



**RESPONSE TO FREEDOM OF
INFORMATION ACT (FOIA) REQUEST**

FOIA

FOIA 2017-0340

RESPONSE NUMBER

1

RESPONSE
TYPE

INTERIM

FINAL

REQUESTER:

Julian Tarver

DATE:

FEB 27 2017

DESCRIPTION OF REQUESTED RECORDS:

NRC Information Notice 2005-33.

PART I. -- INFORMATION RELEASED

- Agency records subject to the request are already available in public ADAMS or on microfiche in the NRC Public Document Room.
- Agency records subject to the request are enclosed.
- Records subject to the request that contain information originated by or of interest to another Federal agency have been referred to that agency (see comments section) for a disclosure determination and direct response to you.
- We are continuing to process your request.
- See Comments.

PART I.A -- FEES

AMOUNT*

\$

*See Comments for details

You will be billed by NRC for the amount listed.

None. Minimum fee threshold not met.

You will receive a refund for the amount listed.

Fees waived.

PART I.B -- INFORMATION NOT LOCATED OR WITHHELD FROM DISCLOSURE

- We did not locate any agency records responsive to your request. *Note:* Agencies may treat three discrete categories of law enforcement and national security records as not subject to the FOIA ("exclusions"). 5 U.S.C. 552(c). This is a standard notification given to all requesters; it should not be taken to mean that any excluded records do, or do not, exist.
- We have withheld certain information pursuant to the FOIA exemptions described, and for the reasons stated, in Part II.
- Because this is an interim response to your request, you may not appeal at this time. We will notify you of your right to appeal any of the responses we have issued in response to your request when we issue our final determination.
- You may appeal this final determination within 30 calendar days of the date of this response by sending a letter or email to the FOIA Officer, at U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, or FOIA.Resource@nrc.gov. Please be sure to include on your letter or email that it is a "FOIA Appeal."

PART I.C COMMENTS (Use attached Comments continuation page if required)

In conformance with the FOIA Improvement Act of 2016, the NRC is informing you that you have the right to seek assistance from the NRC's FOIA Public Liaison.
The document ML053470469 can be found on the NRC website. It is provided here.

SIGNATURE - FREEDOM OF INFORMATION ACT OFFICER

Stephanie Blaney

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UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, D.C. 20555-0001

December 30, 2005

NRC INFORMATION NOTICE 2005-33: MANAGING THE SAFETY/SECURITY
INTERFACE

ADDRESSEES

All holders of operating licenses for nuclear power reactors, except those who have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

PURPOSE

The U.S. Nuclear Regulatory Commission (NRC) is issuing this information notice to remind licensees of the need to prevent unintended degradation of plant security by routine plant operations, design changes, or maintenance, and conversely to prevent unintended degradation of plant safety by analogous security activities. It is expected that recipients will review this information for applicability to their facilities and consider actions, as appropriate. However, suggestions contained in this information notice do not constitute NRC requirements and, therefore, no specific action or written response is required.

BACKGROUND

In addition to the security enhancements instituted by order at nuclear reactor sites subsequent to September 11, 2001, the NRC has considered whether specific measures are needed to manage the potential for adverse interactions to occur between operational safety and site security when changes are made to plant configurations, facility conditions, or security postures. The current regulations require nuclear power plant licensees to establish and maintain NRC-approved physical security plans which provide for high assurance that activities involving special nuclear material are not inimical to the common defense and security and do not pose an unreasonable risk to public health and safety (Section 73.55a of Title 10 of the *Code of Federal Regulations* (10 CFR 73.55(a)), and to make no changes to these plans that could decrease their effectiveness without prior NRC approval (10 CFR 50.54(p)(1)). Similarly, 10 CFR 50.59 allows licensees to make changes to their facility or procedures as described in their final safety analysis reports without prior NRC approval provided that certain criteria are met. Additionally, 10 CFR 50.65(a)(4) requires that licensees assess and manage the increase in risk that may result from proposed maintenance activities.

