



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

January 9, 2024

Orlando Hernandez
St. Lucie Nuclear Plant
Florida Power & Light Company
6501 South Ocean Drive
Jensen Beach, FL 34957

SUBJECT: U.S. NUCLEAR REGULATORY COMMISSION OVERSIGHT OF MOCK
ADVERSARY FORCE IN SUPPORT OF FORCE-ON-FORCE INSPECTIONS

Dear Orlando Hernandez:

The U.S. Nuclear Regulatory Commission (NRC) is providing this letter to clarify the basis, continued need for, and the approach to the evaluation of the Joint Composite Adversary Force (JCAF) in support of NRC-evaluated force-on-force (FOF) inspections. This letter also provides notice that NextEra will be billed for JCAF oversight activities during calendar year 2024.

Section 170D of the Atomic Energy Act of 1954, as amended (AEA) requires, in part, that "Not less often than once every 3 years, the Commission shall conduct security evaluations at each licensed facility that is part of a class of licensed facilities, as the Commission considers to be appropriate, to assess the ability of a private security force of a licensed facility to defend against any applicable design basis threat." Section 170D further requires that:

- 1) The Security Evaluations shall include FOF exercises.
- 2) The FOF exercises shall, to the maximum extent practicable, simulate security threats in accordance with any design basis threat applicable to a facility.
- 3) In conducting a security evaluation, the Commission shall mitigate any potential conflict of interest that could influence the results of an FOF exercise, as the Commission determines to be necessary and appropriate.

As such, the NRC has a statutory obligation under Section 170D of the AEA to mitigate any potential conflict of interest (COI) that could influence the results of an FOF exercise. The staff's monitoring of the JCAF for any potential of COI is an integral part of the FOF program, and is included in Inspection Procedure 71130.03, "Contingency Response – Force-on-Force Testing."

The JCAF must mimic, as closely as possible, the attributes of the adversary as described in Part 73.1 of Title 10 of the *Code of Federal Regulations*. The NRC evaluates the individual and collective selection, training, and proficiency of the JCAF to ensure that the published standards as outlined in NSIR/STD-2004/15-001, Revision 2, "Composite Adversary Force Performance Standards for FOF Exercises," (OUO-SRI) are met. NSIR/STD-2004/15-001, Revision 2, identifies minimum physical fitness and training standards, and also addresses knowledge of attack strategies to ensure mock adversary force (MAF) personnel are trained in offensive, rather than defensive skills.

One NRC inspector will be on-site to provide oversight of the JCAF's requalification and annual training that are currently scheduled during March 18-22, 2024. Time spent for the inspector traveling to the training activities and while on-site providing oversight will be billed to NextEra. The inspector will evaluate JCAF training against the standards outlined in NSIR/STD-2004/15-001, Revision 2.

This letter does not represent any changes to the NRC's approach to evaluating the JCAF. Rather, the letter clarifies the ongoing need for the continued process to ensure the NRC is mitigating any potential COI that could influence the results of an FOF exercise. The NRC will continue to assess the process for evaluating MAFs, any changes to the current process will be communicated promptly.

The NRC is open to any suggestions that could assist in focusing NRC staff's oversight efforts so that inspector time is used as efficiently as practicable.

Should you have any questions regarding this matter, please contact me at (301) 287-3666 or at Jefferson.Clark@nrc.gov.

Sincerely,



Signed by Clark, Jefferson
on 01/09/24

Jefferson Clark, Chief
Security Performance Evaluation Branch
Division of Security Operations
Office of Nuclear Security and Incident Response

U.S. Nuclear Regulatory Commission Oversight of Mock Adversary Force in Support of Force-On-Force Inspections - Next Era DATE January 9, 2024

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