

Regulatory Guide Number: 5.43, Revision 0
Title: “Plant Security Force Duties”
Office/Division/Branch: NSIR/DPCP/MSB
Technical Lead: Joseph Willis
SUBJECT: Basis for Withdrawal

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

Licensees and applicants are required to submit physical security plans in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) 10 CFR 50.34, “Contents of applications; technical information,” subsection (c) *Physical security plan*. Specifically, 10 CFR 50.34(c)(1) requires that each applicant for an operating license for a production or utilization facility that will be subject to §§ 73.50 and 73.60 must include a physical security plan.

10 CFR Part 73, “Physical Protection of Plants and Materials,” requires licensees to maintain and follow written security procedures.

(2) What was the purpose of the Regulatory Guide?

Regulatory Guide (RG) 5.43 was published in January 1975 to provide guidance to licensees with facilities subject to 10 CFR 73.50 and 73.60 on the organization of plant security forces and the duties of guards, watchman, and other individuals responsible for security, as described in the security plans for their facilities.

(3) How was the Regulatory Guide used in regulatory activities, particularly licensing reviews and inspections?

Regulatory Guide 5.43 may have been used by licensees and applicants in developing security plans for their facilities, since it provided guidance on physical security measures that were acceptable to the NRC staff for implementing the CFR requirements. Based on a search of historical documents in the NRC’s Agencywide Documents Access and Management System (ADAMS) and in the NRC’s system for handling safeguards information (i.e., SLES), this RG was found to have only been used in site-specific procedures as a reference vice a commitment to the guidance. There were no records identified where the RG was used during inspections.

(4) Is the Regulatory Guide referenced in other documents? What are the “ripple effects” on these documents if it is withdrawn?

RG 5.43 is not referenced in other guidance documents and therefore, there are no “ripple effects” resulting from its withdrawal.

(5) Why is the Regulatory Guide no longer needed? What is the rationale for withdrawing this Regulatory Guide instead of revising it? What is the basis for believing that no guidance similar to that in the Regulatory Guide will be needed in the future?

RG 5.43 is no longer needed because the guidance in RG 5.43 is no longer the preferred method of meeting the regulatory need that the document originally met.

However, NRC staff has issued regulatory guidance documents that were referenced in RG 5.43 and provide detailed guidance for the majority of topics that RG 5.43 addresses. See list below.

- Regulatory Guide 5.7, "Entry/Exit Control for Protected Areas, Vital Areas, and Material Access Areas," dated May 1980.
- Regulatory Guide 5.20, "Training, Equipping, and Qualifying of Guards and Watchmen," dated January 1974.
- Regulatory Guide 5.44, "Perimeter Intrusion Alarm Systems," dated October 1997.
- Regulatory Guide 5.80, "Pressure-Sensitive and Tamper-Indicating Device Seals for Material Control and Accounting of Special Nuclear Material," dated December 2010.

Furthermore, the NRC staff has issued regulatory guidance documents that can be used to inform site procedures and physical security plans that contain a more preferred method than what is in RG 5.43. These guidance documents do not specifically address the requirements of 10 CFR 73.50 and 73.60, but licensees subject to these requirements may find relevant portions of these RGs helpful in their development of their security plan and procedures. See list below.

- Regulatory Guide 5.66, "Access Authorization Program for Nuclear Power Plants Revision 2," dated October 2011.
- Regulatory Guide 5.75, "Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities," dated July 2009.
- Regulatory Guide 5.76, "Physical Protection Programs at Nuclear Power Plants," dated July 2009.

(6) What guidance is available once the Regulatory Guide is withdrawn?

None. However, licensees and applicants under 10 CFR 73.50 and 73.60 may use the regulatory guidance documents listed in question #5 above as relevant to inform their site procedures.

(7) 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 included in RG 5.43.