These regulations do not explicitly address the need to prevent unintended degradation of plant security and/or safety as a result of routine plant operations, design changes, or maintenance. The NRC staff is currently considering new rulemaking to address this issue.

ML053470469

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DESCRIPTION OF CIRCUMSTANCES

The NRC staff has become aware of several cases in which actions taken by operations, maintenance, or security personnel were not promptly and effectively communicated to other potentially affected organizations and had the potential to result in adverse effects on plant safety or security.

Examples of security activities that had the potential to adversely impact safe plant operations include: security force staffing changes on backshifts, weekends, and holidays that could adversely impact operations during plant events or emergencies (e.g., opening and securing vital area access doors to allow operations personnel timely access to safety-related equipment) and the installation of security equipment that interferes with plant operations (e.g., placement of a security fence that blocks the pressure relief blowout panel for the turbine driven auxiliary feed water system, installation of security delay fencing with razor wire preventing access to plant fire hydrants).

Examples of operational activities that had the potential to adversely impact security include: physical barrier breaches during maintenance activities (e.g., removed ventilation fans or other equipment from vital area boundary walls without taking compensatory measures to prevent unauthorized access), blockage of fields of fire from bullet-resisting enclosures (or other defensive firing positions), placement of scaffolding and other temporary equipment without due consideration of the impact on security response pathways and the potential for unauthorized access, and the staging of temporary equipment within security isolation zones.

DISCUSSION

The goal of maintaining effective oversight of the safety/security interface is to ensure that the risk of adverse effects on safety and security are effectively managed before changes are made to plant configurations, facility conditions, or security.

When licensees identify circumstances that may involve an adverse safety/security interface, they should consider whether compensatory and/or mitigative actions are needed to maintain safety and security consistent with applicable NRC regulations, requirements, and license conditions. Licensees' evaluations of such changes must ensure the protection of public health and safety, and the promotion of the common defense and security.

CONTACT

This information notice requires no specific action or written response. Please direct any questions about this matter to the technical contact listed below or the appropriate Office of Nuclear Reactor Regulation project manager.

/RA by HNieh for/

Christopher I. Grimes, Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

Technical Contact: William D. Reckley, NRR/ADRA/DPR/PSPB
301-415-1323
E-mail: WDR@nrc.gov

Marc A. Brooks, NSIR/DNS/RSS
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Note: NRC generic communications may be found on the NRC public Web site, <http://www.nrc.gov>, under Electronic Reading Room/Document Collections.

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DISTRIBUTION:
IN File

ADAMS ACCESSION NUMBER: ML053470469 * see previous concurrence

OFFICE	NSIR:DNS:RSS	TECH EDITOR	BC:NSIR:DNS:RSS	D:NSIR:DNS:NSP	D:NSIR:DNS
NAME	MABrooks*	PKleene*	SAMorris*	VOrdaz*	GTracy*
DATE	12 /15 /2005	12/15 /2005	12 /21 /2005	12 /21 /2005	12 /22 /2005
OFFICE	D:NSIR	IOEB:DIRS	TL:IOEB:DIRS	LA:PGCG:DPR	BC:PGCB:DPR
NAM	RZimmerman*	CRoquecruz*	ICJung*	CMHawes	CJackson
DATE	12 /29 /2005	12 /29 /2005	12 /29 /2005	12 /30/2005	12/30/2005
OFFICE	D:DPR				
NAME	CIGrimes				
DATE	12/30/2005				

OFFICIAL RECORD COPY

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Dear FOIA Requester:

The FOIA Improvement Act of 2016, which was enacted on June 30, 2016, made several changes to the Freedom of Information Act (FOIA). Federal agencies must revise their FOIA regulations to reflect those changes by December 27, 2016. In addition to revising our regulations, we intend to update the Form 464, which we use to respond to FOIA requests.

In the interim, please see the comment box in Part I.C of the attached Form 464. The comment box includes information related to the recent changes to FOIA that is applicable to your FOIA request, including an updated time period for filing an administrative appeal with the NRC.

Sincerely yours,

Stephanie Blaney /S/

Stephanie Blaney
FOIA Officer