

Update Regarding Part 73, Appendix B, Section VI Security Officer Training and Qualification Exemptions

Public Meeting
October 15, 2020

Office of Nuclear Security and Incident Response

Industry Requests for Additional Relief Due to the COVID-19 Public Health Emergency (PHE)

- NRC issued "Updated Guidance for Licensees that Request Exemptions from the Calendar Year 2020 Annual Licensee-conducted Force-on-Force Requirement in Part 73, Appendix B, Section VI During the Coronavirus Disease 2019 Public Health Emergency", dated October **XX**, 2020.
- Some licensees have expressed continued site-specific challenges with annual FOF exercise completion by December 31, 2020.
- NRC recommends licensees refer to the October **XX**, 2020 letter for any requests for additional relief, as necessary.

NRC Exemption Guidance Letter (October 2020)

Letter states, in part:

To receive an expedited review for exemption from the Part 73, Appendix B, Section VI, paragraph C.3(l)(1) requirement for the conduct of an annual FOF exercise in CY 2020, a licensee should submit a request that contains the following information:

- For licensees that have previously been granted a temporary exemption from the annual FOF exercise requirement, a discussion as to why the licensee is unable to conduct make-up exercises due to continuing COVID-19 PHE impacts as committed to in their initial exemption request submission, or
- For licensees that have not previously been granted a temporary exemption from the annual FOF exercise requirement, a discussion as to why the licensee is unable to perform a CY 2020 FOF exercise before December 31, 2020, due to continuing COVID-19 PHE impacts. In support of the new exemption request, these licensees should include the information requested in Enclosure C to the April 20, 2020 letter, and
- In addition to the information above, licensees requesting an exemption from the CY 2020 annual FOF exercise requirement, whether previously granted an exemption for the annual FOF exercise requirement or not, should provide a description of how they intend to maintain security force readiness.

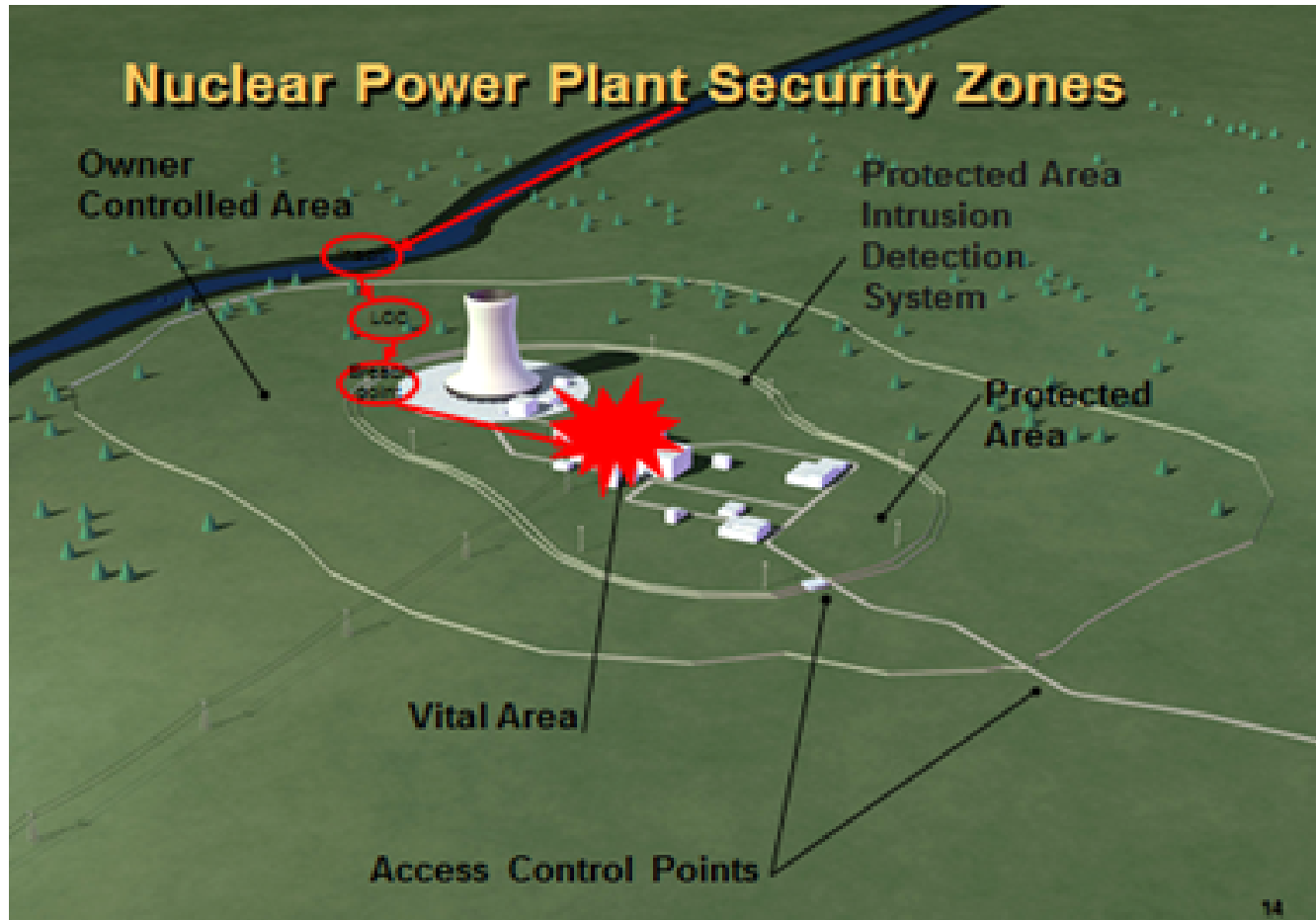
Moving into CY 2021: Continuing on Recovery Path

