraph	As described in Section VI, paragraph B.4.(a)(1), of Appendix B to 10 CFR Part 73, the licensee shall obtain and retain a written certification from the licensed physician that the medical examination detected no medical conditions that would preclude the individual from participating in the physical fitness tests or meeting the physical fitness attributes or objectives associated with assigned duties.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 2.9.1, 1 st Paragraph	This examination may be administered by a licensed physician's assistant with the final determination being made by a licensed physician to verify the individual's physical capability to perform assigned duties and responsibilities.	Revised language is more restrictive than rule language. If the intent is to disallow certain licensed health professionals from making this determination, this should be addressed through rulemaking.	Proposed language "This examination may be administered by a licensed health professional with the final determination being made by a licensed physician to verify the individual's physical capability to perform assigned duties and responsibilities."
Section 2.9.1, 2 nd Paragraph	As described in Section VI, paragraph B.4.(b) of Appendix B to 10 CFR Part 73, before assignment, armed security personnel shall demonstrate they are physically fit to perform assigned duties and responsibilities through the conduct of a practical physical fitness test.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.9.1, 3 rd Paragraph	As required by Section VI, paragraph B.4.(b)(1) of Appendix B to 10 CFR Part 73, the physical fitness test must include elements that simulate site-specific, scenario-specific, or task-specific conditions and actions associated with the required performance standards. These include the strenuous activity, physical exertion, level of stress, and exposure to elements that are required of an individual to ensure that the individual can effectively perform assigned security-related duties.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 2.9.2, 1 st Paragraph	To ensure the effectiveness of the physical protection program, these simulated elements should equate to the normal and emergency conditions that could be encountered at the site.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.9.2, 2 nd Paragraph	As described in Section VI, paragraph B.4.(b)(4) of Appendix B to 10 CFR Part 73, the physical fitness qualification of each armed member of the security organization must be documented by a qualified training instructor and attested to by a security supervisor.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.9.2, 3 rd Paragraph	As described in Section VI, paragraph H of Appendix B to 10 CFR Part 73, records must be retained for security personnel in accordance with the requirements in 10 CFR 73.55(q).	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken. Further, the placement of this item in the document suggests that it is only applicable to this narrow scope of training documentation contrary to the scope defined in the regulation.	
Section 2.9.2, 4 th Paragraph	As described in Section VI, paragraphs B.4.(b)(2) and B.4.(b)(3) of Appendix B to 10 CFR Part 73, the licensee shall describe the physical fitness test to be used in its	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	Commission approved Training and Qualification plan.		
Section 2.9.3	An acceptable Training and Qualification plan sets forth how the physical fitness objectives for determining strength, endurance, and agility are demonstrated by the physical fitness test.	Licensees already describe the elements of their physical fitness test in their Commission Approved Training & Qualification plans in accordance with the Commission endorsed Security Plan template, NEI 03-12. This appears to be an attempt to introduce a new requirement against an already endorsed document.	
Section 2.9.4	Each licensee should identify and analyze its site-specific conditions to determine the appropriate elements to be applied for training purposes.	This paragraph is a restatement of the regulation (Section VI, Paragraph B.4.(b)(1)) and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 2.10	<p>Physical Requalification</p> <p>As described in Section VI, paragraph B.5 of Appendix B to 10 CFR Part 73, armed and unarmed individuals assigned security duties and responsibilities must demonstrate the capability to meet the requirements for physical requalification at least annually.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 2.11	<p>Documentation</p> <p>As described in Section VI, paragraphs B.4.(b)(4) and B.5.(b), a qualified training instructor must document the physical qualification of each individual to perform assigned duties and responsibilities. A security supervisor must attest to this qualification.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 2.11.1	<p>This record should be based on personal observation or input from (1) other qualified training organization personnel; (2) subject matter experts or field training officers; or (3) a medical, psychological, or other professional who is qualified to make such determinations consistent with NRC regulations and applicable local, state, and federal laws to provide suitability and qualification determinations for the category of information addressed by the record.</p>		<p>Revise section to read "Certification of the physical fitness and physical requalification record should be based on personal observation or input from (1) other qualified training organization personnel; (2) subject matter experts or field training officers; or (3) a medical, psychological, or other professional who is qualified to make such determinations consistent with NRC regulations and applicable local, state, and federal laws to provide suitability and qualification determinations for the category of information addressed by the record.</p>
Section 3, 1 st Paragraph	<p>Duty Training</p> <p>As described in Section VI, paragraph C.1 of Appendix B to 10 CFR Part 73, all personnel who are</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	assigned to perform security-related duties or responsibilities shall be trained and qualified to perform assigned duties and responsibilities.		
Section 3.1	<p>Critical Knowledge, Skills and Abilities (KSAs)</p> <p>As described in the requirements of Section VI, paragraph C.1 of Appendix B to 10 CFR Part 73, the licensee must identify, in the NRC-approved Training and Qualification plan, the knowledge, skills, and abilities that are required by assigned personnel to perform assigned duties and responsibilities.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 3.1.1	Before performing security-related duties within the security organization, each individual should be trained and qualified to perform those KSAs applicable to their duty position.	This is a restatement of the regulation (Section VI, Paragraph C.1.) and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 3.1.2	The security-training program should identify specific KSAs necessary for individuals to achieve qualification.	This is a restatement of the regulation (Section VI, Paragraph C.1.(a)) and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 3.1.4, 1 st Paragraph	The licensee's Commission-approved Training and Qualification plan should reflect the KSAs listed in Attachment 1 unless the activity is not applicable at a specific facility.		This section should be revised to read "The licensee's Commission-approved training and qualification plan should reflect the 30 critical tasks listed in Table 1 of the attachment, unless the task is not applicable to the security program at a specific facility. Licensees may consider adding additional tasks to their Commission-approved training and qualification plan based on site-specific duties (e.g., spent fuel transfer to an independent spent fuel storage installation)."
Section 3.1.4, 2 nd Paragraph	As described in Section VI, paragraph C.1.(a), of Appendix B to 10 CFR Part 73, licensees shall identify in their Commission-approved Training and Qualification plan the areas of knowledge, skills, and abilities that are required to perform assigned duties and responsibilities.	This is a restatement of the regulation (Section VI, Paragraph C.1.(a)) and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 3.1.5	Assigned duties and responsibilities should be identified consistent with licensee implementation of unique performance requirements necessary to implement the licensee's Commission approved security plans, based on site-specific duties.	This paragraph establishes a new requirement on licensees with no direct relevance to the purpose of this document; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 3.1.6	If a licensee trains and qualifies armed members of the security organization on an enhanced weapon, specific qualification attributes for that enhanced weapon must be included in the licensee's Training and Qualification plan.	This paragraph simply restates guidance already addressed, expresses a regulatory requirement, and provides no implementing guidance; therefore, this paragraph should be stricken.	
Section 3.1.7	All KSAs should be identified and assigned in the Commission-approved Training and Qualification plan.	This paragraph simply restates guidance already addressed, expresses a regulatory requirement, and provides no implementing guidance; therefore, this paragraph should be stricken.	
Section 3.1.8	The licensee may assign KSAs to a specific duty function (e.g., search officer, access officer, patrol officer, and escort officer).	This paragraph simply restates guidance already addressed, expresses a regulatory requirement, and provides no implementing guidance; therefore, this paragraph should be stricken.	
Section 3.2	<p>Security Personnel Training</p> <p>As described in Section VI, paragraph C.1.(a) of Appendix B to 10 CFR Part 73, the licensee must describe in the NRC-approved Training and Qualification plan those areas of knowledge, skills, and abilities required by security personnel to carry out their assigned duties and responsibilities.</p>	This paragraph is a restatement of the regulation (Section VI, Paragraph C.1.(a)) and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 3.2, 2 nd Paragraph	In accordance with 10 CFR 73.55(d)(3) and (d)(3)(i), the licensee shall provide training through licensee training programs to each individual who implements any part of the physical protection program to ensure each individual is trained, qualified, and periodically requalified to perform assigned duties.	This paragraph is a restatement of the regulation (Section VI, Paragraph C.1.(d)(3)) and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 3.2.1	<p>The licensee may consider the following listing of security program topic areas during the development of site-specific KSAs:</p> <ul style="list-style-type: none"> (a) protection of nuclear facilities and special nuclear material (SNM); (b) NRC requirements and guidance for physical security at nuclear facilities; (c) the role of private security officers in providing physical protection for the nuclear industry; (d) authority of private officers; (e) use of nonlethal weapons; (f) use of deadly force as authorized by state or federal law; (g) power of arrest and authority to detain individuals 	<p>"KSAs" should be changed to "tasks". Additionally, the documented list is derived from Section II of Appendix B to 10 CFR 73 which as of March 27th, 2009, is no longer applicable to Nuclear Power Reactor Training and Qualification Programs which are governed by Section VI, of Appendix B.</p> <p>The introduction to Appendix B to 10 CFR Part 73 states "Applicants and power reactor licensees subject to the requirements of § 73.55 shall comply only with the requirements of section VI of this appendix. All other licensees, applicants, or certificate holders shall comply only with sections I through V of this appendix."</p> <p>Licensees should determine the tasks to be included in the sites security</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>consistent with local, state, and federal laws;</p> <p>(h) authority to search individuals and seize property;</p> <p>(i) adversary group operations;</p> <p>(j) motivation and objectives of adversary groups;</p> <p>(k) tactics and force that adversary groups might use to achieve their objectives;</p> <p>(l) recognition of sabotage-related devices and equipment that might be used against the licensee's facility;</p> <p>(m) facility security organization and operation;</p> <p>(n) types of physical barriers;</p> <p>(o) weapons and lock and key control system operation;</p> <p>(p) location of SNM and/or vital areas within a facility;</p> <p>(q) protected area security and vulnerability;</p> <p>(r) types of alarm systems used;</p> <p>(s) response to and assessment of alarm annunciations and other indications of intrusion;</p> <p>(t) general concepts of security systems;</p>	<p>training program based on the site specific conditions using the SAT process.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>(u) vulnerabilities and consequences of theft of SNM or radiological sabotage of a facility;</p> <p>(v) protection of security system information;</p> <p>(w) personal equipment use and operation for normal and contingency operations;</p> <p>(x) surveillance and assessment systems and techniques;</p> <p>(y) communications systems and operation;</p> <p>(z) access control systems and operation for individuals, packages, and vehicles;</p> <p>(aa) contraband detection systems and techniques;</p> <p>(bb) barriers and other delay systems around protected access or vital areas;</p> <p>(cc) exterior and interior alarm systems operation;</p> <p>(dd) duress alarm operation;</p> <p>(ee) alarm stations operation;</p> <p>(ff) response force organization;</p> <p>(gg) response force mission;</p> <p>(hh) response force operation;</p> <p>(ii) response force engagement;</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>(jj) security command and control system during normal operation;</p> <p>(kk) security command and control system during contingency operation;</p> <p>(ll) fixed-post station operations;</p> <p>(mm) access control system operation;</p> <p>(nn) search techniques and systems for individuals, packages, and vehicles;</p> <p>(oo) escort and patrol responsibilities and operation;</p> <p>(pp) contingency response to confirmed intrusion or attempted intrusion;</p> <p>(qq) security system operation after component failure;</p> <p>(rr) security coordination with law enforcement agencies (local, State, and Federal);</p> <p>(ss) security and situation reporting, documentation, and report writing;</p> <p>(tt) contingency duties;</p> <p>(uu) self-defense;</p> <p>(vv) use of and defenses against incapacitating agents;</p> <p>(ww) security equipment</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	testing; (xx) contingency procedures; (yy) night-vision devices and systems; (zz) mechanics of detention; (aaa) basic armed and unarmed defensive tactics; (bbb) response force deployment; (ccc) security alert procedures; (ddd) security briefing procedures; (eee) response force tactical movement; (fff) response force withdrawal; (ggg) response force use of support fire; (hhh) response to bomb and attack threats; (iii) response to civil disturbances (e.g., strikes, demonstrations); (jjj) response to confirmed attempted theft of SNM and/or radiological sabotage of facilities; (kkk) response to hostage situations; (lll) response to tampering events; (mmm) site-specific armed		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	tactical procedures and operation; (nnn) security response to emergency situations other than security incidents; (ooo) independent spent fuel storage installation (if applicable – site specific); (ppp) armored vehicle operations (if applicable – site specific); (qqq) security limited access areas (if applicable – site specific); (rrr) remotely operated weapons systems (ROWS) (if applicable – site specific); and (sss) enhanced weapons (if applicable – site specific).		
Section 3.3	<p>Training of Personnel</p> <p>In accordance with Section VI, paragraph C.1 of Appendix B to 10 CFR Part 73, all personnel who are assigned to perform any security-related duty or responsibility shall be trained and qualified to perform assigned duties and responsibilities to ensure that each individual possesses the minimum knowledge, skills, and abilities required to</p>	<p>This paragraph is a restatement of the regulation (Section VI, Paragraph C.1.) and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	effectively carry out those assigned duties and responsibilities.		
Section 3.3.1	Personnel should be trained and qualified to perform only those KSA elements applicable to the security duty position they will fulfill as identified in Section 3.1 of this RG. Personnel shall be re-qualified consistent with Section VI, paragraph D.2 of Appendix B to 10 CFR Part 73 and the Commission-approved Training and Qualification plan.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 4	<p>On-the-Job Training</p> <p>As described in the requirements of Section VI, paragraph C.2.(a) of Appendix B to 10 CFR Part 73, the licensee training and qualification program must include on-the-job training (OJT) performance standards and criteria to ensure that each individual demonstrates the requisite knowledge, skills, and abilities to effectively carry out assigned duties and responsibilities in accordance with the Commission-approved security plans, licensee protective strategy, and implementing procedures, before the individual is assigned the duty or responsibility.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 4, 2 nd Paragraph	The licensee shall implement OJT to ensure that individuals have an adequate level of hands-on experience and knowledge in nuclear security functions before they are considered qualified and assigned duties and responsibilities.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 4.1	Licensees may consider the use of a formalized OJT checklist to identify those duties and responsibilities associated with each duty position and job KSA. Typically, OJT is conducted by qualified security training instructors and field training officers and/or subject matter experts designated by the security training staff.	Replace 'KSAs' with 'tasks'. Tasks are composed of elements which are made up of a variety of knowledge, skills, and abilities. Individuals are trained to perform tasks, not KSAs.	
