

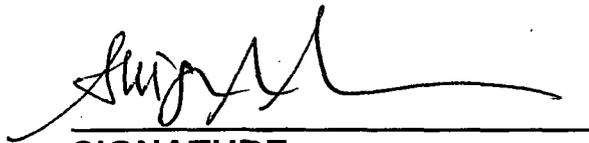
RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: Chairman Allison M. Macfarlane  
SUBJECT: COMWCO-14-0001/COMGEA-14-0001 – PROPOSED  
INITIATIVE TO CONDUCT A LESSONS-LEARNED  
REVIEW OF THE NRC'S FORCE-ON-FORCE  
INSPECTION PROGRAM

Approved  X  Disapproved       Abstain      

Not Participating      

COMMENTS: Below       Attached  X  None      



SIGNATURE

1/24/14

DATE

Entered on "STARS" Yes  X  No

Comments accompanying Chairman Macfarlane's vote on  
COMWCO-14-0001/COMGEA-14-0001 – PROPOSED INITIATIVE TO CONDUCT A  
LESSONS LEARNED REVIEW OF THE NRC'S FORCE-ON-FORCE INSPECTION  
PROGRAM

I agree with Commissioners Ostendorff and Apostolakis that given our ten-year experience with the most current edition of the power reactor Force-on-Force inspection program, it is time to do a comprehensive assessment of the program. However, given the breadth of subtopics suggested in the COM and the current workload of the NSIR staff, I recommend that the due date for submission of a voting paper be **120** days from the issuance of the final Staff Requirements Memorandum.

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary  
FROM: COMMISSIONER SVINICKI  
SUBJECT: COMWCO-14-0001/COMGEA-14-0001 – PROPOSED  
INITIATIVE TO CONDUCT A LESSONS-LEARNED  
REVIEW OF THE NRC'S FORCE-ON-FORCE  
INSPECTION PROGRAM

Approved XX Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

COMMENTS: Below \_\_\_\_\_ Attached XX None \_\_\_\_\_

  
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SIGNATURE

02/3 /14  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  No \_\_\_\_\_

**Commissioner Svinicki's Comments on COMWCO-14-0001/COMGEA-14-0001  
Proposed initiative to Conduct a Lessons-Learned Review of the NRC's  
Force-on-Force Inspection Program**

I approve the proposal put forward by Commissioners Ostendorff and Apostolakis to direct the staff to conduct a lessons-learned review of the NRC's force-on-force inspection program to evaluate whether any adjustments are necessary. I complement both of my colleagues for advancing this proposal to examine whether NRC's efforts are accomplishing their intended outcomes, efficiently and effectively. The proposal includes a list of questions to be addressed by those undertaking the review. To provide for a review that is sufficiently probative and searching, I would modify and expand some of the questions, as described below.

For the first two questions, in addition to addressing whether current practices and policies for the conduct of force-on-force exercises and for immediate notifications of deficiencies to State and Congressional stakeholders are consistent with the Energy Policy Act of 2005, the staff should also address whether these policies and practices are required by the Energy Policy Act of 2005. If they are not, the staff should describe the methods by which staff determines that such policies and practices – or proposed new practices – are assessed to be consistent with the Act.

The staff should address not only whether the current composite adversary force (CAF) tactics are in accordance with the design basis threat (DBT), but also with the adversary characteristics document. The same should be addressed for CAF techniques. In addition, the staff should include the process used to determine the nexus to threat information received from Title 50 agencies, to conduct cost/benefit analyses (if any), the opportunities for feedback or insights from the regulated community prior to finalizing any changes in CAF tactics and techniques, as well as the metric(s) used by the staff to determine the increase or improvement in security posture when new tactics and techniques are implemented.

In addition to addressing whether the level of knowledge of the CAF and the information it is provided by the licensee is in accordance with the DBT, the staff should address whether the level of knowledge and site awareness provided to both the CAF and other NRC contractors involved in the preparation for and conduct of the force-on-force are commensurate with or in excess of the "well-trained, including military training and skills" standard set forth in 10 CFR Part 73. Also, in addition to addressing whether the realism of the force-on-force exercises is affected significantly by the number of artificialities introduced by timeouts, the staff should address the extent to which it believes additional timeouts are being caused by overly complex scenarios with multiple controller injects and simulation(s).

In addition to addressing whether current guidance for unattended opening is realistic, the staff should also address whether this guidance is commensurate with threat information and how such determinations are made. For example, the staff should provide any performance testing information developed by NRC, other Federal agencies, or the regulated community that has been used to support changes in the CAF tactics and techniques with respect to the unattended openings criteria.

In addition to addressing whether the deficiencies identified by force-on-force exercises are prioritized with respect to their significance or treated as of equal significance, staff should provide the method and basis for any prioritization scheme currently in use, if any. Also, the staff should address whether the current practice of requiring immediate compensatory

measures should be augmented to establish a threshold for determining which deficiencies require immediate corrective action and which deficiencies, if any, could be appropriately prioritized and addressed through the licensee's corrective action program. If so, how would this be done?

I also support the inclusion of the additional question posed by Commissioner Magwood, in his vote.

I look forward to receiving the staff's evaluation and insights on these important questions. I agree with Chairman Macfarlane that the staff should be given additional time to conduct the lessons-learned review and, consequently, support her expansion of time to 120 days from issuance of the Staff Requirements Memorandum.

  
Kristine L. Svinicki 02/ /14

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: COMMISSIONER MAGWOOD

SUBJECT: COMWCO-14-0001/COMGEA-14-0001 – PROPOSED  
INITIATIVE TO CONDUCT A LESSONS-LEARNED  
REVIEW OF THE NRC'S FORCE-ON-FORCE  
INSPECTION PROGRAM

Approved  Disapproved \_\_\_\_\_ Abstain \_\_\_\_\_

Not Participating \_\_\_\_\_

COMMENTS: Below  Attached \_\_\_\_\_ None \_\_\_\_\_

I agree the NRC would benefit from additional lessons learned reviews of the force-on-force program and commend Commissioners Apostolakis and Ostendorff for bringing forth this initiative. After various interactions with staff and licensees, I have found cause for the same concerns reflected in the subject memorandum. That said, I also believe that the NRC is both aware of and sensitive to these concerns and have been making continual improvements in the program. Staff has also taken good benefit from the Force-on-Force Executive Lessons Learned Program. However, the concerns persist. Since we now have 10 years of operating experience conducting force-on-force inspections, a global review of the overall program has considerable merit.

In addition to the questions posed in COMWCO-14-0001/COMGEA-14-0001, I think it would be useful if staff explained its view of the specific role of force-on-force exercises in assuring compliance. Are they intended to assure licensee preparation for a myriad of specific scenarios or are they intended to assure licensees overall capability to respond appropriately to a broad range of potential threats?

  
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SIGNATURE

19 January 2014  
\_\_\_\_\_  
DATE

Entered on "STARS" Yes  No \_\_\_\_\_