- NRC recognizes that licensees have reviewed their programs, and developed methodologies and processes that allow them to protect their work force while meeting applicable Part 73, Appendix B, Section VI regulatory requirements during the PHE.
- NRC anticipates industry will be able to meet Part 73, Appendix B, Section VI regulatory requirements in CY 2021, including completion of annual exercises.
- Part 73, Appendix B, Section VI, Subsection A.7 and Regulatory Guidance provide licensee flexibility in the scheduling and conduct of annual requirements.

Implementation of Annual FOF Exercises during CY 2021

- The annual FOF exercise enables the security force to gain experience in tactics, protective strategy, and assigned duties within the contingency response plan.
- Part 73, Appendix B, Section VI, Subsection A.7
 - Annual requirements may be completed up to three (3) months before or three (3) months after the scheduled date.
- Regulatory Guide 5.75, "Training and Qualification of Security Personnel at Nuclear Power Reactor Facilities", provides guidance on exercise conduct. RG is one acceptable approach and not the only means of performing evolutions.
 - Simulations and Artificialities (Section 5.7)
 - Cautions and Restrictions (Section 5.8)

Case Study



Implementation of Annual FOF Exercises during CY 2021

- Recognize that circumstances associated with COVID-19 are dynamic
- Planning for CY 2021 annual exercises will be unique. Considerations may include:
 - Leveraging guidance as a tool for planning
 - Benchmarking with licensees who have conducted annual exercises
 - Compensatory measures for bullet resistant enclosures
 - Continued use of facial coverings where social distancing cannot be achieved
 - Limit time spent in groups (e.g., perform safety briefings via individual study, small-group briefings)
 - Prepositioning of responders
 - Using increased artificialities and simulations as needed to improve margin of safety to protect against spread of COVID-19

Implementation of Annual FOF Exercises during CY 2021

- NRC understands that during the COVID-19 PHE licensees may need to implement a FOF exercise program that contains increased simulations and artificialities on a temporary basis.
- NRC further expects that once the PHE has ended that any additional simulations and artificialities added due to COVID-19 will be removed to ensure the licensee's exercise program replicate actual plant conditions and eliminate any unnecessary simulations and artificialities.
- Interested in understanding if needs exist for CY 2021 schedule flexibility and exemptions

NRC-Conducted Force-on-Force Exercises

- Developing a plan for NRC-conducted Force-on-Force Exercises for CY 2021
 - Plan to transition from IP 92707 to full-scope exercises
 - Plan to leverage lessons learned to optimize safety protocols and identify opportunities to complete exercises with minimum number of participants
 - Expect further public interactions in coming weeks