Section 4.2, 1 st Paragraph	A security supervisor must attest to all OJT, and the records must be documented by a qualified training instructor and retained consistent with 10 CFR 73.55(q), "Records."	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 4.2, 2 nd Paragraph	As described in Section VI, paragraph C.2.(b) of Appendix B to 10 CFR Part 73, Individuals who are assigned duties and responsibilities related to implementing the safeguards contingency plan (e.g., response team leaders, alarm station operators, armed	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>responders, and armed security officers designated as a component of the protective strategy) shall complete a minimum of 40 hours of OJT, in which each individual will be required to demonstrate his or her ability to effectively apply the knowledge, skills, and abilities required to effectively perform assigned contingency duties and responsibilities in accordance with the approved safeguards contingency plan, other security plans, licensee protective strategies, and implementing procedures. OJT contingency activities and drills must, at a minimum, meet the criteria and objectives stated in regulations.</p>		
Section 4.5, 2 nd Paragraph	<p>Each duty position should include applicable job KSAs or functions, to ensure that the trainee understands the knowledge, skills, and abilities required for effective implementation of the Commission-approved physical security plan, the safeguards contingency plan, and the licensee implementing procedures.</p>	<p>Replace 'KSAs' with 'tasks'. Tasks are composed of elements which are made up of a variety of knowledge, skills, and abilities. Individuals are trained to perform tasks, not KSAs.</p>	<p>Revise paragraph to read "Each duty position should include applicable job tasks or functions, to ensure that the trainee understands the knowledge, skills, and abilities required for effective implementation of the Commission-approved physical security plan, the safeguards contingency plan, and the licensee implementing procedures.</p>

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 4.5, 2 nd Paragraph	<p>The KSAs associated with the following Primary Duty Positions and additional Site Specific Duty Positions are described in Attachment 1.</p> <p>Primary Duty Positions:</p> <ul style="list-style-type: none"> (a) Armed security officer, (b) Armed Responder, (c) Central Alarm Station/Secondary Alarm Station (d) Response Team Leader, and (e) Security Shift Supervisor. <p>Additional Site Specify Duty Positions:</p> <ul style="list-style-type: none"> (a) Access Control Officer, (b) Search Officer, (c) Escort Officer, and (d) Patrol Officer. 	<p>The information in the paragraph is both unnecessary and overly prescriptive language. Paragraph should be deleted.</p>	
Section 4.5, 3 rd Paragraph	<p>As described in Section VI, paragraph C.2.(c) of Appendix B to 10 CFR Part 73, the licensee's OJT programs must include, but are not limited to, hands-on application of knowledge, skills, and abilities related to:</p> <ul style="list-style-type: none"> (a) response team duties; (b) use of force; (c) tactical movement; 	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>(d) cover and concealment (e) defensive positions; (f) fields-of-fire; (g) re-deployment; (h) communications (primary and alternate); (i) use of assigned equipment; (j) target sets; (k) tabletop drills; (l) command and control duties; and (m) licensee protective strategy.</p>		
Section 4.7	<p>On-the-Job Training Documentation As described in Section VI, paragraph C.2.(b) of Appendix B to 10 CFR Part 73, OJT must be documented by a qualified training instructor and attested to by a security supervisor.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 4.7.1	<p>OJT trainers and evaluators conducting the training should implement a methodology that ensures each KSA has been completed satisfactorily. Licensees should ensure the trainee's completion of each element and KSA of the OJT documentation. The OJT trainers and evaluators conducting the training should</p>	<p>Replace 'KSAs' with 'tasks'. Tasks are composed of elements which are made up of a variety of knowledge, skills, and abilities. Individuals are trained to perform tasks, not KSAs.</p>	<p>Paragraph should be revised to read "OJT trainers and evaluators conducting the training should implement a methodology that ensures each task has been completed satisfactorily. Licensees should ensure the trainee's completion of each task of the OJT documentation. The OJT trainers and evaluators conducting the training</p>

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	document on the form that the trainee has completed the OJT for that section and has achieved the knowledge standard. Once completed, the form would typically be submitted to the qualified security training instructor for final assessment and documentation and a security supervisor must attest to the training.		should document on the form that the trainee has completed the OJT for that section and has achieved the knowledge standard. Once completed, the form would typically be submitted to the qualified security training instructor for final assessment and documentation and a security supervisor must attest to the training.”
Section 4.7.2	Licensees may consider creating OJT documentation that identifies the critical attributes associated with each KSA required to perform the duties and responsibilities of all duty positions. A duty position may comprise multiple KSAs, and its description should indicate the appropriate level of knowledge standard required for each KSA. The OJT documentation for individuals who are assigned duties and responsibilities related to implementing the safeguards contingency plan may apply any documented process to log time associated with the performance of OJT to ensure that the trainee has met the program minimum OJT time (40 hours).	Replace ‘KSAs’ with ‘tasks’. Tasks are composed of elements which are made up of a variety of knowledge, skills, and abilities. Individuals are trained to perform tasks, not KSAs.	Paragraph should be revised to read “Licensees may consider creating OJT documentation that identifies the critical attributes associated with each task required to perform the duties and responsibilities of all duty positions. A duty position may comprise multiple tasks, and its description should indicate the appropriate level of knowledge standard required for each task. The OJT documentation for individuals who are assigned duties and responsibilities related to implementing the safeguards contingency plan may apply any documented process to log time associated with the performance of OJT to ensure that the trainee has met the program minimum OJT time (40 hours).”

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5, 1 st Paragraph	<p>Performance Evaluation Program</p> <p>As described in the requirements of Section VI, paragraph C.3.(a) of Appendix B to 10 CFR Part 73, licensees shall develop, implement and maintain a Performance Evaluation Program that is documented in procedures and describes how the licensee will demonstrate and assess the effectiveness of their onsite physical protection program and protective strategy, including the capability of the armed response team to carry out their assigned duties and responsibilities during safeguards contingency events.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 5, 2 nd Paragraph	<p>To satisfy the requirements of Section VI, paragraph C.3 of Appendix B to 10 CFR Part 73, the licensee must conduct security tactical response drills and force-on-force (FOF) exercises designed to demonstrate and assess the effectiveness of the licensee's physical protection program, and contingency event response by all individuals with responsibilities for implementing the safeguards contingency plan. These drills and exercises are vital components of a</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	comprehensive training program that enables the security force to gain experience and test personnel performance abilities in tactics, the site's protective strategy, and individually assigned duties and group activities within the contingency response plan.		
Section 5.1	<p>Tactical Response Drills and Force-on-Force Exercises</p> <p>As described in Section VI, paragraph C.3.(l)(1) of Appendix B to 10 CFR Part 73, each member of each shift who is assigned duties and responsibilities that are required to implement the safeguards contingency plan and licensee protective strategy participates in at least one tactical response drill quarterly and one FOF exercise annually.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.1.1	Individuals designated as a component of the protective strategy may participate in any of the following roles to satisfy this requirement as a drill participant: security shift supervisor, response team leader, alarm station operator, armed responder, and armed security officer.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.1.2	The triennial FOF exercise conducted by the NRC may be counted towards the annual FOF exercise(s) for those contingency response personnel that participate in the exercise.	This is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.2	<p>Types of Tactical Response Drills and Force-on-Force Exercises</p> <p>As described in Section VI, paragraph C.3.(d) of Appendix B to 10 CFR Part 73, tactical response drills and FOF exercises must be designed to challenge the site protective strategy against elements of the DBT and ensure that each participant assigned security duties and responsibilities identified in the Commission-approved security plans, the licensee protective strategy, and implementing procedures demonstrate the requisite knowledge, skills, and abilities.</p>	This is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.2, 2 nd Paragraph	As described in Section VI, paragraph C.3 of Appendix B to 10 CFR Part 73, drills and exercises are training activities that focus on maintaining and improving the	This does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	knowledge, skills, and capabilities of the individual or the group and thus must be part of the ongoing training provided to the security force personnel.		
Section 5.2, 3 rd Paragraph	As described in Section VI, paragraph C.3.(f) of Appendix B to 10 CFR Part 73, the scope of tactical response drills conducted for training purposes shall be determined by the licensee; must address site specific, individual or programmatic elements; and may be limited to specific portions of the site protective strategy. Drill plans and drill documentation must clearly identify the elements to be evaluated.	This is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.2.1	Tactical response drills provide a structured process to train personnel and evaluate key elements of the protective strategy by focusing on specific aspects of the strategy without conducting a fully integrated FOF exercise.	This does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.2.2, 1 st Paragraph	(a) Tabletop drills are performed to demonstrate the protective strategy using a mockup of the facility. Tabletop drills allow security		Retain current language " <i>Tabletop drills</i> are performed to demonstrate the protective strategy using a mockup of the facility. Tabletop drills allow security force members to

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>force members to demonstrate their understanding of the protective strategy and their individual response requirements. This type of drill may also be used as an evaluation tool for the protective strategy.</p>		<p>demonstrate their understanding of the protective strategy and their individual response requirements. This type of drill may also be used as an evaluation tool for the protective strategy.”</p>
	<p>(b) Timeline drills are performed to demonstrate the response timelines established for the protective strategy. Drills can be used to test either the validity of the timelines established for the protective strategy or to test the ability of the security response personnel to respond to their assigned response position within the established timeline.</p>		<p>Retain current language “<i>Timeline drills</i> are performed to demonstrate the response timelines established for the protective strategy. Drills can be used to test either the validity of the timelines established for the protective strategy or to test the ability of the security response personnel to respond to their assigned response position within the established timeline.”</p>

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>(c) Limited-scope tactical response drills are performed to evaluate the ability of one or more security response force members to effectively implement their protective strategy responsibilities. These drills are conducted as needed for each individual, group, or shift to validate and test the protective strategy.</p>		<p>Retain current language "<i>Limited-scope tactical response drills</i> are performed to evaluate the ability of one or more security response force members to effectively implement their protective strategy responsibilities. These drills are conducted as needed for each individual, group, or shift to validate and test the protective strategy."</p>
Section 5.2.3	<p>The structure of a drill or exercise must ensure that it provides a credible, realistic, and comprehensive test of the elements of the protective strategy objectives that the drill or exercise was designed to achieve. Tactical response drills, FOF exercises, and associated contingency response training shall be conducted under conditions that simulate, as closely as practicable, the site-specific conditions under which each member of the security organization will, or may be, required to perform assigned duties and responsibilities. The drill plan and scenarios used should ensure the satisfaction of the key program elements addressed in this section of the RG. Other program elements that support the</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	key program elements should also be considered in the development of drill plans and scenarios to test, evaluate, and improve these areas. Section 5.4 of this RG gives examples of these elements.		
Section 5.2.4	FOF exercises are an integrated response exercise that includes the participation of the licensee's response force executing the protective strategy against an opposing force with the characteristics and attributes of the DBT. FOF exercises are designed to train and/or evaluate response force personnel on the complete implementation of the licensee's protective strategy and the evaluation and improvement of that strategy against the characteristics and attributes of the DBT.		Retain current language "FOF exercises are an integrated response exercise that includes the participation of the licensee's response force executing the protective strategy against an opposing force with the characteristics and attributes of the DBT. FOF exercises are designed to train and/or evaluate response force personnel on the complete implementation of the licensee's protective strategy and the evaluation and improvement of that strategy against the characteristics and attributes of the DBT."
Section 5.2.5, 1 st Paragraph	Three types of exercises are described below: a) fully integrated FOF exercises, b) security response FOF exercises, and c) limited scope FOF exercises. The fully integrated exercise is used to qualify the minimum number of response force personnel as identified in the site-specific security plan. Following participation as players and		Change this section to read: (a) Fully integrated FOF exercises. These exercises consist of a planned response effort across various plant disciplines involving one or more of the following local law enforcement agency (LLEA), security, plant operations, or any other disciplines to help mitigate or minimize the threat.

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>satisfying their qualification requirements in the fully integrated exercise, these individuals can be credited for participation in security response and limited scope exercises to fulfill exercise and/or drill requirements for other positions they may be assigned. Individuals not participating as players in the fully integrated exercise are required to participate as players in security response exercises for the purpose of maintaining their qualifications. The limited scope exercise is applicable only to those few individuals not able to participate in fully integrated or security response exercises because of illness, family leave, military deployment, or other unavoidable circumstances keeping the individuals from fulfilling the requirements of Section 5.3 of this guide, which further discusses player participation in these drills.</p>		<p>Change the last sentence in the first paragraph to match 5.3.3. should read "The limited scope exercise is applicable only to those few individuals not able to participate in fully integrated or security response exercises because of illness, family leave, military deployment, or other circumstances keeping the individuals from fulfilling the requirements of Section 5.3 of this guide, which further discusses player participation in these drills."</p>
	<p>5.2.6 The licensee should ensure that at least one fully integrated site FOF exercise is conducted annually or more frequently, where the need is indicated, to ensure proficiency in integrated response for an actual event or NRC-evaluated exercise.</p>	<p>Leave as currently written.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.3 1 st Paragraph	5.3 Defining Participation As described in Section VI, paragraph C.3.(l)(1) of Appendix B to 10 CFR Part 73, each member of each shift who is assigned duties and responsibilities required to implement the safeguards contingency plan and licensee protective strategy must participate in at least one tactical response drill quarterly and one FOF exercise annually.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.3, 2 nd Paragraph	In accordance with 10 CFR 73.55(d)(3), the licensee may not permit any individual to implement any part of the physical protection program unless the individual has been trained, equipped, and qualified to perform their assigned duties and responsibilities in accordance with Appendix B to 10 CFR Part 73 and the licensee's Training and Qualification Plan.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.3, 3 rd Paragraph	As described in Section VI, paragraph C.3.(h) of Appendix B to 10 CFR Part 73, licensees shall document the scenarios and participants for all tactical response drills and annual FOF exercises.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.3.1	Individuals designated as a component of the protective strategy should participate in one of the following roles to satisfy the participation requirement as a player: security shift supervisor, response team leader, alarm station operator, armed responder, or armed security officer.	<p>Shift Supervisor is new language in this section.</p> <p>If the Shift Supervisor does not have actions associated with Appendix Charlie and or implementation of the Protective Strategy they would not need to meet the participation requirement.</p> <p>Persons who would participate should be determined by the licensee based on the requirements as identified in the defensive strategy.</p>	
Section 5.3.2	Individuals who are trained and qualified to perform contingency duties for multiple-response team duty positions must participate annually as a player in drills or exercises for each position for which they are qualified. This requirement can be satisfied by participating in each position during the course of four quarterly drills and one annual exercise during the year (e.g., a security force member can serve as a response team leader in the first quarter drill, a central or secondary alarm station operator during the second quarter drill, and an armed responder in the annual exercise). An armed security officer (who is	<p>The following is new language:</p> <p>An armed security officer (who is also qualified as an armed responder) who has participated in the quarterly response drills and annual force-on-force exercise has met the requirements and need not participate in separate drill and exercises as an armed responder.</p> <p>It is vague and confusing.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>also qualified as an armed responder) who has participated in the quarterly response drills and annual force-on-force exercise has met the requirements and need not participate in separate drill and exercises as an armed responder. During the 3-year training cycle, this participation should be rotated so that the security force member gains experience in each position in various drills and exercises.</p>		
Section 5.4	Key Program Elements		
Section 5.4.1	<p>The licensee should use the following key program elements of the protective strategy in developing scenarios for tactical response drills and FOF exercises to demonstrate an effective protective strategy.</p> <p style="padding-left: 40px;">(a) Responding with sufficient number of security personnel. The licensee has the required number of response personnel to effectively implement the protective strategy.</p> <p style="padding-left: 40px;">(b) Responding within appropriate timelines. Response personnel have adequate time to reach their response positions in</p>	<p>Section (d) is new language made up of part of Key Element 1 and 5 that causes (d) to be overly prescriptive.</p> <p>Section (f) is a new Key Element which is unnecessary as it is a part of the total of the other 5 Key elements</p> <p>The current NEI 03-12 template only has 5 Elements addressed and the addition of an additional element will require a change to the Template.</p> <p>There should be a reference to the rule language that supports the determination of what the key elements are as stated in 5.4.1</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>advance of the adversary timelines.</p> <p>(c) Responding to protected positions. Response personnel use appropriate protection and cover.</p> <p>(d) Providing defense-in-depth. Response personnel are able to protect the site from an adversary attack in accordance with the DBT and protect target set components from being sabotaged by an adversary force seeking to cause core damage and/or sabotage spent fuel.</p> <p>(e) Responding with appropriate armament. Response personnel are supplied with, or have readily available, the weapons and equipment necessary to execute their responsibilities and are appropriately trained and qualified in the use of the weapons and equipment.</p> <p>(f) Providing a command and control structure. Response personnel have appropriate communication capabilities to ensure that decisions and actions are coordinated and</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	communicated in a timely manner to facilitate response.		
