

REGULATORY GUIDE NUMBER: 5.68, REVISION 0

TITLE: PROTECTION AGAINST MALEVOLENT USE OF VEHICLES AT NUCLEAR POWER PLANTS

OFFICE/DIVISION/BRANCH: NSIR/DPCP/MWSB

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SUBJECT: BASES FOR WITHDRAWAL

1. What regulation(s) did the Regulatory Guide support?

Regulatory Guide (RG) 5.68, "Protection against Malevolent use of Vehicles at Nuclear Power Plants" (August 1994) describes methods that the U.S. Nuclear Regulatory Commission (NRC) staff considered acceptable for complying with the requirements at the time in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73, "Physical Protection of Plants and Materials," specifically, 10 CFR Paragraph 73.1(a)(1) "Radiological Sabotage" and "10 CFR Section 73.55, "Requirements for Physical Protection of Licensed Activities in Nuclear Power Reactors Against Radiological Sabotage." The specific portions of 10 CFR Section 73.55 were: Paragraphs 73.55(c)(7), (8), (9) and (10).

The requirements in 10 CFR Part 73 regarding malevolent use of vehicles at nuclear power reactors identified safeguards against sabotage that could cause a radiological release and/or prevent theft and diversion of special nuclear material. RG 5.68 provided methods acceptable to the NRC staff for implementing specific parts of the Commission's regulations, techniques used by the staff in evaluating specific problems or postulated security events, and data needed by the NRC staff in its review of applications for licenses.

2. What was the purpose of the Regulatory Guide?

The purpose of RG 5.68 is to describe measures that the NRC staff considers acceptable to implement regulatory requirements on vehicle access controls and, specifically, the malevolent use of vehicles to include use of explosives. The purpose of these measures is: (1) to ensure adequate vehicle access for safety purposes while providing necessary physical security; (2) to provide protection of specified protected and vital equipment which, if sabotaged, could significantly affect the security and/or safety of the plant; and (3) to provide guidance concerning the use of alternative measures to implement the Commission's design goals and criteria for protection against a vehicle bomb. The objective of controlling vehicle access to protected and vital areas of nuclear power plants is to ensure that only authorized persons conducting necessary activities be allowed access to such areas.

3. How was the Regulatory Guide used?

The RG presents approaches that were acceptable to the NRC staff for implementing the requirements stated in 10 CFR Part 73, 10 CFR Paragraph 73.(a)(1) and 10 CFR Section 73.55 as it pertained to vehicle access controls and protection against malevolent use of vehicles.

4. Why the Regulatory Guide is no longer needed?

Much of the discussion in RG 5.68 is outdated and is no longer considered acceptable by NRC staff. The following are some of the regulatory and technical issues with this guide.

- On March 27, 2009, the NRC enhanced its security requirements pertaining to nuclear power plants to incorporate those that were issued through Commission orders as a result of the September 11, 2001, terrorist attacks (74 FR 13925). In addition, the rulemaking added several new requirements consistent with insights gained from implementation of the security orders, review of site security plans, implementation of the enhanced baseline inspection program, and NRC evaluation of force-on-force exercises. As RG 5.68 was published in August 1994, it is outdated and does not account for the updated requirements of 10 CFR Part 73.

Furthermore, the rulemaking modified the format, numbering, and subject organization of 10 CFR Part 73. Thus, the requirements referenced in RG 5.68 are inconsistent with the current rule numbering. For example, RG 5.68 states, “10 CFR 73.55(c)(7) requires a licensee to establish vehicle control measures, including vehicle barriers, to protect against the use of a land vehicle, as specified by the Commission...” Paragraph 73.55(c) addresses “Security Plans” and 10 CFR Paragraph 73.55(c)(7) does not address vehicle control measures, vehicle barriers or the protection against use of a land vehicle. These measures are now addressed in 10 CFR Paragraph 73.55(e)(10) “Vehicle control measures.”

