



SECRETARY

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

June 6, 2024

MEMORANDUM TO: Raymond V. Furstenau
Acting Executive Director for Operations

FROM: Carrie M. Safford, Secretary

SUBJECT: STAFF REQUIREMENTS – SECY-20-0070 – TECHNICAL
EVALUATION OF THE SECURITY BOUNDING TIME CONCEPT
FOR OPERATING NUCLEAR POWER PLANTS

The Commission agreed on the staff's recommendation to reinterpret existing security regulations through an interpretive rule to allow for a site-specific security bounding time. In addition to the notice of interpretation proposed by the staff to clarify Commission policy on crediting off-site law enforcement response, staff should also update relevant guidance through the regulatory guide development process and issue revised guidance for notice and comment. The staff should develop both the notice of interpretation and the revised guidance in parallel and publish each as it is completed so as to not impact the timeline of the other. The staff should also revise the *Federal Register* notice associated with the notice of interpretation to clearly explain the connection between the notice of interpretation and the revised regulatory guidance. The staff should provide the revised *Federal Register* notice to the Commission ten working days prior to its issuance.

Licensees should utilize the existing site/fleet processes to assess the impact of changes to the physical security program. Existing regulations require a license amendment review process if a proposed change decreases the effectiveness of a licensee's security plan. The staff should evaluate whether existing guidance for determining whether a change decreases the effectiveness of a security plan clearly delineates the threshold requiring a license amendment. The staff should work with stakeholders to develop or revise guidance to provide objective standards to address any needs in this area.

Given the comprehensive review that may be needed to evaluate topics such as law enforcement response capabilities, use of beyond-design-basis equipment, and time to core damage calculation methodology, the staff should identify opportunities to engage the industry in the development of generic regulatory improvements to the regulatory guide.

The Commission has disapproved the staff's request to terminate semi-annual updates on the Integrated Response Program. Given the current state of activity, however, the Commission has approved reducing the reporting frequency to biennial. As the staff gains experience with the new security bounding time framework, the staff should keep the Commission informed via the updates on the integrated response program regarding the results of the initiative.

cc: Chair Hanson
Commissioner Wright
Commissioner Caputo
Commissioner Crowell

OGC
CFO
OCA
OPA