Section 5.4.2	<p>To be an effective evaluation tool, each tactical response drill should include at least one of the key program elements identified in section 5.4.1(a) through (f) above. An FOF exercise should include all six key program elements. The following additional program elements also contribute to the successful demonstration of the key elements:</p> <ul style="list-style-type: none"> (a) coordination and planning; (b) command and control; (c) communications; (d) alarm station operations; (e) individual responder tactics; (f) team response tactics; (g) use of deadly force as authorized by federal or state law; (h) alarm assessment and intrusion detection equipment; (i) access control and search equipment; (j) weapons handling and proficiency; (k) controller participation; 	<p>The Security Plans and NEI 03-12 Security Plan Template only list 5 Key Elements the new language in this section will require changes to the Security Plans and the NEI 03-12 Template.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>(l) post-drill briefing and critiques;</p> <p>(m) integrated response (plant operations, LLEA, and/or Emergency Preparedness);</p> <p>(n) proper use of defensive positions; and</p> <p>(o) deployment of responders and equipment.</p>		
Section 5.5, 1 st Paragraph	<p>Drill and Exercise Scenario Development</p> <p>The effectiveness of a drill or exercise as an evaluation tool largely depends on the scenario development phase. To satisfy the requirements of Section VI, paragraph C.3.(d) of Appendix B to 10 CFR Part 73, "Performance Evaluation Program," the proposed scenario must be designed to ensure that it adequately challenges the selected program elements. With a properly planned scenario, the critique and evaluation can provide meaningful insights into the effectiveness of the protective strategy and any enhancements or corrections that may be needed.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p> <p>Guidance on the development should be captured in a separate guidance document.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.5, 2 nd Paragraph	As described in Section VI, paragraph C.3 of Appendix B to 10 CFR Part 73, the licensee must develop a scenario to support the conduct of each drill or exercise.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.5.1	The scenarios should be designed to encourage open decision-making consistent with the protective strategy. In some cases, the scope of a drill may be more narrowly focused and not involve an adversary team. In those cases, only the relevant planning elements need be included. During scenario planning, attention to the key program elements is essential to the effectiveness of the drill or exercise as an evaluation tool. The design of the scenarios must ensure that they evaluate the effectiveness of the licensee's protective strategy. Since drills or exercise scenarios are developed based upon the licensee's protective strategy, they are typically considered Safeguards Information and controlled in accordance with 10 CFR 73.21.	Guidance on the development should be captured in a separate guidance document.	
Section 5.5.2	The licensee should implement a process that ensures changes to the configuration of established equipment and systems related to	This is new language and pushes to the development and conduct of drills and exercises in different modes of operation.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>target set components are considered in the licensee's scenario development for drills and FOF exercises. The scenario package(s) should ensure that the licensee has designed and developed drills and exercises that take into account all modes of operation (i.e., operating at power, refueling, other major maintenance activities). In addition, the licensee should consider the impact that various modes of operation have on the licensee's protective strategy; specifically, the impact that these modes of operation have in the following areas:</p> <ul style="list-style-type: none"> (a) responder timelines and positioning; (b) potential compensatory posts; (c) changes in the configuration of delay barriers; (d) temporary modifications to the security plan to support activities that impact the safety/security interface; (e) effects on fields of fire; or (f) changes to target sets. 	<p>The level of simulation for the plant conditions, additional manning for compensatory measures, and changes in plant environment with Safety Security Interface inferences all involved.</p> <p>Guidance on the development should be captured in a separate guidance document.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.6	Identification of Target Sets		
Section 5.6.1	<p>Drill and exercise scenarios should also be developed with target sets as a basis for the scenario. Target sets selected for a drill or exercise should pose the greatest challenge to the protective strategy. Target sets that have a small number of components, that are easily accessible, or whose component locations are in close proximity may be considered "attractive" target sets and may be an optimum choice for a drill or exercise scenario. Scenarios involving attractive targets generally can be the basis of improvements to physical protection systems and protective strategies.</p>	<p>Guidance on the development should be captured in a separate guidance document.</p>	
Section 5.6.2	<p>The licensee may take credit for operator actions that protect a target set from destruction or disablement only if that operator action is listed as a component of the target set as described in 10 CFR 73.55(f), and is therefore consistent with the criteria of credible operator actions as DG-5043, Page 28 described in RG 5.81, "Target Set Identification and Development for Nuclear Power Reactors." A licensee may not take credit for actions or equipment outside of the predetermined target</p>	<p>Guidance on the development should be captured in a separate guidance document.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>set for the purpose of determining the effectiveness of the protective strategy or the capability of security personnel to carry out their assigned duties and responsibilities. Credit for operator actions within a target set will be given only if the following criteria are met:</p> <ul style="list-style-type: none"> (a) sufficient time is available to implement these actions; (b) environmental conditions allow access where needed; (c) adversary interference is precluded; (d) any equipment needed to complete these actions is available and ready for use; (e) approved procedures exist; and (f) training is conducted on the existing procedures under conditions similar to the scenario assumed. 		
Section 5.7	Simulations and Artificialities		
Section 5.7.1	<p>Drill and exercise scenarios should be developed to challenge the execution of the protective strategy during a variety of environmental and plant conditions. To replicate these conditions, it may be necessary to incorporate certain</p>	<p>Simulation and Artificialities should be captured in the current NEI 05-05</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	artificialities into the drill or exercise scenarios. Plant conditions identified in the scenario may range from operating at power to refueling or other major maintenance activities.		
Section 5.7.2	Environmental conditions identified in the scenarios should include time of day or night, and, if possible, the drill or exercise should be conducted during the time identified to address relative daylight or darkness and various conditions of security readiness. If no acceptable artificialities are available for use or it is unsafe to incorporate the conditions into the drill or exercise scenario, a tabletop method may be used to simulate that condition, consistent with the licensee's site specific analysis for how that specific condition affects implementation of NRC requirements.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.7.3	The scenario may also need to include other intricate artificialities to simulate actions and activities that cannot actually be performed for reasons of practicality and the safety of personnel and plant equipment.	Simulation and Artificialities are captured in the current NEI 05-05	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.7.4	<p>During scenario development, activities such as the use of firearms with blank ammunition and the use of mock explosive devices, and the presence of drill or exercise participants in certain areas should be considered to ensure the continued safe operation of the plant and the safety of personnel. Drill and exercise scenarios should be developed to accommodate overall safety through the incorporation of acceptable artificialities to simulate the occurrence of these actions and activities (e.g., the inclusion of task times, timeouts, tabletop exercises). Additional discussion may be found in RG 5.74 (Ref. 13), "Managing the Safety/Security Interface."</p>	<p>This is captured currently in NEI 03-11 and should be in a separate guidance document</p>	
Section 5.7.5	<p>Simulations and artificialities may apply to both armed responders and mock adversaries and should be thoroughly integrated and accounted for during the planning process. To enable controllers to properly inject simulations and artificialities into the scenario and oversee the actions resulting from them, the licensee's drill and exercise scenario matrix should incorporate specific guidance for simulations and artificialities. The</p>	<p>Simulation and Artificialities are captured in the current NEI 05-05</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	licensee should try to minimize the number of simulations and artificialities in the development of scenarios to ensure that each scenario provides an accurate performance standard.		
Section 5.8	Cautions and Restrictions		
Section 5.8.1	<p>Certain areas of the plant, such as the control room and areas where work is ongoing may be considered off limits to drill or exercise activity. Participants should receive this information at the drill or exercise briefing along with details of how the activities will be simulated or affected by these areas being off limits to drill or exercise activity. In addition, the following should be treated with special awareness during drill and exercise planning:</p> <ul style="list-style-type: none"> (a) areas with sensitive plant equipment; (b) personnel safety; (c) radiological controls; (d) foreign material exclusion areas; and (e) confined space areas. 	<p>Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.9	5.9 Communications		
Section 5.9.1	The means of communication for the drill or exercise activity should be designated during the preparation phase. Planning for communication needs should consider plant operations, the on duty security force, the participants, the controllers, and the adversaries, as well as a means to communicate the conduct of the drill or exercise to all plant personnel.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.10	Scheduling and Planning As described in Section VI, paragraph C.3.(l)(2) of Appendix B to 10 CFR Part 73, planners must ensure that the drill or exercise scenario maintains consistency with the DBT of radiological sabotage established by the Commission. The mock adversary force used in either FOF or licensee exercises must replicate, as closely as possible, the adversary characteristics and capabilities of the DBT, and be capable of exploiting and challenging the licensee's protective strategy, personnel, command and control, and implementing procedures.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.10.1	The licensee should consider developing and maintaining a schedule that supports the drill or exercise plan to ensure the efficiency and productivity of drills and exercises. In schedule development, the licensee should consider factors such as projected station outage schedules, requalification requirements, and FOF tactical exercise requirements.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.10.2	An effective program schedule would provide a detailed listing of the following: (a) type of drills/exercises to be conducted; (b) when the drills/exercises will be conducted; (c) key program elements or evaluation standards to be satisfied by the planned evolution; and (d) the participants in the evolution.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.10.3	The licensee should consider use of a structured plan to assist in the coordination, execution, and documentation of activities associated with the drill and exercise process. The plan can provide consistency to the process	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>and help ensure satisfaction of all program requirements. The plan is also the foundation of the remainder of the drill or exercise documentation. The drill or exercise plan should address the following:</p> <ul style="list-style-type: none"> (a) drill or exercise specifics (number, date, shift/personnel involved, location); (b) pre-notifications (operations, radiation protection, station management, etc.); (c) safety briefings; (d) radiological briefings; (e) specific drill objectives or key elements evaluated; (f) participants (players, controllers, adversaries); (g) adversary characteristics (equipment, tactics, actions taken, target, etc.); (h) scenario being used; (i) sequence of events (event description, anticipated response, estimated timelines); (j) development of a controller matrix (written scenario for controllers) to outline scenario events; (k) simulations and 		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	artificialities to be considered or integrated into the evolution safety review; (l) adversary briefings (providing details of the scenario, equipment used, routes, targets, etc., and allowing for intelligence-gathering from an insider); (m) controller/evaluator briefings (scenario, assignments, simulations, cautions, concerns, etc.); (n) equipment consideration; (o) initial plant/security status; and (p) what security personnel assignments are being tested.		
Section 5.10.4	In planning the drill or exercise, it is important for the integrity of the process that the confidentiality of the scenario be maintained.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.11	Command and Control of Drills and Exercises		
Section 5.11.1	A system of command and control is necessary to ensure maintenance of an environment free of the	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>recognized hazards associated with tactical drills and exercises. The command and control system helps to ensure that the rules of engagement are followed and hazards and safety concerns are appropriately addressed. Industry experience in the conduct of tactical drills and exercises as well as emergency preparedness exercises have demonstrated the need for a structured command and control process. This structure includes the reporting relationship of all controllers to the lead controller.</p>	<p>the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.</p>	
<p>Section 5.11.2, 1st Paragraph</p>	<p>All tactical drills and exercise activities must be regulated by controllers and should be conducted under the guidance and supervision of a lead controller.</p>	<p>Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.</p>	
<p>Section 5.11.2, 2nd Paragraph</p>	<p>As described in Section VI, paragraph C.3.(I)(4) of Appendix B to 10 CFR Part 73, drill and exercise controllers must be trained and qualified to ensure that each controller has the requisite knowledge and experience to control and evaluate exercises.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.11.3	Licensees should ensure that the training program established for drill and exercise controllers includes a safety component that articulates the licensee's personnel safety considerations for drills and exercises.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.11.4	An exercise command and control system depends on a cadre of qualified personnel selected and specifically trained to conduct tactical drills and exercises. In addition to being trained to oversee exercises, controllers should receive training commensurate with the scope, complexity, and special nature of the activity.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.11.5	A controller's primary responsibility is ensuring safety during drill or exercise engagement. The controller organization should be structured in a manner that facilitates the control of all affected locations and the control and coordination of all events to be initiated during an exercise.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.12, 1 st Paragraph	Controller Training and Qualification Process As described in Section VI,	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	paragraph C.3.(l)(4) of Appendix B to 10 CFR Part 73, drill and exercise controllers must be trained and qualified to ensure that each controller has the requisite knowledge and experience to control and evaluate exercises.		
Section 5.12, 2 nd Paragraph	The following sections provide a basic overview of an acceptable process to ensure consistent development and implementation of controller training and qualification. These sections also describe the training feedback process to ensure continual improvement in both industry wide and site-specific training programs.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.12.1	5.12.1 The goals of the process are the following: (a) establish a common baseline of controller knowledge, skills, and abilities; (b) identify and respond to station and industry controller performance gaps; (c) facilitate peer sharing of controller resources for exercise activities; and (d) provide a feedback loop to support continual	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	improvement in controller performance.		
Section 5.13	<p>Controller Knowledge and Experience</p> <p>As described in Section VI, paragraph C.3.(l)(4) of Appendix B to 10 CFR Part 73, each controller shall have the knowledge and experience to control and evaluate exercises /drills.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.13.1	<p>This includes the ability to:</p> <ul style="list-style-type: none"> (a) Provide timely and accurate information to drill players and participants to ensure consistent and orderly continuation of the drill or exercise in line with the scenario. (b) Evaluate the application of the no-play area (to include radiation boundaries) and control measures. (c) Evaluate tactical decisions and movements made by the mock adversary force to include alternate avenues of approach, entry points, targets of opportunity, and control measures and tools required to facilitate entry. 	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>(d) Evaluate the application of the use of cover and concealment to include natural and fabricated defensive positions by all exercise players. This includes defensive positions and/or re-deployment, if required by the exercise.</p> <p>(e) Evaluate the tactical use of exercise weapons comprising their effective range and capabilities, including fields-of-fire.</p> <p>(f) Evaluate the application of target identification, acquisition, and engagement by players.</p> <p>(g) Evaluate the tactical use of hand-carried explosive devices on equipment and personnel and their effects upon detonation.</p> <p>(h) Evaluate the effectiveness of body armor employed by players and its ballistic protection during the exercise.</p> <p>(i) Evaluate the effectiveness of gas masks, or other supplemental gear, employed during the conduct of the exercise.</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.13.2	<p>All controllers need to be aware of the entire exercise scenario, including the actions expected of the participant they are monitoring. The controller should evaluate actions that deviate from the expected scenario to ensure that the intent of the exercise scenario is being realized. In addition, licensees should also consider requiring that controllers have knowledge and experience in the following areas:</p> <ul style="list-style-type: none"> (a) the use and understanding of the dispersal and effects of chemical agents and smoke grenades; (b) the gas mask used and its limitations; (c) the overall procedure for conducting FOF exercises, including the use of Multiple Integrated Laser Engagement System (MILES) equipment; (d) applicable site-specific delay barriers and movement timelines; (e) the site's policy on use of deadly force; and (f) exercise and site safety procedures. 	<p>Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.14, 1 st Sentence	<p>Training Design, Development, and Implementation</p> <p>As described in Section VI, paragraph C.3.(l)(4) of Appendix B to 10 CFR Part 73, all controllers shall complete controller training before participating as a controller in any drill or FOF exercise.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.14, 2 nd Sentence	As described in Section VI, paragraphs C.1.(b) and D.2 of Appendix B to 10 CFR Part 73, controllers shall complete initial or refresher training within the 12 months preceding their participation in an annual FOF exercise to ensure currency of controller knowledge and familiarity with industry and station controller issues.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.14.1	<p>Licensees should develop controller training lesson plans and learning objectives for initial and refresher controller training. The controller training program should include, but not be limited to, the following:</p> <ul style="list-style-type: none"> (a) procedures, guidelines, and references; (b) introduction/history; (c) safety and safe drill play; (d) communication (primary and alternate); 	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>(e) terminology; (f) command and control; (g) providing acquired information to players; (h) controller knowledge; (i) position and exercise pace; (j) rules of engagement and the use-of-force; (k) use and effects of explosives; (l) rules of conduct; (m) MILES equipment and limitations; (n) site exclusion areas; (o) temporary breaks in drill execution; (p) response team duties; (q) critique process; and (r) use and control of safeguards information.</p>		
Section 5.14.2	<p>The training, at a minimum, should include site-specific information (e.g., industrial safety requirements, weapons handling safety requirements, radiological safety, delay barrier movement timelines, and use of state laws related to use of deadly force). It should also include example scenarios and/or practical demonstrations related to controller activities and calls such as</p>	<p>Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>the following:</p> <ul style="list-style-type: none"> (a) drill timeline coordination (situational awareness and proper cue injects); (b) cover and concealment assessment; (c) MILES equipment usage and safety; (d) red (training) gun equipment usage, application, and safety; (e) use of assigned equipment; (f) target set equipment; (g) licensee protective strategy; (h) simulations related to gas masks; (i) simulations related to smoke or other chemical agents (e.g., CS gas (chlorobenzylidenemalonitrile), CN gas (chloroacetophenone)); (j) weapons/explosives capabilities and simulation methods; and (k) safety control. 		
