



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

AES1-1  
PDR 010

July 26, 1993

*Smith*  
*See me on this*

MEMORANDUM FOR: Robert F. Burnett, Director  
Division of Fuel Cycle Safety  
& Safeguards, NMSS

FROM: Sue F. Gagner  
Public Affairs Officer  
Office of Public Affairs *Sue F. Gagner*

SUBJECT: DRAFT PUBLIC ANNOUNCEMENT

Enclosed for your approval and comment is a revised draft public announcement on the proposed rule changes on the design basis threat. Please coordinate any changes with this office.

Enclosure

AE 81-1  
PDR 011

July 27, 1993

SECY-93-210

FOR: The Commissioners

FROM: James M. Taylor  
Executive Director for Operations

SUBJECT: IMPLEMENTATION SCHEDULE FOR PROTECTION AGAINST MALEVOLENT USE OF  
VEHICLES AT NUCLEAR POWER PLANTS

PURPOSE:

To provide to the Commission a proposed implementation schedule for protection against malevolent use of vehicles at nuclear power plants.

DISCUSSION:

A staff requirements memorandum (SRM) from the Secretary dated June 29, 1993, approved Option 5 of SECY-93-166, Staff Recommendation for Protection Against Malevolent Use of Vehicles at Nuclear Power Plants. Option 5 includes rulemaking to modify the design basis threat (DBT) for radiological sabotage to include a land vehicle for the transport of personnel, hand-carried equipment, and/or explosives. It also includes modifying 10 CFR 73.55 to reflect the change to the DBT and a process to allow for alternative measures for providing protection against a vehicle bomb. An SRM from the Secretary dated June 30, 1993, requested that the staff provide an estimate of the timeframe required to issue a rule based on the staff's recommendation for Option 5 and the timeframe for plants to implement that rule.

In response to Commission direction for expedited rulemaking to implement these changes, the staff has prepared the enclosed proposed schedule. This is an ambitious schedule with minimum time allowances for each of the mandatory steps in the rulemaking process. The Office of Nuclear Reactor Regulation

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(NRR), the Office of Nuclear Material Safety and Safeguards, the Office of the General Counsel, and a regional office have committed the resources necessary to meet the schedule. NRR is taking the lead in coordinating the effort. To enhance its ability to maintain the schedule, the staff has planned a number of expediciencies but has not included extra time in the schedule for contingencies.

First, the new rule, as planned by the staff, would not require licensees to submit new analyses to the NRC for review and approval prior to implementation. Licensees would be required to retain supporting analyses on site for Commission review.

Second, the NRR staff has forwarded SECY-93-102 (Review and Update of Options to Protect Against Malevolent Use of Vehicles and Related Threat Information), SECY-93-166, and the June 29 SRM to the Committee To Review Generic Requirements (CRGR) and the Advisory Committee on Reactor Safeguards (ACRS) to help expedite their review. The staff will provide a backfit analysis and the proposed rule to the CRGR in time for an August meeting. The staff has discussed the possibility of a special CRGR meeting on or about August 31, if necessary. The proposed rulemaking package will be sent to the ACRS for review at the same time as it is sent to the Commission. If the Commission requests, or the ACRS chooses to review the proposal, the staff will brief the ACRS during or shortly after the public comment period.

Third, the proposed rule package will contain a regulatory guide that will provide sufficient screening criteria to allow for meaningful public comment. The staff is making arrangements with the U.S. Army Corps of Engineers to provide applicable portions of official use only (OUO) manuals to licensees to assist them in their initial assessments of measures to protect against vehicle intrusions and the effect of vehicle bombs on typical structures. The staff and the Office of General Counsel is working with the Army to develop the most appropriate method for NRC to distribute this material without jeopardizing the Army's interest in protecting the OUO material from public disclosure. Additional guidance is already publicly available in NUREG/CR-5246, "A Methodology To Assist in Contingency Planning for Protection of Nuclear Power Plants Against Land Vehicle Bombs."

Fourth, the staff is developing an interagency agreement with the U.S. Army Corps of Engineers to provide additional help by developing a NUREG report concurrently with staff analysis of public comments on the proposed rule. This NUREG report, which is intended to supplement screening criteria in the regulatory guide, will provide simplified methods for licensees to select barriers, perform an analysis of existing structures and equipment to demonstrate their ability to protect against a vehicle bomb, and evaluate other alternatives. The NUREG report would be available by the effective date of a final rule. In addition, during the public comment period, the staff would develop factors to be considered in its assessment of licensee proposals of alternative measures, in addition to the measures to protect against rapid access to vital areas.

The Commissioners

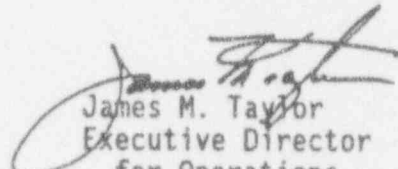
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The proposed implementation schedule assumes that vendors will be capable of producing the required number of active barriers within the time specified in the rule. The staff will have to provide some flexibility in the rule to allow for possible barrier-production problems.

The staff will continue to proceed with rulemaking activities on an expedited basis and will make every effort to meet or better the enclosed schedule.

COORDINATION:

The Office of the General Counsel has reviewed this paper and has no legal objection.

  
James M. Taylor  
Executive Director  
for Operations

Enclosure:  
Proposed Implementation Schedule

IMPLEMENTATION SCHEDULE  
VEHICLE THREAT RULE

Date	Tasks
8/31/93	CRGR meeting.
9/30/93	Proposed rule package to Commission and ACRS.
10/15/93	Commission approval.
10/29/93	Publish Federal Register Notice and draft Regulatory Guide, including screening criteria.
11/30/93	Public comment period ends. Staff review starts with receipt of first comments.
1/14/94	Final rule to Commission.
1/28/94	Commission approval.
2/15/94	Publish Federal Register Notice and final Regulatory Guide with screening criteria and 10 CFR 50.109 backfit criteria.
3/15/94	Rule effective. Publish NUREG.
6/15/94	Licensees complete certification analyses. Available for staff review on site.
3/15/95	Barriers in place around the protected area perimeter.* Security plans changed under 10 CFR 50.54(p) and available for staff review on-site. A few licensees may propose alternative measures supported by a 50.109 backfit analysis.

\* Assumes that vendors can meet demands for active barriers.