Questions

RG 5.75 Excerpts

5.2 Types of Tactical Response Drills and Force-on-Force Exercises

- (1) **Fully integrated FOF exercises.** These exercises consist of a planned response effort across various plant disciplines (e.g., local law enforcement agency (LLEA), security, plant operations, emergency preparedness) to minimize or mitigate the threat.
- (2) **Security response FOF exercises.** These exercises involve the full security response force and a mock adversary force without a planned response effort across various plant disciplines (e.g., LLEA, plant operations, emergency preparedness) and focus primarily on security response.
- (3) **Limited scope FOF exercises.** These exercises focus on the security response by using the minimum number of members of the response force and the mock adversary team sufficient to execute the scenario being tested. They should be a credible, realistic and thorough test of a portion of the site protective strategy and evaluate the key security program performance elements bounded by the DBT. The exercise provides scenario controls and exercise controllers and includes a post-exercise critique and required exercise documentation.

RG 5.75 Excerpts

5.7 Simulations and Artificialities

Drill and exercise scenarios should be developed to challenge the execution of the protective strategy during a variety of environmental and plant conditions. To replicate these conditions, it may be necessary to incorporate certain artificialities into the drill or exercise scenarios. Plant conditions identified in the scenario may range from operating at power to refueling or other major maintenance activities. Environmental conditions identified in the scenarios should include time of day or night, and, if possible, the drill or exercise should be conducted during the time identified to address relative daylight or darkness and various conditions of security readiness. If no acceptable artificialities are available for use or it is unsafe to incorporate the conditions into the drill or exercise scenario, a tabletop method may be used to simulate that condition, consistent with the licensee's site-specific analysis for how that specific condition affects implementation of NRC requirements.

The scenario may also need to include other intricate artificialities to simulate actions and activities that cannot actually be performed for reasons of practicality and the safety of personnel and plant equipment. During scenario development, activities, such as the use of firearms with blank ammunition and the use of mock explosive devices, and the presence of drill or exercise participants in certain areas must be considered to ensure the continued safe operation of the plant and the safety of personnel. Drill and exercise scenarios should be developed to accommodate overall safety through the incorporation of acceptable artificialities to simulate the occurrence of these actions and activities (e.g., the inclusion of task times, timeouts, tabletop exercises). Simulations and artificialities may apply to both armed responders and mock adversaries and should be thoroughly integrated and accounted for during the planning process. To enable controllers to properly inject simulations and artificialities into the scenario and oversee the actions resulting from them, the licensee's drill and exercise scenario matrix should incorporate specific guidance for simulations and artificialities. The licensee should try to minimize the number of simulations and artificialities in the development of scenarios to ensure that each scenario provides an accurate performance standard.

RG 5.75 Excerpts

5.8 Cautions and Restrictions

Certain areas of the plant, such as the control room and areas where work is ongoing, may be considered off limits to drill or exercise activity. Participants should receive this information at the drill or exercise briefing, along with details of how the activities will be simulated or affected by these areas being off limit to drill or exercise activity. In addition, the following should be treated with caution during drill and exercise planning:

- (1) areas with sensitive plant equipment,
- (2) personnel safety, and
- (3) radiological controls.

Draft CY 2021 Guidance

- Licensees who have scheduled annual FOF exercises as required by Part 73, Appendix B, Section VI, subsection A.7. in the 1st quarter of CY 2021, and determine that they will not be able to conduct this exercise by the anniversary date could also submit a written exemption request as soon as practicable. An exemption from the CY 2021 1st quarter anniversary date as required by Part 73, Appendix B, Section VI, subsection A.7. related to the annual FOF exercise requirement, if granted, would provide the licensee additional scheduling flexibility within CY 2021 to conduct the required annual FOF exercises to a time during CY 2021 when those activities could be conducted, should site-specific conditions necessitate additional flexibility. If such an exemption were granted, licensees would, however, still be required by Part 73, Appendix B, Section VI, subsection C.3(l)(1) to conduct annual FOF exercises during CY 2021.