Section 5.14.3	<p>Controllers should maintain proficiency by routine participation in station FOF exercises.</p>	<p>Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
		the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.14.4	In addition to the described training, the selection of controllers for specific assignments must consider previous experience, skills, and physical abilities. For example, an adversary controller for a FOF exercise should have previously functioned in that position and have the physical capabilities to remain with the adversary force. The controller briefing for FOF exercises should include just-in-time training to remind controllers of specific situational calls, safety issues, and critical communications that they could encounter during the scenario.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.14.5	The level of support needed for the conduct of a drill will be significantly less than for an exercise, depending on the complexity of the drill. The licensee may consider the following positions of responsibility and personnel when planning for drills and exercises: (a) Lead Controller - the exercise leader with an overall knowledge of security	This section provides no actionable guidance. This section should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>shift operations. This individual may be selected from the security staff or other organization as appropriate.</p> <p>(b) Controllers - designated individuals assigned to specific participants or areas that have the necessary training to observe, evaluate, and control the drill or exercise activities of their assigned participant or control area.</p> <p>(c) Adversaries - appropriately equipped and trained mock attackers with the required physical abilities to engage the licensee exercise participants in an armed attack to test their ability to defend against the DBT. Within the control and safety parameters established for the exercise, the adversary team will actually perform the normal physical and tactical activities (i.e., movement, communication, and carrying of simulated explosives and equipment) required to accomplish their assigned</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>mission. To execute such operations and tactics, it is essential that adversary team members are trained in small-unit tactics and scenario planning. In addition, the adversary team should be provided with sufficient time to prepare for the mission (this includes scenario planning and rehearsal opportunities). Typically, the adversary force is from the licensee's security force, from other nuclear plants, or from local law enforcement tactical response units.</p> <p>(d) Insider - a knowledgeable individual who provides inside intelligence information to the mock adversaries. This individual could be a member of the plant technical staff, operations staff, or the security force. Before a drill or exercise, sufficient time should be allotted for the adversary team to gain intelligence information from the insider.</p> <p>(e) On-Duty Security Force - non-drill personnel who are</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>used during an FOF tactical exercise to ensure that the exercise meets all requirements identified in the site-specific physical security plan and procedures.</p> <p>(f) Central Alarm Station (CAS)/Secondary Alarm Station (SAS) Participants – security force members stationed in the alarm stations who will perform CAS/SAS duties as drill participants during the drills and exercises. They will be briefed on drill conditions as required.</p> <p>(g) Security Drill or Exercise Players - security responders who respond to the mock security contingency event (i.e., response team leaders, alarm station operators, armed responders, and armed security officers designated as a component of the protective strategy).</p> <p>(h) Plant Operations Participant(s) - individual(s) who would normally be assigned to a command and control function. Plant operations personnel should</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>participate when significant simulated plant operations are expected from the scenario. Only plant operator actions listed in a target set should be used in determining whether an entire target set was compromised. If credit is taken for plant operator actions, an evaluation must be conducted to ensure that actions credited as part of the target set for mitigation or recovery are achievable under the postulated scenario conditions.</p>		
Section 5.14.6	<p>Licensees should ensure that sufficient documentation has been retained to demonstrate that training has been completed for exercise controllers.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 5.15	<p>Mock Adversary Force Member Training and Qualification Process</p>	<p>Section 5.15 should be deleted in its entirety. 10 CFR Part 73 is silent on the composition and qualifications of the mock adversary force. This should be addressed by industry guidance if deemed necessary.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.15.1	<p>The following sections provide the training performance standards that are necessary to ensure that mock adversary force (MAF) performance is credible and sufficiently well-trained in order to participate in challenging FOF exercises that simulate, as closely as practicable, the specific conditions under which security personnel shall be required to perform assigned duties and responsibilities. These adversary performance standards are essential to creating realistic challenges as a basis for effective evaluation of a licensee's contingency response performance capabilities during FOF exercises. This section provides a basic overview of an acceptable process to ensure consistent development and implementation of MAF training and qualification.</p> <p>This section also describes the training feedback process to ensure continual improvement in both industry wide and site-specific training programs.</p> <p>The goals of the process are:</p> <ul style="list-style-type: none"> (a) establish a common baseline for MAF knowledge, skills, and abilities; (b) identify and respond to 	<p>This section describes general objectives but no guidance and therefore should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>site and industry MAF performance gaps and generic issues;</p> <p>(c) facilitate peer sharing of MAF resources for exercise activities; and</p> <p>(d) support continual improvement in controller performance.</p>		
Section 5.15.2	5.15.2 The following physical qualifications should be maintained by MAF members:		
Section 5.15.2, 1 st Paragraph	(e) Annual medical examination by a licensed physician to certify that the individual is physically fit and able to perform under high levels of stress in inclement weather and/or during strenuous physical exertions without undue foreseeable medical risks.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.15.2, 2 nd Paragraph	(f) Each MAF member should report any known or suspected change in health or physical capabilities that might impair his or her mental or sensory capacity and/or agility or otherwise impact their safe and effective performance.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.15.2, 3 rd Paragraph	(g) The MAF member should possess the mental, sensorial, and motor skills required to safely and effectively perform all assigned tasks. Medical qualifications should include (1) mental alertness and reliable judgment; (2) acuity of senses and ability of expression sufficient to allow accurate communication by written, spoken, audible, or other signals; and (3) motor power, range of motion, neuromuscular coordination, and dexterity.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.15.2, 4 th Paragraph	(h) After medical certification by a licensed physician, each MAF candidate should meet the physical fitness standards of being able to run (1) a mile in a maximum qualifying time of 8.5 minutes and (2) a 40-yard prone-to-run dash with a maximum qualifying time of 8 seconds.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.15.2, 5 th Paragraph	(i) The MAF should be physically capable of performing or simulating DBTs in an effective and	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	timely manner.	requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.16	<p>Mock Adversary Force Member Knowledge, Skills, and Abilities</p> <p>As described in Section VI, paragraph C.3.(l)(2) of Appendix B to 10 CFR Part 73, the MAF must replicate, as closely as possible, adversary characteristics and capabilities of the DBT and be capable of exploiting and challenging the licensees protective strategy, personnel, command and control, and implementing procedures.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.16.1, 1 st Paragraph	(a) Demonstrate qualifications consistent with the requirements applicable to an Armed Responder as provided in Section VI of Appendix B to 10 CFR Part 73. The licensee should ensure that site-specific requirements needed to ensure individual MAF member performance or participation in site activities have been completed prior to performance or participation in any site activity.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.16.1, 2 nd Paragraph	(b) Demonstrate competency in individual and team tactical movement under both day and night conditions and in various environmental conditions.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.16.1, 3 rd Paragraph	(c) Demonstrate tactical communication skills (e.g., radio discipline, use of hand signals) that include providing timely and accurate information to the controllers to ensure consistent and orderly continuation of the drill or exercise in line with the scenario. This includes demonstration of techniques for authenticating human assets (e.g., authentication code, color-coded identification).	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.16.1, 4 th Paragraph	(d) Understand the entire exercise scenario up to and including the DBT. This includes positioning and exercise/drill pace (timelines).	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.16.1, 5 th Paragraph	(e) Understand the application of the no-play area (to include radiation boundaries), areas described in Section 5.8 of this RG, and control measures.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.16.1, 6 th Paragraph	(f) Implement adversary tactics, techniques, and tactical decisions to include alternate avenues of approach, entry points, targets of opportunity, and control measures and tools required to facilitate entry. This should include door breaching and dynamic room entries.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.16.1, 7 th Paragraph	(g) Demonstrate the application of the use of topical analysis (water, woodland, industrial) and tactical maneuvers in each of these environments, taking advantage of cover and concealment opportunities. This may include the use of smoke.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance. NEI believes the desired adjective is "topographical", not "topical". If not, please clarify intent.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.16.1, 8 th Paragraph	(h) Demonstrate the tactical use of drill/exercise equipment and weapons, including their effective range and capabilities (including specialized equipment and weapons).	<p>10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.</p> <p>The intent of this objective is unclear. For example, how does one demonstrate the effective range of a weapon? Without understanding the intent of this objective it is not possible to offer alternative language.</p>	
Section 5.16.1, 9 th Paragraph	(i) Understand target identification, acquisition, and engagement by players, including rules of engagement.	<p>10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.</p> <p>The intent of this objective is unclear. Without understanding the intent of this objective it is not possible to offer alternative language.</p>	
Section 5.16.1, 10 th Paragraph	(j) Demonstrate the tactical use of hand-carried explosive devices and grenades on equipment and personnel and their effects upon	<p>10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by</p>	Proposed alternative language, if retained - (j) Demonstrate the tactical use of hand-carried explosive devices and grenades on equipment and personnel and <u>describe their effects</u>

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	detonation. This should include the placement of door charges and equipment charges.	regulation. This paragraph should be stricken from the regulatory guidance.	upon detonation. This should include the placement of door charges and equipment charges.
Section 5.16.1, 11 th Paragraph	(k) Understand the effectiveness of body armor employed by players and its ballistic protection during the exercise.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	Proposed alternative language, if retained - (k) Demonstrate knowledge of the effectiveness of body armor employed by players and its ballistic protection capabilities.
Section 5.16.1, 12 th Paragraph	(l) Understand the rapid, violent, individual and small-unit movement, maneuver, and attack characteristics.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	Proposed alternative language, if retained - (l) Demonstrate individual and small-unit movement, maneuver, and attack techniques.
Section 5.16.1, 13 th Paragraph	(m) Understand the techniques to test/defeat detection and assessment sensors and barriers, including microwave (mono and biostatic), E-field, buried sensors (e.g., seismic), infrared (active and passive), and video motion detector.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance. The industry does not believe the mock adversaries need to be	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
		equipped with this knowledge to complete their objectives and additionally, the industry does not believe that it is in the best interest of the industry to widely disperse potential system vulnerabilities.	
Section 5.16.1, 14 th Paragraph	(n) Understand the use, effects, and dispersal characteristics of chemical agents and smoke grenades.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.16.1, 15 th Paragraph	(o) Understand the gas mask being used and its limitations in a stressful environment.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance. How does one understand a gas mask?	
Section 5.16.1, 16 th Paragraph	(p) Understand operational planning including the analysis of a site-protective posture and in planning a mission with available resources (e.g., collusion with an insider).	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
		The industry does not believe the mock adversaries need to be equipped with this knowledge to complete their objectives. Mission planning is accomplished by other individuals.	
Section 5.16.1, 17 th Paragraph	(q) Understand the differences between the various types of insiders and how to use each type of insider effectively to obtain intelligence information and collect data.	<p>10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.</p> <p>The industry does not believe the mock adversaries need to be equipped with this knowledge to complete their objectives.</p>	
Section 5.16.1, 18 th Paragraph	(r) Understand the use of MILES equipment.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.16.1, 19 th Paragraph	(s) Understand red gun equipment usage, application and safety.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
		requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.16.1, 20 th Paragraph	(t) Demonstrate firearms knowledge, including safety, marksmanship, and manipulation skills with all weapons described in the DBT, or that might reasonably be expected to be deployed. Training should include a course of fire to enhance proficiency to shoot on the move and while wearing a gas mask. Firearms training should also include manipulation and malfunction-clearing techniques, fire discipline, and precision-shooting techniques.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.16.1, 21 st Paragraph	(u) Demonstrate firearms proficiency with a minimum of 80-percent accuracy with all types of weapons that might reasonably be employed during FOF exercises. The five types of firearms qualification courses for MAF are (1) semi-automatic rifle	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance. This section effectively requires	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	(both daylight and reduced lighting); (2) submachine gun (both daylight and reduced lighting); (3) light machine gun; (4) precision rifle (both daylight and reduced lighting); and (5) a shoot-on-the-move course with weapons included in the DBT. Refer to Section 11, "Firearms Qualification Courses," of this document for acceptable firearms qualification courses.	licensees apply for enhanced weapons and preemption authority under 10 CFR 73.18 and 73.19 (not yet published) to acquire an FFL license and to purchase and maintain fully automatic weapons for the sole purpose of training mock adversaries with no measurable benefit to the licensee or the licensees program. Acquisition of Enhanced Weapons and Preemption Authority would also require licensees to conduct additional, unwarranted background investigations.	
Section 5.16.1, 22 nd Paragraph	(v) Understand applicable site-specific delay barriers and movement timelines.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	Proposed alternative language, if retained - "(v) Understand function, design, and capabilities of applicable site-specific delay barriers."
Section 5.16.1, 23 rd Paragraph	(w) Understand the site's policy on the use of deadly force.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.16.1, 24 th Paragraph	(x) Understand exercise and site safety procedures including procedures, guidelines and references, and the procedures for the use and control of safeguards information.	10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.	