- RG 5.68 overlaps with the scope of RG 5.66, “Access Authorization Program at Nuclear Power Plants” (October 2011). As part of the power reactor security rule in March 2009, the NRC amended its regulations for access authorization in 10 CFR Section 73.56. RG 5.68 did not reference obligations required of licensees with regard to access authorization at nuclear power plants. RG 5.66, published in October 2011, offers an acceptable approach by which licensees can establish and implement an access authorization program for granting unescorted access to protected and vital areas of a nuclear power plant, consistent with the current requirements of 10 CFR Section 73.56.
- RG 5.68 overlaps with the scope of RG 5.76, “Physical Protection Programs at Nuclear Power Reactors” (July 2009). Specifically, RG 5.68 contains outdated discussions regarding uses of vehicles, protection of security equipment, vital and protected area transients, delays, and barriers.
- RG 5.68 addressed vehicle protection measures required to protect protected and vital area structures and prevent radiological sabotage. RG 5.81 (November 2010) issued after RG 5.68 elaborates on the identification of target sets that go beyond protected and vital areas. The additional target sets also need to be addressed when assessing security measures to protect against malevolent use of vehicles.
- RG 5.68 does not address the interface between safety and security. This important relationship is now addressed within the scope of RG 5.74, “Managing

the Safety/Security Interface” (April 2015) on the cross training of roles, responsibilities, and general practices of both organizations as a mechanism to reduce interface problems. RG 5.74 describes acceptable means for licensees to assess and manage changes to safety and security activities so as to prevent or mitigate potential adverse effects that could negatively impact either plant safety or security at power reactors, in addition to the recommendation of training to aid the interface between safety and security with respect to measures designed to protect activities which can include malevolent use of vehicles.

- The Office of Nuclear Security and Incident Response, Division of Physical and Cyber Security Policy, Materials and Waste Security Branch is currently updating or developing other RGs in which the applicable contents of RG 5.68 will be updated and incorporated. Examples include: RG 5.54, “Standard Format and Content of Physical Security Plans, Training and Qualification Plans, and Safeguards Contingency Plans for Nuclear Power Plants;” RG 5.69, “Guidance for the Application of Radiological Sabotage Design-Basis Threat in the Design, Development and Implementation of a Physical Security Program that Meets 10 CFR Section 73.55 Requirements;” and RG 5.76, “Physical Protection Programs at Nuclear Power Reactors.”

5. What guidance is available once the Regulatory Guide is withdrawn?

Once RG 5.68 has been withdrawn, the following are available to offer guidance on vehicle protection control measures at nuclear power plants.

- RG 5.54, “Standard Format and Content of Safeguards Contingency Plans for Nuclear Power Plants” (June 2009)
- RG 5.66, “Access Authorization Program at Nuclear Power Plants” (October 2011)
- RG 5.74, “Managing the Safety/Security Interface” (April 2015)
- RG 5.76, “Physical Protection Programs at Nuclear Power Reactors” (July 2009)
- RG 5.81, “Target Set Identification and Development for Nuclear Power Plants” (November 2010)

Additional technical information can be found in:

- NUREG/CR-4250, “Vehicle Barriers: Emphasis on Natural Features” (July 1985)
- NUREG/CR-6190, “Protection Against Malevolent Use of Vehicles at Nuclear Power Plants” (March 2004)
- NUREG-1959, “Intrusion Detection Systems and Subsystems: Technical Information for NRC Licensees” (March 2011)
- NUREG-1964, “Access Control Systems” (April 2011)

6. Is the Regulatory Guide referenced in other documents and what are the “ripple effects” on these documents if it is withdrawn?

RG 5.68 is not referenced in other documents and, therefore, there are no “ripple effects” resulting from its withdrawal.

7. What is the basis for believing that no guidance similar to that in the Regulatory Guide will ever be needed?

Other guidance and regulatory support documents, i.e., RG 5.54, RG 5.66, RG 5.69, RG 5.74, RG 5.76, RG 5.81 and NUREG/CR-6190, NUREG/CR-4250, NUREG-1959, and NUREG-1964 are available to provide licensees with acceptable approaches to address vehicle access controls, use of explosives, target set identification and the appropriate use of vehicles in lieu of RG 5.68.

8. Will generic guidance still be needed?

RG 5.68 is outdated and no longer considered a method that the NRC staff finds acceptable to meet the requirements stated in 10 CFR Paragraph 73.1(a)(1) and 10 CFR Section 73.55 as it pertains to access controls. Instead, the topics addressed in the RG can be found updated in other guidance documents. Additionally, the 10 CFR Part 73 regulation has been significantly updated since issuance of RG 5.68 and specifically addresses aspects of malevolent use of vehicles not previously contained in RG 5.68.

9. What is the rationale for withdrawing this Regulatory Guide instead of revising it?

The aforementioned RGs take precedence and contain updated information as it pertains to protection against malevolent use of vehicles at nuclear power plants. As a result, RG 5.68 should be withdrawn rather than revised to prevent duplicate information that is already provided in other resources.

10. Do other agencies rely upon the Regulatory Guide, e.g., the Agreement States, National Aeronautical and Space Administration, Department of Energy?

The staff is unaware of any other agency that uses or relies on the guidance in RG 5.68.