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## INSPECTION PROCEDURE 81200.09

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### SECURITY PLAN CHANGES FOR DECOMMISSIONING POWER REACTORS

Effective Date: 02/18/2021

PROGRAM APPLICABILITY: IMC 2202, App A

#### 81200.09-01 INSPECTION OBJECTIVES

01.01 To verify that changes to the licensee's security plans have not decreased the safeguards effectiveness as required by Title 10 of the *Code of Federal Regulations* (10 CFR) 50.54(p)(2).

01.02 To verify and assess licensee implementation of the change process in accordance with 10 CFR 50.54(p)(2).

#### 81200.09-02 INSPECTION REQUIREMENTS

##### General Guidance

Each application for an operating license subject to the provisions of 10 CFR 73.55, must include a Physical Security Plan, Training and Qualification Plan, a Safeguards Contingency Plan, and a Cyber Security Plan. These four plans describe the licensee's physical protection system/program that will be used (or implemented) to prevent radiological sabotage in accordance with the Commission requirements. These plans are collectively referred to as the "Security Plan."

A review of the licensee's current approved exemptions and license amendments should be completed before implementing this inspection procedure. Licensees may request an exemption to address certain requirements to implement specific components of their programs (e.g., use of a certified fuel handler, communications with the control room, de-vitalization of the control room).

The licensee can change an element of the plan if an evaluation is performed to demonstrate that the plan change continues to ensure the licensee's capability for detection, assessment, interdiction, and neutralization is maintained to adequately protect against the design basis threat (DBT) of radiological sabotage. This plan change can be submitted as a 10 CFR 50.54(p)(2) if, in addition to the above, the change meets all regulations and considers site specific conditions (site characteristics, location, size, etc.). If a plan change can meet these criteria, it is not considered a decrease in safeguards effectiveness. If the change cannot meet these criteria, the proposed plan change must be submitted as a license amendment request under 10 CFR 50.90 and receive U.S. Nuclear Regulatory Commission (NRC) approval prior to implementation, pursuant to 10CFR 50.54(p)(1).

The licensee's evaluation as to whether the plan change constitutes a decrease in safeguards effectiveness is used by the licensee to determine whether it has the authority to implement the change without prior NRC approval under 10 CFR 50.54(p)(2), or must submit for prior NRC approval under 10 CFR 50.90.

Licensee submittals that require NRC approval, such as license amendment requests, are not subject to this inspection procedure and will be reviewed by the Office of Nuclear Security and Incident Response (NSIR) and approved by the Office of Nuclear Reactor Regulation (NRR) or the Office of Nuclear Material Safety and Safeguards (NMSS).

The NRC's inspection of 10 CFR 50.54(p)(2) should verify that changes to security programs did not result in: (1) a noncompliance or violation of established regulatory requirements; (2) an adverse impact to the licensee's ability to detect, assess, interdict, and neutralize to protect against the DBT of radiological sabotage; and (3) a site-specific vulnerability.

As an example, suppose a licensee has more than the minimum number of ten armed responders (AR)s, required by 10 CFR 73.55(k)(5)(ii). The licensee could use the 10 CFR 50.54(p)(2) process to reduce the number of ARs to ten, the regulatory minimum. If the site-specific evaluation determines that the requirements of 10 CFR 73.55 continue to be met, and there is no adverse impact to the licensee's capability to detect, assess, interdict, and neutralize as a result of the change, the licensee can make the change in accordance with 10 CFR 50.54(p)(2). However, if the licensee plans to reduce the number of ARs below the minimum requirement of ten ARs, the licensee must submit a license amendment request in accordance with 10 CFR 50.90 for review and approval by the NRC, prior to making this change.

To prepare for inspection activity, inspectors should review the previous security plan revision in effect at the time of the last baseline inspection to gain a better understanding of the nature of the changes.

If the regional inspector anticipates the inspection of all security plan changes would likely exceed the 16-hour resource allocation, the inspector should contact NRC Headquarters (HQ) NSIR for support.

This procedure can be conducted in-office, on-site, or a combination of both.

#### 02.01 Review Security Plan Changes

For this portion of the inspection, the inspector(s) should review the licensee's security plan. The inspector(s) should also review all 10 CFR 50.54(p)(2) security plan changes that have been submitted to the NRC since the last inspection.

- a. Verify that the licensee submits reports associated with security plan change(s) under 10 CFR 50.54(p)(2) to the NRC within 2 months after the change has been made. (10 CFR 50.54(p)(2))

#### Specific Guidance

Inspector(s) should review the report, submitted by the licensee to the NRC, which documents the changes associated with the licensee's implementation of its physical

protection program. The inspector(s) should verify that the submittal was provided to the NRC within the required two-month period.