Section 5.17	Mock Adversary Force Member Training Design, Development, and Implementation	<p>Section 5.17 should be deleted in its entirety. 10 CFR Part 73 is silent on the composition and qualifications of the mock adversary force. This should be addressed by industry guidance if deemed necessary.</p> <p>If this guidance is to remain, then licensees training should develop their training programs following the SAT process.</p>	
Section 5.17.1	<p>The site adversary training program should build upon the following learning objectives:</p> <ul style="list-style-type: none"> (a) The adversary force training, knowledge, and skills as described in 10 CFR 73.1; (b) Rules of engagement; and (c) Adversary characteristics as described in 10 CFR 73.1 and the DBT. 	Section should be deleted in its entirety. 10 CFR Part 73 is silent on the composition and qualifications of the mock adversary force. This should be addressed by industry guidance if deemed necessary.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.17.2, 2 nd Paragraph	<p>(a) MAF training should include site-specific information, industrial safety requirements, weapons safety requirements, radiological safety, delay barrier movement timelines and use of deadly force. It should also include example scenarios and/or practical demonstrations related to MAF activities such as the following:</p> <ul style="list-style-type: none"> (1) drill timeline coordination (situational awareness and proper cue injects); (2) cover and concealment assessment; (3) individual and team tactical movement; (4) physical security systems and barriers; (5) any specialized equipment; (6) MILES equipment usage and safety; (7) red gun equipment usage and safety; (8) weapons/explosives capabilities and simulation methods; (9) and safety control. 	<p>10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.</p> <p>If this guidance is to remain, then licensees training should develop their training programs following the SAT process.</p>	
Section 5.17.2, 3 rd Paragraph	<p>(b) All MAF members should complete this basic MAF training before participating in a FOF exercise. Completion of the training</p>	<p>10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this</p>	<p>If retained, 3rd sentence should be revised to read, "To ensure currency of MAF knowledge and familiarity with industry and station controller issues,</p>

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>should be documented. To ensure currency of MAF knowledge and familiarity with industry and station controller issues, MAF members should complete documented initial or refresher training within the 12 months preceding their participation in an annual FOF exercise. Additionally, MAF members should maintain proficiency by routine participation in station FOF exercises.</p>	<p>requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.</p>	<p>MAF members should complete documented initial training, refresher training, or exercise participation on an annual basis.”</p> <p>If retained, 4th sentence should be revised to read, “Additionally, MAF members should maintain proficiency by routine participation in industry FOF exercises.”</p>
<p>Section 5.17.2, 4th Paragraph</p>	<p>(c) In addition to the described training, the selection of MAF members for specific assignments should consider previous experience, skills, and physical abilities. For example, a MAF member for an FOF exercise should have previously functioned in that position and should have the physical capabilities to remain with the MAF. The MAF briefing for FOF exercises should include just-in-time training to remind MAF members of specific situational calls, safety issues, and critical communications that they could encounter during the scenario.</p>	<p>10 CFR 73.55 and Appendix B to 10 CFR 73 are silent on the composition and qualifications for a mock adversary force; therefore this requirement is not supported by regulation. This paragraph should be stricken from the regulatory guidance.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.18	Conduct of Drills and Exercises	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.18.1	Safety during the conduct of drills and exercises is a significant element of the security-training program. Regardless of the scale of the evolution, preparation, coordination, and control are key elements to the effectiveness of a drill or exercise.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.18.2, 1 st Paragraph	To ensure exercise safety and provide consistent and effective performance, the licensee should consider the following criteria when conducting drills or exercises:	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	
Section 5.18.2, 2 nd Paragraph	(a) Weapons/Ammunition Safety — Weapons and ammunition safety is paramount. It is crucial that proper attention is given during exercise planning and performance to ensure that drill participants do not carry or have available live-fire weapons or ammunition. The adversaries and	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>the response force team should use training weapons that are easily identifiable as such. Weapons should be marked so they can be easily identified as training weapons. Live-fire weapons should not be used during drills or exercises. If a live-fire weapon is used, it should be rendered safe and incapable of firing.</p>		
<p>Section 5.18.2, 3rd Paragraph</p>	<p>(b) Exercise Participant Safety—The following criteria should be part of the safety briefing for exercise participants:</p> <ul style="list-style-type: none"> (1) Physical contact should occur only after a participant has been disabled, surrendered, or neutralized and only with the approval of a controller. (2) No attempt should be made to disarm an opponent in any way. (3) All ascents and descents from elevated positions will involve a ladder, stairway, or other safe method. (4) There should be no jumping from one elevation to another. (5) All exercise controllers and participants will be briefed on 	<p>Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>the radiological and industrial safety restrictions and concerns.</p> <p>(6) Participants should monitor their own condition for overexertion.</p> <p>(7) Anyone who observes an injured or ill participant should immediately call a timeout, render assistance, and notify a controller/evaluator or call the CAS or SAS.</p> <p>(8) The lead controller should discuss plant and weather conditions before the start of each exercise and address limitations on running, jogging, or walking.</p> <p>(9) All participants should use personal protective equipment unless otherwise determined by a controller.</p>		
Section 5.18.2, 4 th Paragraph	(c) Initiation and Termination - The lead controller should initiate the exercise with the concurrence of the on duty security supervisor and operations shift manager/supervisor, if applicable. The initiation of the exercise should be communicated on appropriate radio frequencies and/or the plant paging system. The lead controller should conduct radio	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>checks as appropriate to ensure that all controllers are prepared for the initiation or resumption of the drill or exercise. The exercise will be terminated when one or more of the following occur:</p> <ul style="list-style-type: none"> (1) all adversaries are neutralized or have given up the mission; (2) a complete target set has been destroyed; (3) it is determined that an actual condition exists that cannot be quickly corrected or is of such magnitude as to preclude the continuation of the drill; (4) a condition adverse to personnel or plant safety exists; or (5) the lead controller directs that the exercise stop. 		
Section 5.18.3	<p>Participant Responsibilities The licensees should consider including the following criteria in the briefing for participants on their duties and responsibilities associated with the exercise:</p> <ul style="list-style-type: none"> (a) Each participant is personally responsible for his or her safe conduct. (b) Each participant should 	<p>Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.</p>	<p>If retained, revise section to read, "(e) All participants should follow controller commands and requests. Participants should maintain contact with their assigned controller. If during the conduct of the drill or exercise the participant identifies that there is no longer a controller monitoring drill or exercise activity, they should stop, call time out, and</p>

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>monitor his or her condition.</p> <p>(c) Participants who hear an announcement to stop the exercise should immediately stop all exercise activity and maintain their position until they receive additional instructions.</p> <p>(d) Participants will comply with all plant operations, security, and radiation protection requirements. The pre-exercise safety briefing will address radiation protection entry and exit procedures.</p> <p>(e) All participants should follow controller commands and requests. Participants should maintain contact with their assigned controller. If during the conduct of the drill or exercise the participant identifies that there is no longer a controller monitoring drill or exercise activity, they should stop and contact the lead controller. The post-exercise critique should address differences in interpretations of scenario evolutions.</p> <p>(f) After the conclusion of the</p>		<p>contact the lead controller.”</p>

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>drill or exercise and before the critique, all participants should have an opportunity to document their participation in the drill or exercise so that their actions may be discussed and reviewed in the critique process.</p>		
Section 5.18.4	<p>Rules of Conduct The licensees should consider the following rules of conduct as part of the briefing for participants on the conduct of the drill or exercise:</p> <ul style="list-style-type: none"> (a) Safety is paramount. The safety of participants, controllers/evaluators, plant personnel, and the plant should never be compromised. (b) If identifying clothing or items such as armbands are assigned, participants should wear them at all times during the drill or exercise. (c) Participants will follow all instructions given by a controller. (d) Any participant may stop the drill or exercise for safety reasons. The lead controller should determine the resumption of the drill or 	<p>Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. This paragraph is unnecessary and should be deleted.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>exercise.</p> <p>(e) If the drill or exercise is temporarily halted, all participants should stop at their locations, cease all firing and movement, and wait for direction.</p> <p>(f) Once neutralized, a participant should immediately cease all firing, movement, and communications. The participant should remain in place until the drill or exercise is terminated or the controller directs otherwise.</p> <p>(g) Alarm station operators and/or participants may not engage in pre-drill or pre-exercise intelligence gathering. Participants who attempt to circumvent the rules will be removed from the drill or exercise.</p> <p>(h) The controllers/evaluators observing and evaluating the activity should determine all neutralizations. Training equipment, such as MILES gear, can be used to assist in this determination.</p> <p>(i) At the conclusion of each drill or exercise, participants</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>should ensure that all radiological boundary controls are intact and that security doors involved in the drill or exercise are secure.</p> <p>(j) The announcement "this is a drill" should be transmitted immediately preceding the first drill activity once the drill window is opened. This announcement should also be transmitted periodically throughout the drill and before any drill event after a long period of inactivity.</p> <p>(k) To be successful during an exercise, the MAF should actually perform or simulate all actions necessary (including placing simulated explosives at doors, gates, and inside the target areas). If possible, the MAF should perform or simulate all actions necessary (including placing explosives) at the specific location where the equipment damage is intended to occur. If the actual equipment cannot be reached, the MAF may provide specific detail as to exactly where it intended to</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>perform the action (or place the explosive and the amount to be placed).</p> <p>(l) On-duty security force personnel should not assist or impede the participants in any fashion unless the circumstance pertains to a safety-related issue or to a real security situation or response.</p> <p>(m) Participants should observe the deadly force rules of engagement as authorized by federal or state law and as defined by station policy. In addition, Section 8.2 of this RG provides further guidance regarding the proper use of force within the force continuum.</p> <p>(n) At no time should drill or exercise participant(s) manipulate any plant component. It should be stressed that extreme caution is to be used near plant equipment. Backpacks, mock weaponry, and associated drill or exercise equipment should be kept clear of plant equipment.</p> <p>(o) Controllers/evaluators</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>ensure that drill or exercise participants do not voluntarily or accidentally touch plant equipment, controls, or instrumentation. If at any time inadvertent contact is made with plant equipment, controls, or instrumentation, the controller/evaluator should immediately notify operations of the incident.</p> <p>(p) The MAF and the insider must replicate, as closely as possible, the specific characteristics or requirements detailed in the DBT.</p> <p>(q) Sufficient time should be allotted for the MAF to gain intelligence information from the insider.</p> <p>(r) The MAF's familiarity with the plant should consist of only what the force has developed through information obtained from the insider or from public tours of the facility.</p> <p>(s) The MAF should begin the exercise from the point where they would first have the potential for identification by or interaction with the</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	licensee's security program measures.		
Section 5.18.4, 20 th Paragraph	(t) As described in Section VI, paragraph C.3.(l)(2) of Appendix B to 10 CFR Part 73, during the conduct of drills/exercises, the MAF is required to carry mock equipment with them similar in size, shape, and weight to the equipment indicated within the scenario matrix.	(t) As described in Section VI, paragraph C.3.(l)(2) of Appendix B to 10 CFR Part 73, during the conduct of drills/exercises, the MAF is required to carry mock equipment with them similar in size, shape, and weight to the equipment indicated within the scenario matrix. Restatement of rule	
Section 5.18.4, 22 nd Paragraph	(v) When penetrating barriers (i.e., fences, doors, walls, etc.), the mock adversaries' entire task time (e.g., set time, time to achieve standoff distance, time to recover the standoff distance, and traverse the barrier) should be factored into the act. Proper care should be given to personal safety and protection when making entry. If portable blast protection is used, this equipment may be considered as part of the equipment carried in by the adversary team.	Guidance for the preparation and conduct of force-on-force exercises is captured in NEI 03-11, Guidance for the preparation and Conduct of Force-on-Force Exercises. Control of drill and exercise simulations is addressed in NEI 05-05 Control of Force-on-Force Exercise Simulations. This paragraph is unnecessary and should be deleted.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.18.4, 23 rd Paragraph	(w) Incapacitation criteria detailed in the DBT for weapons such as fragmentation devices, smoke grenades, and distraction devices will be followed during the exercise.	Control of drill and exercise simulations is addressed in NEI 05-05 Control of Force-on-Force Exercise Simulations. This paragraph is unnecessary and should be deleted.	
Section 5.19	Critique and Evaluation	Critique and evaluation of Force-on-Force exercises is addressed in NEI 03-11, Guidance for the Preparation and Conduct of Force-on-Force Exercises and therefore should not be included in this document.	
Section 5.19.1	The licensee's protective strategy may be considered successful or effective if the adversary is detected, assessed, interdicted, and neutralized before successfully disabling all target set components within a single target set. The licensee may take credit for operator actions that protect a target set component or components from destruction or disablement only if that operator action meets all six criteria of a credible operator action as identified in RG 5.81. A licensee may not take credit for actions or equipment that are outside of the predetermined target set for the purpose of determining the	2 nd sentence, "The licensee may take credit for operator actions that protect a target set component or components from destruction or disablement only if that operator action meets all six criteria of a credible operator action as identified in RG 5.81." is specific to the development of target sets which is the topic of RG 5.81 and therefore should not be addressed in this RG. 3 rd sentence, "A licensee may not take credit for actions or equipment that are outside of the predetermined target set for the purpose of determining the effectiveness of the protective strategy or the capability of	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>effectiveness of the protective strategy or the capability of security personnel to carry out their assigned duties and responsibilities. Pursuant to 10 CFR 73.55(b)(10), the licensee shall enter identified drill or exercise programmatic deficiencies that adversely affect or decrease the protective strategy and physical protection program into the plant's corrective action program or training program and correct the identified deficiencies. Licensees should review the programmatic deficiencies for information that meets the protection requirements of 10 CFR 73.21 and 10 CFR 73.22.</p>	<p>security personnel to carry out their assigned duties and responsibilities." is simply paraphrasing the previous sentence and should be stricken.</p> <p>4th sentence, "Pursuant to 10 CFR 73.55(b)(10), the licensee shall enter identified drill or exercise programmatic deficiencies that adversely affect or decrease the protective strategy and physical protection program into the plant's corrective action program or training program and correct the identified deficiencies." paraphrases rule requirement, provides no implementing guidance, and therefore should be stricken.</p>	
Section 5.19.3	<p>The critique process is a crucial aspect of the drill and exercise program. This process involves evaluation of participant performance through specific critique criteria, participant self assessment, and observations by controllers/evaluators. The critique criteria should support the evaluation standards and performance criteria identified for the scenario.</p>	<p>Critique and evaluation of Force-on-Force exercises is addressed in NEI 03-11, Guidance for the Preparation and Conduct of Force-on-Force Exercises and therefore should not be included in this document.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.20, 1 st Paragraph	<p>Critique and Evaluation Material</p> <p>As described in Section VI, paragraph C.3.(g) of Appendix B to 10 CFR Part 73, each tactical response drill and FOF exercise shall include a documented post-exercise critique in which participants identify failures, deficiencies, or other findings in performance, plans, equipment and strategies.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p> <p>Furthermore, critique and evaluation of Force-on-Force exercises is addressed in NEI 03-11, Guidance for the Preparation and Conduct of Force-on-Force Exercises and therefore should not be included in this document.</p>	
Section 5.20, 2 nd Paragraph	<p>As described in Section VI, paragraph C.3.(i) of Appendix B to 10 CFR Part 73, findings, deficiencies, and failures identified during tactical response drills and FOF exercises that adversely affect or decrease the effectiveness of the protective strategy and physical protection program shall be entered into the licensee's corrective action program to ensure that timely corrections are made to the appropriate program areas.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 5.20.1	<p>The following criteria should be considered when developing critique material for drill or exercise evaluation purposes:</p> <p style="padding-left: 40px;">(a) Each position and</p>	<p>Critique and evaluation of Force-on-Force exercises is addressed in NEI 03-11, Guidance for the Preparation and Conduct of Force-on-Force Exercises and therefore should not be</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>participant should be evaluated.</p> <p>(b) The ability of each participant to satisfy the performance criteria associated with his or her position should be evaluated.</p> <p>(c) Criteria not evaluated should be indicated on the critique. Evaluators should consider using "NE" (not evaluated) instead of "NA" (not applicable).</p> <p>(d) The form should indicate whether the individual satisfied the performance criteria.</p> <p>(e) Any issues identified as a result of the individual's performance should be documented. Issues should be correlated to their respective evaluation standards.</p> <p>(f) Controller/evaluator performance evaluation comments should be solicited.</p> <p>(g) The critique material should give participants the opportunity to critique their own actions and to provide feedback on the drill or</p>	<p>included in this document.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>exercise.</p> <p>(h) The critique should include an overall assessment of the success of the drill or exercise in meeting the key program elements identified.</p> <p>(i) Security equipment performance and security system performance should be evaluated as it relates to the licensee's protective strategy.</p>		
Section 5.20.2, 1 st Paragraph	At the conclusion of a drill or exercise, the lead controller should facilitate the critique. All controllers/evaluators, adversaries, and participants should normally participate. These critiques give the participants the opportunity to receive direct feedback from the controllers/evaluators. In addition, they allow the participants to provide direct input to the critique process.	Critique and evaluation of Force-on-Force exercises is addressed in NEI 03-11, Guidance for the Preparation and Conduct of Force-on-Force Exercises and therefore should not be included in this document.	
Section 5.20.2, 2 nd Paragraph	(a) At the conclusion of a drill or exercise, the lead controller should facilitate the critique. All controllers/evaluators, adversaries, and participants should normally participate. These critiques give the participants the opportunity to	Paragraph 5.20.2(a) repeats verbatim paragraph 5.20.2 and therefore should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	receive direct feedback from the controllers/evaluators. In addition, they allow the participants to provide direct input to the critique process.		
Section 5.20.2, 3 rd Paragraph	<p>(b) Each participant and corresponding controller/evaluator who had an engagement during the drill or has pertinent feedback will summarize his or her actions and should consider the following when providing an action summary:</p> <p>(1) If a participant took action that resulted in his or her neutralization or the neutralization of an adversary or adversaries, then the participant and controller report should provide specific details of the actions taken. The participant/controller information should include engagement distance, number of adversaries engaged, number of rounds fired and number of seconds, the probability of neutralizing the adversary (high, medium, or low), and if the neutralization(s) resulted from MILES.</p> <p>(2) If a participant took action that resulted in friendly fire,</p>	<p>This section should be deleted. The critique process described in this section corresponds with critique process employed by the industry from approximately 2005 through 2013. A revised critique process was developed and implemented in 2014 based on feedback from the NRC. This new guidance was incorporated in Revision 3 of NEI 03-11 which was issued in January 2015.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>then the participant and controller report should provide specific details of the actions.</p> <p>(3) A controller/evaluator whose participant had no interaction with the adversary force and had no effect on the outcome of the drill or exercise should participate (provide lessons learned feedback) to the extent of his or her direct observation of the exercise or drill.</p> <p>(4) A controller/evaluator whose participant was actively involved in the outcome of the drill or exercise and who interdicted the adversaries should concur with the player's comments if applicable. If the controller/evaluator does not concur, he or she should provide details.</p> <p>(5) At the conclusion of critiques, the lead controller should review the results of the drill or exercise and discuss the positive and negative aspects of the activities.</p> <p>(6) During the review of the results, participants should be</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>asked for suggestions for correcting issues and concerns, and these suggestions should be discussed.</p> <p>(7) As a conclusion to the critique, the lead controller should review the goals, objectives, and key program elements of the drill or exercise and discuss how each was or was not met.</p> <p>(8) Any participant or controller/evaluator that identifies a deficiency in the licensee's protective strategy (e.g., equipment, system or performance failure), regardless whether that participant took action in the drill or exercise, should provide specific details during the critique.</p>		
Section 5.21	<p>Drill or Exercise Documentation</p> <p>As described in Section VI, paragraphs C.3.(g), (h), and (i), of Appendix B to 10 CFR Part 73, the results of a tactical response drill or FOF exercise shall be documented and entered into the licensee's corrective action program.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.21.1	<p>The following information shall be part of the drill or exercise documentation:</p> <ul style="list-style-type: none"> (a) lead controller; (b) controllers; (c) MAF; (d) scenario description; (e) key elements and evaluation criteria in the drill; (f) failures, deficiencies, or other findings in performance, plans, equipment, or strategies; (g) actions taken on failures, deficiencies, or other findings; (h) corrective actions (plant corrective action or training program) and the timeframe or priority given for resolution and identification of the individual responsible for resolution; and (i) which participants took part in the exercise(s). 	<p>This paragraph is effectively a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 5.21.3, 2 nd Paragraph	<p>As described in Section VI, paragraph C.3.(j) of Appendix B to 10 CFR Part 73, the licensee must protect deficiencies identified during a drill or exercise consistent with the requirements of 10 CFR 73.21 and 10 CFR 73.22.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 5.21.4, 1 st Paragraph	The training program normally addresses issues or deficiencies related to training and human performance.	This paragraph provides no implementing guidance and therefore should be stricken.	
Section 5.21.4, 2 nd Paragraph	As described in Section VI, paragraph C.3.(i) of Appendix B to 10 CFR Part 73, all program element deficiencies shall be entered in the licensee's corrective action program.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.21.7, 1 st Paragraph	It is important that drill and exercise activities are properly documented to ensure appropriate levels of review and resolution of issues. Not all documents generated in the process of performing drills or exercises must be maintained as records.	This is a restatement of the regulation with the exception that it includes a final exercise report that is not identified by regulation. This section does not provide any implementation guidance; therefore, this section should be stricken.	
Section 5.21.7, 2 nd Paragraph	As described in Section VI, paragraph C.3, of Appendix B to 10 CFR Part 73, and 10 CFR 73.55(q), the licensee shall retain the following documents: <ul style="list-style-type: none"> (a) scenarios; (b) participation records showing which security force personnel participated in tactical drills and FOF tactical exercises; 	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>(c) completed critique material, including chronologies;</p> <p>(d) final drill or exercise report; and</p> <p>(e) resolution or proposed resolution of critique items.</p>		
Section 5.21.7, 3 rd Paragraph	As described in Section VI, paragraph C.3 (h), of Appendix B to 10 CFR Part 73, the licensee shall retain an attendance roster for all drill- and exercise-related training and briefings.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 5.21.8	Documents that are to be retained as records should be legible and completed appropriately. They must be maintained consistent with NRC regulations, including 10 CFR 73.70, 73.21, and 73.22.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 6, 1 st Paragraph	<p>Duty Qualification and Requalification</p> <p>As described in Section VI, paragraphs C and D of Appendix B to 10 CFR Part 73, the licensee must ensure that all individuals assigned duties and responsibilities in the Commission-approved physical security plan or safeguards contingency plan are, before</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	assignment, trained and qualified to perform these duties and responsibilities consistent with the Commission-approved plans, licensee protective strategy, and implementing procedures.		
Section 6, 2 nd Paragraph	Consistent with site procedures and 10 CFR 73.55(b)(10), the licensee shall ensure that the site corrective action program includes deficiencies identified in the training and qualification program.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 6.1, 1 st Paragraph	6.1 Written Examination As described in Section VI, paragraph D.1.(b)(1) of Appendix B to 10 CFR Part 73, armed and unarmed individuals assigned security duties and responsibilities shall demonstrate the required knowledge, skills and abilities by completing a written exam as identified in the Commission-approved Training and Qualification plan.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 6.1, 2 nd Paragraph	The written exams shall require a minimum score of 80 percent to demonstrate an acceptable understanding of assigned duties and responsibilities, to include the	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	recognition of potential tampering involving both safety and security equipment and systems.		
Section 6.2	<p>Hands-On Performance Demonstration</p> <p>As described in 10 CFR 73.55(b)(5) and Section VI, paragraph D.1.(b)(2) of Appendix B to 10 CFR Part 73, armed and unarmed individuals assigned security duties and responsibilities shall demonstrate the ability to perform their assigned duties and responsibilities through a practical hands-on performance demonstration of required tasks. The hands-on performance demonstration must ensure that theory and associated learning objectives for each required task are considered and that each individual demonstrates the knowledge, skills, and abilities required to effectively perform the task.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 6.2.1	With the exception of elements or critical tasks categorized as M (Must Perform), the demonstration should be performed annually and is not subject to change using the SAT process.	This paragraph is directly contrary to the language provided in section 6.4.1 and should be revised to read, "With the exception of elements or critical tasks categorized as M (Must Perform), the SAT process should be used to determine appropriate	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
		periodicity and method of requalification.”	
Section 6.3	<p>Annual Written Examination</p> <p>As described in Section VI, paragraph D.1.(b)(3) of Appendix B to 10 CFR Part 73, the licensee shall administer an annual examination for armed individuals to verify that they have the required knowledge, skills, and abilities to carry out assigned duties and responsibilities as an armed member of the security organization as identified in the Commission-approved Training and Qualification plan.</p> <p>Personnel must achieve a minimum score of 80 percent to demonstrate an acceptable understanding of assigned duties and responsibilities.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 6.3.1	<p>This examination should, at a minimum, include the following elements:</p> <ul style="list-style-type: none"> (1) role of security personnel in supporting safe operations of the facility; (2) the use of deadly force, including the principles involved in the application, 		This section is overly prescriptive and implies requirements more onerous than the rule. This section should be revised to state, “The licensee should use the SAT or similar process to determine the appropriate content for the written examination.”

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>escalation, and de-escalation of force;</p> <p>(3) 10 CFR Part 73 requirements for the protection of safeguards information;</p> <p>(4) the authority of private security personnel;</p> <p>(5) knowledge of who has power of arrest and authority to detain;</p> <p>(6) authority to search individuals and seize property;</p> <p>(7) offsite law enforcement response;</p> <p>(8) tactics and force that an adversary group might use to achieve its objectives; and</p> <p>(9) response force deployment, tactical movement withdrawal, and use of support fire.</p>		
Section 6.4	<p>Requalification</p> <p>Section VI, paragraph D.1.(a), of Appendix B to 10 CFR Part 73 requires armed and unarmed individuals to requalify at least annually, consistent with the Commission-approved Training and Qualification plan.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 6.4.2	If unable to achieve the requisite requalification, the individual must not return to security duties until he or she has successfully remediated. Requalification completion must be documented in the individual's training record.	The term requalified at the end of the first sentence has been replaced with remediated. This changes the context of the sentence potentially leading to a violation of Section VI, paragraphs D.2.(a) & (b). This language introduces a new term which constitutes and new requirement not addressed in regulation.	
Section 6.4.3, 1 st Paragraph	The qualification of each individual to perform assigned duties and responsibilities must be documented by a qualified training instructor and attested to by a security supervisor.	To properly conform with the rule, this paragraph should be revised to read, "The <u>requalification</u> of each individual to perform assigned duties and responsibilities must be documented by a qualified training instructor and attested to by a security supervisor. However, this is just a restatement of the regulation and does not provide any implementation guidance; therefore, this section should be stricken.	
Section 7	Certifications of Instructors and Armorers	The specified rule references do not describe establishment of a "formal program for training and qualifying security instructors; therefore, are used out of context here. Specifically, Section VI, paragraphs D.2.(b) states; "The results of requalification must be documented by a qualified training	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
		<p>instructor and attested by a security supervisor." This is subsequent to D. "Duty Qualification and Requalification" 2. Requalification, to which the entire section including D.2.(a) describes training and qualification of "Armed and unarmed individuals", and tying back to Section VI, Introduction paragraph of Appendix B to 10 CFR Part 73, which states in part; "Security personnel who are responsible for the protection of special nuclear material on site or in transit and for the protection of the facility or shipment vehicle against radiological sabotage should, like other elements of the physical security system, be required to meet minimum criteria to ensure that they will effectively perform their assigned security-related job duties."</p> <p>"These general criteria establish requirements for the selection, training, equipping, testing, and qualification of individuals who will be responsible for protecting special nuclear materials, nuclear facilities, and nuclear shipments." Security Training Instructors do not provide protection of the facility and may or may not be members of the site security organization. Section VI, paragraph E.1.(b) of Appendix B to 10</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
		CFR Part 73 is specific to “weapons training and firearms instructor, not “Security Training Instructor”, which may or may not be one in the same or similar positions.	
Section 7.1	<p>Security Training Instructors</p> <p>As described in Section VI, paragraphs D.2.(b) and E.1.(b) of Appendix B to 10 CFR Part 73, each licensee should establish a formal program for training and qualifying security instructors.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 7.5	<p>Firearms Instructor</p> <p>As described in Section VI, paragraph E.1.(b) of Appendix B to 10 CFR Part 73, firearms instructors must be trained and certified by a state or nationally recognized entity for each weapon type (handgun, rifle, shotgun, remote operated weapons, and enhanced weapons) for which the individual will be providing instruction. Firearms instructors must follow the recertification criteria set by the certifying entity, but recertification must occur at least every 3 years.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 7.5.1	A certified firearms instructor must train and qualify members of the security organization for the use and maintenance of each assigned weapon to include, but not be limited to: marksmanship, assembly, disassembly, cleaning, storage, handling, clearing, loading, unloading, and reloading.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 7.5.2	Examples of a recognized entity may be the National Rifle Association's law enforcement firearms instructor courses and those offered by a federal, state, or state-certified LLEA.		
Section 7.6	<p>Armorer</p> <p>As described in Section VI, paragraph G.3.(a) of Appendix B to 10 CFR Part 73, armorers, whether licensee employees or a contracted service, must be certified. If the licensee does not employ a certified armorer, it may send the weapons to a certified offsite armorer for required maintenance and certification of operability.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 8	Weapons Training		
Section 8.1	<p>General Firearms Training</p> <p>As described in Section VI, paragraph E of Appendix B to 10 CFR Part 73, armed security personnel must complete firearms training to demonstrate basic skills and the safe handling of assigned firearms. The objective is to conduct firearms training drills and courses of fire to teach the necessary skills and abilities to armed security personnel.</p> <p>As described in Section VI, paragraph E.1.(d) of Appendix B to 10 CFR Part 73, the Commission-approved Training and Qualification plan must include, but is not limited to, the following areas:</p> <ul style="list-style-type: none"> (a) mechanical assembly, disassembly, weapons capabilities, and fundamentals of marksmanship; (b) weapons cleaning and storage; (c) tactical weapons training, day and night; (d) safe weapons handling; (e) clearing, loading, unloading, and reloading; 	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	(f) firing under stress; (g) zeroing duty weapon(s) and weapons sighting adjustments; (h) target identification and engagement; (i) weapons malfunctions; (j) cover and concealment; and (k) weapons familiarization.		
Section 8.2	<p>Mechanical Assembly, Disassembly, Weapons Capabilities, and Fundamentals of Marksmanship</p> <p>As described in Section VI, paragraph E.1.(b)(1) of Appendix B to 10 CFR Part 73, each armed member of the security organization shall be trained and qualified by a certified firearms instructor for the use and maintenance of each assigned weapon to include but not limited to, marksmanship, assembly, disassembly, cleaning, storage, handling, clearing, loading, unloading, and reloading, for each assigned weapon.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 8.3	<p>Weapons Cleaning and Storage</p> <p>As described in Section VI,</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore,	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	paragraph G.3 of Appendix B to 10 CFR Part 73, the licensee's firearms maintenance program must include instruction in the care, cleaning, and storage of firearms. Section 13 of this RG discusses firearms maintenance.	this paragraph should be stricken.	
Section 8.4	<p>Day and Night Tactical Weapons Training</p> <p>As described in Section VI, paragraph F.3 of Appendix B to 10 CFR Part 73, the firearms qualification shall be performed both during the night and during the day.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 8.5	Safe Weapons Handling		
Section 5.8, 1 st Paragraph	As described in Section VI, paragraph E.1.(b)(1) of Appendix B to 10 CFR Part 73, training in safe weapons handling skills shall be developed for each type of weapon assigned to the licensee's armed security personnel.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 8.6	<p>Clearing, Loading, Unloading, and Reloading</p> <p>As described in Section VI, paragraph E.1.(b)(1) of Appendix B to 10 CFR Part 73, clearing, loading,</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	unloading, and (tactical and speed) reloading procedures for each assigned firearm must be practiced.		