- b. Assess each licensee-submitted security plan change to verify that the change(s) does not decrease the safeguards effectiveness of the plan. (10 CFR 50.54(p)(2))

Specific Guidance

Inspector(s) should request supporting documentation that demonstrates the change does not represent a decrease in safeguards effectiveness of the security plans and how the change continues to provide reasonable assurance through the effective implementation of the security plans and site-protective strategy. Types of documentation may include drill and exercise reports, self-assessments, blast analyses, maps, corrective action documentation, procedures, and lesson plans.

The inspector shall perform an in-depth review of selected security plan change items that could potentially result in a decrease in safeguards effectiveness.

- c. Verify that prior to implementing the plan change(s), the licensee ensured all safeguards capabilities specified in the safeguards contingency plan are available and functional. (10 CFR 50.54(p)(2)(i))

Specific Guidance

For inspection of this requirement, inspector(s) should review documentation that describes the licensee's implementation of the plan change. This documentation should cover areas of implementation such as impacts associated with contingency response, physical protective measures, communication capabilities, and other areas that may have been impacted by the change. The inspector(s) should conduct interviews with security personnel responsible for implementing the plan change. The inspector(s) may also request that the licensee provide a protective strategy overview/briefing that addresses the impacts of the plan change(s) on the site protective strategy and all supporting physical protection measures and security equipment that the licensee employs in support of its protective strategy. The documentation review should provide insights pertaining to the plan changes' impacts to the licensee's protective strategy and should support the completion of the inspection requirements within this section.

- d. Verify that the licensee has developed new or revised procedures associated with the plan change(s), according to Appendix C to Part 73, as appropriate. (10 CFR 50.54(p)(2)(ii))

Specific Guidance

Inspector(s) should review licensee procedures associated with recent plan changes. Specifically, inspectors should ensure the procedures reflect the plan change and align with licensee implementation practices. Inspectors should consider conducting observations of activities associated with the plan change to verify that the licensee implementation aligns with the plan change(s).

- e. Verify that licensee personnel impacted by the plan change(s) have been trained to respond to safeguards incidents as outlined in the plan and specified in procedures. (10 CFR 50.54(p)(2)(iii))

#### Specific Guidance

Inspector(s) should conduct interviews with a sample of licensee personnel to determine the methodology the licensee used to ensure it has appropriately trained the personnel responsible for implementation of the plan change(s). Additionally, the inspector(s) should review training material (i.e., lesson plans, briefing materials, computer-based training) developed to provide training to licensee personnel responsible for implementing the plan change(s).

### 81200.09-03      PROCEDURE COMPLETION

The security plan change reviews should be documented in an inspection report in accordance with Inspection Manual Chapter 0611. Performance of this inspection procedure does not constitute approval of the security plan changes. An example of documentation wording for security plan changes with no apparent decrease in safeguards effectiveness is as follows:

“Since the last NRC inspection of this program area, Security Plan Revision(s) XX to XX were implemented based on your determination, in accordance with 10 CFR 50.54(p)(2), that the changes resulted in no decrease in safeguards effectiveness of the security plan, and that the revised security plan continues to meet the requirements of 10 CFR 73.55(b). The inspectors conducted a review of the security plan changes to evaluate for potential decrease in safeguards effectiveness of the security plan. However, this review does not constitute formal NRC approval of the changes. Therefore, these changes remain subject to future NRC inspection in their entirety.”

This procedure is considered complete when the inspection requirements listed in the procedure have been satisfied.

For sites that have not made any security plan changes since the last baseline inspection, the minimum sample size is the security plan review per 81200.09-02.01.

### 81200.09-04      RESOURCE ESTIMATE

The resource estimate for completion of this procedure consists of a range between 12- 16 hours of direct inspection effort per sample. The resource allocation includes one or multiple security plan changes that have been submitted to the NRC since the last inspection.

The frequency at which this inspection activity is to be conducted is annually (once per year) or as needed dependent on changes that could result in a decrease in safeguards effectiveness. The sample size for this procedure is one.

Attachment 1 – Revision History for Inspection Procedure 81200.09, “Security Plan Changes for Decommissioning Power Reactors”

Commitment Tracking Number	Accession Number Issue Date Change Notice	Description of Change	Description of Training Required and Completion Date	Comment Resolution and Closed Feedback Form Accession Number (Pre-Decisional, Non-Public Information)
	ML20280A801 02/18/21 CN 21-009	Initial issue to support inspections of operational programs described in IMC 2202, Appendix A, “Security Core Inspection Program.”	n/a	ML20280A803