Section 8.7	<p>Firing Under Stress</p> <p>As described in Section VI, paragraph E.1.(d)(6) of Appendix B to 10 CFR Part 73, firearms training programs shall include training exercises that induce physical and mental stress.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 8.7.1	<p>The following are examples of elements that can be introduced into the weapons training environment to induce stress:</p> <ul style="list-style-type: none"> (a) time limitations (exercise completion times, reduced target exposure times); (b) physical activity (running, climbing stairs); (c) loud audible noise (simulated small arms fire, explosions); (d) weapon malfunctions (immediate action, feedway clearance, weapons transitions); (e) limited lighting conditions at night; (f) simulated equipment failures (primary sighting 	Revise this paragraph to read "The following are examples of elements that can be introduced into the weapons training environment to induce stress and meet the requirements of Section VI, paragraph E.1.(d)(6) of Appendix B to 10 CFR Part 73."	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>system inoperable, magazine fails to feed); (g) simulated incapacitation (incapacitation exercises, non-dominant (support) hand firing); (h) simulated use of chemical agents; and (i) donning of a gas mask.</p>		
Section 8.8	<p>Zeroing Weapons and Weapons Sighting Adjustments</p> <p>As described in Section VI, paragraph E.1.(d) of Appendix B to 10 CFR Part 73, the firearms training programs shall include instruction for armed personnel to understand basic zeroing and adjustment of weapon sighting mechanisms for all assigned weapons and to perform these functions, if appropriate, and as described in site procedures.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 8.8.1	<p>The NRC recognizes that some weapons do not allow a shooter to manually perform zeroing without specialized tools. Sighting systems should be inspected daily to ensure that they are operable (e.g., front/rear sights not bent or broken,</p>	<p>The paragraph, while offering reasonable guidance for ensuring equipment is in a state to perform its intended function, does not address the topic suggested by the referenced section of the regulation and should therefore be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>glass in-scope-type systems not cracked, batteries replaced if needed, night sights illuminate, sighting systems mounted properly and not loose) using appropriate safety rules for weapons handling.</p>		
Section 8.9	<p>Target Identification and Engagement</p> <p>As described in Section VI, paragraph C.3.(k)(3) of Appendix B to 10 CFR Part 73, target identification and engagement training shall be conducted to reflect the environment and conditions the security force would encounter when exercising the licensee's protective strategy (e.g., while moving, in the open, from cover).</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 8.10	<p>Weapons Malfunctions</p> <p>As described in Section VI, paragraph E.1.(d)(9) of Appendix B to 10 CFR Part 73, the licensee's weapons training program must include training for weapons malfunctions.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 8.11	8.11 Cover and Concealment		
Section 8.11, 1 st Paragraph	As described in Section VI, paragraphs C.2.(c)(4) and E.1.(d)(10) of Appendix B for 10 CFR Part 73, armed personnel must be trained to recognize and effectively use cover and concealment.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 8.11.2	Cover can deteriorate rapidly under weapons fire and should be considered consumable. Concealment is provided by vegetation, terrain features, terrain relief and drainage, manmade structures, weather conditions (such as fog and precipitation), and darkness. Proper evaluation of these aspects differentiates concealment from cover. Concealment is effective only when individuals do not disclose their location by fire or maneuver.	Although this paragraph provides reasonable and generally accurate discussion on the topic of cover and concealment, it provides no actionable implementing guidance and therefore should be stricken.	
Section 8.12	Weapons Familiarization		
	As described in Section VI, paragraph E.1.(d)(11) of Appendix B to 10 CFR Part 73, the objective of firearms familiarization training is to conduct initial and annual firearms drills and courses of fire to improve	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	the skill and ability of armed security personnel.		
Section 8.12.1	<p>Firearms familiarization, at a minimum, should include the following:</p> <ul style="list-style-type: none"> (a) firearms handling drills; (b) clearing, loading, unloading, and reloading procedures for each firearm; (c) training for engaging potential targets when obstacles such as smoke, fencing, doors, and walls are encountered during a contingency event; (d) drills that demonstrate the ability to transition from one firearm type to another; (e) drills that demonstrate the ability to recover from simulated weapon malfunctions (e.g., dummy rounds); (f) cover and concealment drills; (g) nonlethal weapons training and drills; and (h) cleaning and maintenance procedures for each firearm. 	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 8.13	Use of Deadly Force		
Section 8.13 1 st Paragraph	As described in 10 CFR 73.55(k)(3), a licensee shall train each armed member of the security organization to prevent or impede attempted acts of radiological sabotage by using force sufficient to counter the force directed at that person, including the use of deadly force when the armed member of the security organization has a reasonable belief that the use of deadly force is necessary in self-defense or in the defense of others, or any other circumstances as authorized by applicable state or federal law.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 8.13, 2 nd Paragraph	As described in Section VI, paragraph E.1.(e) of Appendix B to 10 CFR Part 73, each licensee shall ensure that all armed members of the security organization are instructed on the proper use of the force continuum, including the use of deadly force as authorized by applicable state law. Each member of the security organization, commensurate with his or her assigned duties, must thoroughly understand the proper use of the force continuum.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 8.13.1	<p>Armed members of the security organization should be instructed on the proper use of deadly force in various situations and circumstances that could justify it in protecting power reactors. For additional information, Information Notice No. 89-05, "Use of Deadly Force by Guards Protecting Nuclear Power Reactors Against Radiological Sabotage" provides some situations and circumstances that could justify the use of deadly force in protecting power reactors. Examples of situations and circumstances that could justify the use of deadly force are as follows:</p> <ul style="list-style-type: none"> (a) Defending Against Violent Armed Assault. Use of deadly force could be justified in defending a power reactor against a determined violent armed assault. (b) Defending Against Armed Attack by Stealth. Use of deadly force could be justified for defenders intercepting armed intruders who have penetrated the protected area and are attempting to break into an area containing vital 	<p>The portion of this section that actually offers guidance is simultaneously too generic, suggesting one size fits all, and too vague, suggesting given situations "could" be justification for the use of deadly force. 10 CFR 73.55(k)(3) and Section VI, Paragraph C.2.(c) of 10 CFR Part 73 require training of the security force on the use of deadly force. This topic should be left to licensees to determine how best to meet the requirements of these sections of the rule within the bounds of their individual state laws.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>equipment, ignoring defenders' challenges and warnings to stop.</p> <p>(c) Defending Against Attackers Employing Explosives and/or Incendiaries. Use of deadly force could be justified for defenders intercepting intruders placing explosives or incendiary devices near vital equipment if the intruders ignore defenders' warnings to stop.</p> <p>(d) Defending Against Perceived Armed Attack. Use of deadly force could be justified for defenders intercepting heavily armed intruders who enter the protected area ignoring challenges and warnings.</p>		
Section 8.14	Range Periodicity		
Section 8.14, 1 st Paragraph	As described in Section VI, paragraph E.1.(f) of Appendix B to 10 CFR Part 73, armed members of the security organization must participate in range activities on a nominal 4-month periodicity. The activities may be conducted up to 5 weeks before or 5 weeks after the	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	scheduled date, but the next scheduled date must be 4 months from the original scheduled date.		
Section 8.14.1	This provision is intended to account for unexpected site-specific circumstances that may delay an individual's ability to participate in range activities on a specified date.	Upon deleting the above paragraph, this paragraph has no contextual meaning, offers no actionable guidance, and therefore should be deleted.	
Section 9	Weapons Qualifications and Requalification		
Section 9, 1 st Paragraph	In accordance with Section VI, paragraphs D.2, E.1.(b), and F.5.(a) of Appendix B to 10 CFR Part 73, armed members of the security organization shall be qualified and requalified on assigned weapons or weapon types.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 9.3	If unable to achieve a requisite qualification or requalification, an individual must not be assigned or returned to armed duty until the individual has completed qualification or been remediated on the requalification item.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 9.5	A qualified training instructor must document, with input from other qualified training organization personnel, as appropriate, and a	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	security supervisor must attest to, the qualification and requalification of each individual.		
Section 10	Alternate Firearms Qualification Programs		
Section 11	Firearms Qualification Courses		
Section 11, 1 st Paragraph	In accordance with Section VI, paragraph E.1.(b) of Appendix B to 10 CFR Part 73, all armed personnel assigned duties and responsibilities involving the use of weapons must be qualified on each weapon type that the individual will be assigned.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 11, 2 nd Paragraph	In accordance with Section VI, paragraph F.4 of Appendix B to 10 CFR Part 73, armed personnel shall qualify by achieving the standards and scores established by a federal- or state-approved law enforcement qualification course or an equivalent nationally recognized course.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 11.1	Handgun		
Section 11.1, 1 st Paragraph	As described in Section VI, paragraphs F.3.(a) and (b) of Appendix B to 10 CFR Part 73, licensees shall conduct handgun qualification courses for daylight and	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	night fire to evaluate the shooter's marksmanship and firearm manipulation skills under both daylight and reduced-light conditions. The minimum qualifying score for each course must be 70 percent of the maximum obtainable target score.		
Section 11.2	Semi-Automatic Rifle		
Section 11.2, 1 st Paragraph	As described in Section VI, paragraphs F.3.(a) and (b) of Appendix B to 10 CFR Part 73, licensees shall conduct semi-automatic rifle qualification courses for daylight and night fire to evaluate the shooter's marksmanship and firearm manipulation skills under daylight and reduced-light conditions. The minimum qualifying score for each course must be 80 percent of the maximum obtainable target score.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 11.3	Shotgun		
Section 11.3, 1 st Paragraph	As described in Section VI, paragraphs F.3.(a) and (b) of Appendix B to 10 CFR Part 73, licensees shall conduct shotgun qualification courses for daylight and	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	night firing to evaluate a shooter's marksmanship and firearm manipulation skills under daylight and reduced-light conditions. The minimum qualifying score for each course must be 70 percent of the maximum obtainable target score.		
11.4	11.4 Low-Light Qualifications		
Section 11.5	Tactical Weapons Qualification Course		
Section 11.5, 1 st Paragraph	As described in Section VI, paragraph F.2, of Appendix B to 10 CFR Part 73, a tactical qualification course must be conducted for each weapon type or model used by an armed member of the licensee's security organization. The licensee's developed tactical qualification and requalification courses must describe the performance criteria needed to include the site-specific conditions (i.e., lighting, elevation, fields-of-fire) under which assigned personnel shall be required to carry out their assigned duties.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 11.5.2, 2 nd Paragraph	As described in Section VI, paragraph F.3.(c) of Appendix B to 10 CFR Part 73, the minimum qualifying score for the tactical	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	qualification course must be a score of 80 percent of the maximum obtainable score.		
Section 11.6	Course of Fire Requirements for the Tactical Qualification		
Section 11.6, 1 st Paragraph	As described in Section VI, paragraph F.5, of Appendix B to 10 CFR Part 73, armed members of the security organization shall be re-qualified for each assigned weapon at least annually in accordance with Commission requirements and the Commission-approved Training and Qualification plan, and the results documented and retained as a record.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 11.7	Course of Fire Stages for the Tactical Qualification Course		
Section 11.8	General Implementation Guidance		
Section 11.9	Weapons Requalification Schedule As described in Section VI, paragraphs F.5 of Appendix B to 10 CFR Part 73, annual requirements shall be scheduled at a nominal 12-month periodicity. Annual	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>requirements may be completed up to 3 months before or 3 months after the scheduled date. However, the next annual training must be scheduled 12 months from the previously scheduled date rather than from the date the training was actually completed.</p>		
Section 11.10	<p>Short-Cycle Requalification</p> <p>As described in Section VI, paragraph D.2.(a) of Appendix B to 10 CFR Part 73, annual requalification must be scheduled at a nominal 12-month periodicity.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 12	<p>Weapons, Personal Equipment, and Maintenance</p> <p>As described in Section VI, paragraph G.2.(a) of Appendix B to 10 CFR Part 73, the licensee must ensure that each individual is equipped or has ready access to all personal equipment or devices required for the effective implementation of the Commission-approved security plans, the licensee's protective strategy, and implementing procedures.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 12.1	Weapons		
Section 12.1.2	<p>The licensee should provide contingency weapons and ammunition that, at a minimum, meet the following specifications:</p> <p>(1) Semi-automatic rifles:</p> <ul style="list-style-type: none"> (a) .223 caliber, (b) muzzle velocity of 1,980 feet per second, (c) muzzle energy of 955 foot-pounds, (d) magazine or clip load of 10 rounds, (e) magazine reload of less than 10 seconds, and (f) operable in any environment in which it will be used. <p>(2) 12-gauge shotguns:</p> <ul style="list-style-type: none"> (a) four-round pump or semi-automatic, (b) operable in any environment in which it will be used, and (c) full or modified choke. <p>(3) Semi-automatic pistols or</p>	<p>The information presented in this section derives from Section V, Paragraph A.1. – A.4. of Appendix B to 10 CFR Part 73 which is not applicable to applicants and power reactor licensees subject to the requirements of 10 CFR 73.55. Power reactor licensees have committed in their commission approved Physical Security Plans to the type and quantity of ammunition to be provided to their security personnel. This section should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>revolvers:</p> <ul style="list-style-type: none"> (a) .354 caliber, (b) muzzle energy of 250 foot-pounds, (c) full magazine or cylinder reload capability of less than 6 seconds, (d) muzzle velocity of 850 feet per second, (e) full cylinder or magazine capacity of six rounds, and (f) operable in any environment in which it will be used. <p>(4) Ammunition:</p> <ul style="list-style-type: none"> (a) two fully loaded licensee-issued handgun magazines per handgun or three fully loaded revolver speed-loaders (minimum of 18 rounds), (b) 100 rounds per semi-automatic rifle, and (c) three basic magazine loads of 00 gauge or slug rounds per shotgun (e.g., a 6 round capacity magazine would have a total of 18 shotgun rounds). 		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 12.1.3	The minimum quantity of ammunition available on site should be twice the amount stated above, or as described in the Commission approved physical security plan, for each weapon.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 12.2	Personal Equipment		
Section 12.2, 1 st Paragraph	As stated in Section VI, paragraph G.2.(a) of Appendix B to 10 CFR Part 73, the licensee shall ensure that each individual is equipped or has ready access to all personal equipment or devices required for the effective implementation of the NRC-approved security plans, the licensee's protective strategy, and implementing procedures.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 12.2, 2 nd Paragraph	As described in Section VI, paragraph G.2.(b) of Appendix B to 10 CFR Part 73, licensees shall provide armed security personnel, at a minimum, with the following: <ul style="list-style-type: none"> (1) Gas Mask, full face; (2) Body Armor (bullet-resistant vest); (3) Ammunition/Equipment Belt; and (4) Two-Way Portable Radio. 	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 12.5	Ammunition/Equipment Belt		
Section 12.5.1	<p>Ammunition used for live-fire training and qualification, blank ammunition for Engagement Simulation System training, and ammunition for other nonlethal training (e.g., dye-marking cartridges) should be of suitable quality for the intended use. Reloaded, reprocessed, or military surplus ammunition should not be used for duty or qualification. Licensees should conduct quality assurance verifications of blank or live ammunition to identify ammunition that does not meet manufacturer specifications.</p>	<p>The second sentence of this section could be interpreted to prohibit the use of reloaded, reprocessed, or military surplus ammunition with no justification for the prohibition being provided. This should either be rephrased as a recommendation with justification or be addressed through rulemaking.</p>	
Section 12.6	<p>Two-Way Portable Radio</p> <p>As stated in Section VI, paragraph G.2.(b) of Appendix B to 10 CFR Part 73, each two-way radio shall have a minimum of two channels for security operations; one for operating and one for emergencies.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
	<p>As described in 10 CFR 73.55(j), the licensee shall establish and maintain continuous communication capability with onsite and offsite</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	resources, as required, to ensure effective command and control during both normal and emergency situations. Each on-duty security officer, watch person, vehicle escort, and armed response force member must be capable of maintaining continuous communication with an individual in each alarm station.		
	As described in 10 CFR 73.55(j)(6), alternate means of communication (e.g., plant paging system, telephone) shall be provided for use in areas of the facility where radio communication is not possible because of radio transmission interference or in situations when it is not advisable.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 13, 1 st Paragraph	<p>Firearms Maintenance Program</p> <p>To satisfy the requirements in 10 CFR 73.55(n) and Section VI, paragraph G.3.(a) of Appendix B to 10 CFR Part 73, the licensee shall develop and implement a firearms maintenance and accountability program for all licensee-assigned firearms.</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 13.1	<p>Semiannual Test Firing for Accuracy and Functionality</p> <p>As described in Section VI, paragraph G.3.(a)(1) of Appendix B to 10 CFR Part 73, all firearms, whether licensee- or contractor-owned, must be test fired semiannually.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 13.1.3, 2 nd Paragraph	<p>As described in Section VI, paragraph G.3.(a)(3), of Appendix B to 10 CFR Part 73, the licensee's firearms maintenance program must include program activity documentation. Licensee implementing procedures should detail a method for documenting test-firing results.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 13.2	<p>Firearms Maintenance and Cleaning Schedule</p> <p>As described in 10 CFR 73.55(n) and Section VI, paragraph G.3.(a)(2), of Appendix B to 10 CFR Part 73, the licensee shall develop firearms maintenance procedures, which shall, at a minimum, document the licensee's cleaning schedules and cleaning requirements.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 13.2.2	Cleaning procedures should ensure that all licensee owned firearms are operational and can implement the site's protective strategy.	<p>The purpose of cleaning a firearm is to maintain serviceability, not operability. Operability is maintained through inspection and maintenance.</p> <p>Paragraph should be revised to read "Cleaning procedures should be designed to ensure that all licensee owned firearms are maintained in a serviceable condition."</p>	
Section 13.3	<p>Program Activity Documentation</p> <p>As described in Section VI, paragraph G.3.(a)(3) of Appendix B to 10 CFR Part 73, the licensee's firearms maintenance program shall include program activity documentation. Acceptable program activity documentation includes the following:</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
Section 13.3.1	Licensees should maintain and retain documentation of firearms testing and maintenance for each of its firearms employed consistent with Commission-approved security plans and in a manner similar to that for other security equipment that is relied on for effective implementation of the licensee's physical protection program.	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
Section 13.4	<p>Weapons and Ammunition Control and Accountability</p> <p>As described in Section VI, paragraph G.3.(a)(4) of Appendix B to 10 CFR Part 73, the licensee shall implement a system of accountability for all firearms and ammunition.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 13.5	<p>Firearm and Ammunition Storage</p> <p>As described in Section VI, paragraph G.3.(a)(5) of Appendix B to 10 CFR Part 73, the licensee's firearms maintenance program shall include the licensee's firearms storage requirements.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 13.6	<p>Records</p> <p>As required by Section VI, paragraph H to 10 CFR Part 73, and consistent with the requirements of 10 CFR 73.55(q), the licensee must retain all reports, records, or other documentation required.</p>	<p>This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.</p>	
Section 13.7	<p>Authorized Simulation Weapons</p> <p>Licensees should consider implementing a similar firearms maintenance program for their</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	exercise simulation system equipment.		
Section 14	<p>Audits and Reviews</p> <p>As described in Section VI, paragraph I of Appendix B to 10 CFR Part 73, the licensee shall review the Commission-approved Training and Qualification plan in accordance with the requirements of 10 CFR 73.55(m).</p>	This paragraph is a restatement of the regulation and does not provide any implementation guidance; therefore, this paragraph should be stricken.	
	GLOSSARY	The following terms are never used in the body of the document: therefore, these terms should be deleted from the glossary: barricade, bore, breach, cartridge, charge, close-quarter battle, draw, hammer, other items, pistol, print, string, and zero.	
	action - functional parts of a firearm that move together to place a cartridge in the chamber or otherwise ready a cartridge for firing.	<p>The term "action" is used throughout this document (e.g., operator action, correction action, regulatory action, etc.; however rarely (1-3 times) in the context as defined here.</p> <p>Provide clarity as to the context as to when the term "action" is used in the context as defined or delete the term and associated definition from the glossary.</p>	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	automatic - a firearm using gas pressure or force of recoil and mechanical spring action for repeatedly performing the entire firing cycle (i.e., fire, unlock, extract, eject, cock, feed, chamber, and lock) with a single press of the trigger.	The term "automatic" is only used in conjunction with "semi-automatic" throughout the body of the document and never independently; therefore this term should be deleted from the glossary.	
	barrel - the part of the firearm, usually made from iron or steel, through which the projectile(s) pass(es) when the firearm is fired.		
	barricade - a linear structure used as an obstacle or as support during the firing of a firearm.		
	bolt - a metal cylinder or block that drives the cartridge into the chamber of a firearm, locks the breech, and usually contains the firing pin and extractor.		
	bore - the interior of the barrel, the diameter of which determines the caliber or gauge of the firearm.		
	breech - the part of the firearm to the rear of the bore that accepts ammunition.		
	bullet - the projectile that is expelled		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	from a firearm when it is fired.		
	caliber - the diameter of the bore of a firearm or diameter of a bullet.		
	cartridge - a single piece of firearm ammunition consisting of casing, powder, primer, and projectile.		
	chamber - the part of the barrel's bore that holds the cartridge or a compartment in the cylinder of a revolver.		
	charge - to cause the action of a firearm to move, resulting in a cartridge being placed in the chamber and readied for firing.		
	clear - to ensure that a firearm has no cartridge in the chamber, cylinder, or loading mechanism and, if magazine fed, that the magazine is also removed.		
	clip - a device used to hold multiple cartridges together. It is used as an aid in loading firearms magazines or cylinders. It has no moving parts and is usually not retained in the firearm.		
	CN gas (chloroacetophenone) - a		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	tear gas that is weaker than CS gas but lasts longer.		
	close-quarter battle - intensive combat situations at distances less than 21 feet, generally with multiple participants with firearms, other weapons, or hand-to-hand combat.		
	contraband - firearms, explosives, incendiary devices or other items that may be carried or concealed by personnel, packages, materials, or vehicles and could be used to commit radiological sabotage.		
	cover - protection from incoming projectiles.		
	CS gas (chlorobenzylidenemalononitrile) - a tear gas that is stronger than CN gas but wears off faster; can be deployed by grenades or cluster bombs; can cause skin burns and fatal pulmonary edema.		
	cylinder - the rotating chambers of a revolver that hold the cartridges.		
	draw - to bring out a firearm, usually a handgun, from a holster worn on the body and direct it toward a		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	target.		
	dry fire - to manipulate a firearm and practice firing with no live cartridges or to use inert ammunition (dummy rounds).		
	enhanced weapon – any short-barreled shotgun, short-barreled rifle, or machine gun. Enhanced weapons do not include destructive devices as defined in 18 U.S.C. 921(a).		
	fire - to discharge a firearm.		
	firearm - a weapon from which a projectile(s) is discharged by gun powder, particularly small arms such as rifles or handguns.		
	firearm course - an orderly progression of manipulating and shooting a firearm through specified stages and strings designed to exercise and evaluate firearm manipulation and shooting skills.		
	force continuum (use of force continuum) - a standard that provides individuals with guidelines as to how much force may be used against a resisting or combative		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	subject in a given situation.		
	gauge - a measuring system used to determine the bore diameter of a shotgun barrel based upon the number of balls of bore diameter that can be produced from a pound of lead.		
	grip - (verb) to place one or more hands on a firearm to permit effective firing. (noun) The portion of a firearm designed for holding it in order to fire.		
	hammer - the part of a firearm that strikes the primer, firing pin, or percussion cap, causing the firearm to fire a projectile.		
	handgun - a firearm capable of being held and fired with one hand.		
	independent spent fuel storage facility - a complex designed and constructed for the interim storage of spent nuclear fuel; solid, reactor-related, greater than Class C waste; and other associated radioactive materials. A spent fuel storage facility may be considered independent, even if it is located on the site of another NRC-licensed		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	facility.		
	magazine - a component in some types of firearms (occasionally a detachable metal box) in which cartridges are placed. The magazine contains a spring and a follower and is part of the mechanism by which cartridges are fed into the chamber.		
	mock adversary force (MAF) - a group of tactical operators to role-play as terrorist adversaries to facilitate rigorous performance testing of the licensee's protective strategy.	The definition of "mock adversary force (MAF) inappropriately uses the word "terrorist". The attacking force may or may not be considered "terrorist" activities.	
	muzzle - the discharge end of a barrel.		
	other items —items that have an apparent primary use as a weapon (e.g., crossbow, brass knuckles, swords, nunchaku, etc.) or destructive devices as defined in 26 U.S.C. § 5845(f) intended for use in the commission of radiological sabotage. Other items do not include ordinary tools or materials routinely used in the operation and maintenance of a commercial		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	nuclear power reactor facility that could potentially be used in a manner for which they are not intended.		
	pistol - a handgun with a chamber that is integral with the barrel.		
	player - individuals must participate in one of the following roles to satisfy this requirement as a player response team leaders, alarm station operators, armed responders, armed security officers designated as a component of the protective strategy.	The definition for the term "player" is not a definition as written.	
	print - perforation on a target caused by a projectile.		
	projectile - a fired, projected object, such as a bullet or pellet having no capacity for self-propulsion, directed toward a nuclear power plant that could cause concern for the plant's continued operability, reliability, or personnel safety.		
	physician assistant - a healthcare professional who is trained to practice medicine under the direction/supervision of a physician and is licensed, as appropriate, as a	The term "physician assistant" is problematic as a physician assistant requires a specific level of training and qualification within the medical field as compared to other trained and	

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	physician's assistant in the state in which the physician's assistant practices.	qualified medical professionals who would be suitable for performing physical examinations of security personnel (e.g., nurse practitioner).	
	quarterly - should be scheduled at a nominal 13-week periodicity. Performance may be conducted up to four weeks before to four weeks after the scheduled date. The next scheduled date is 13 weeks from the originally scheduled date.		
	red gun - a training replica of a weapon (e.g., handgun, rifle, shotgun, etc.) that may be detailed to the look and feel of the real equipment.		
	remotely operated weapons system (ROWS) - a weapon system that is operated from a remote location and typically includes a support structure and operator control station.		
	revolver - a handgun with a cylinder of multiple chambers brought successively into line with the barrel and discharged by the same hammer.		
	rifle - a shoulder-fired firearm with a rifled barrel designed for single shot,		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	semi-automatic, or full automatic firing.		
	round - common term for a single cartridge.		
	scope - an optical instrument used to aid the human eye in sighting a firearm.	The term "scope" is used several times within the body of the document where it does not align with this definition (e.g., scope of drills and exercises, limited scope, etc.).	
	semi-automatic - a firearm using gas pressure or force of recoil and mechanical spring action to complete one cycle of the firing sequence (fire, unlock, extract, eject, cock, feed, chamber, lock) with a single pull of the trigger. The trigger must be released and re pressed to begin a second firing sequence.		
	shot - a projectile, such as a bullet or pellet, from a firearm. This term typically refers to small, round pellets fired from a shotgun.		
	shotgun - a smooth bore shoulder-fired firearm for firing single (slug) or multiple projectiles (pellets), usually at moderate distance.		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>sight alignment - correct positioning of the front sight within the center space of the rear sight. For firearms equipped with a scope, the scope must be aligned with the bore before shooting.</p>		
	<p>sight picture - correct alignment of the target with the correctly aligned sight(s) to ensure that a projectile strikes the target at the point of aim.</p>		
	<p>slug - an elongated projectile of bore diameter for a shotgun that may have a hollow base and spiral driving bands (rifling) on its surface.</p>		
	<p>stage - a segment of a firearms qualification course, which may consist of one or more strings using similar techniques at a specified distance.</p>		
	<p>string - a segment of a stage in a firearms course, usually a continuous series of shots fired within a specified time limit.</p>		
	<p>tampering - deliberately damaging, disabling, or altering equipment necessary for safe shutdown or security equipment necessary for the protection of the facility in order</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	to defeat their function and/or prevent them from operating		
	training cycle - a period over which the continuing training program is conducted and evaluated (normally over a three year period).		
	zero - to adjust a firearm's sighting mechanism(s) to cause a projectile to strike a target at the point of aim. This term may also refer to the number before 1.		
	<p>REFERENCES3</p> <p>1. U.S. Code of Federal Regulations (CFR), "Physical Protection of Plants and Materials," Part 73, Title 10, "Energy."</p> <p>2. CFR, "Domestic Licensing of Production and Utilization Facilities," Part 50, Chapter 1, Title 10, "Energy."</p> <p>3. CFR, "Licenses, Certifications, and Approvals for Nuclear Power Plants," Part 52, Title 10, "Energy."</p> <p>4. NRC, Regulatory Guide 5.76, "Physical Protection Programs at Nuclear Power Reactors," Washington, DC.</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>5. NRC, Regulatory Guide 5.81, "Target Set Identification and Development for Nuclear Power Reactors," Washington, DC.</p> <p>6. Nuclear Energy Institute (NEI), NEI 03-12, Revision 7, "Template for the Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, [and Independent Spent Fuel Installation Security Program]."4</p> <p>7. Institute of Nuclear Power Operations, INPO-AP-921, "Principles of Training System Development," June 1997, Atlanta, GA.5</p> <p>8. International Atomic Energy Agency, Nuclear Security Series No. 13, "Nuclear Security Recommendations on Physical Protection of Nuclear Material and Nuclear Facilities (INFCIRC/255/Revision 5), IAEA, Vienna, Austria, 2011.</p> <p>9. International Atomic Energy Agency, "Experience in the Use of Systematic Approach to Training (SAT) for Nuclear Power Plant</p>		

Consolidated Industry Comments for DG-5043

Section	DG 5043	Comments	Proposed Language
	<p>Personnel," IAEA-Tecdoc-1057, Vienna, Austria, 1998.6</p> <p>10. Lautenberg Amendment (1996) to the Gun Control Act [Public Law 104 208, 18 U.S.C. § 922(g)(9)].</p>		
	<p>ATTACHMENT 1: Critical Knowledge, Skills and Abilities Matrix</p> <p>Licensees are not expected to have job position titles that are specifically commensurate with the job titles in this Attachment. This guidance applies to the knowledge, skills and abilities associated with job positions or duty functions within positions and, therefore, the guidance assumes no nexus to job title. Licensees are guided by the performance code definitions provided in Section C.1 item 7 of this Regulatory Guide. The minimum critical task(s) required for each duty position are identified in the most current revision of NEI 03-12, Appendix B, Critical Task Matrix.</p>		