

March 30, 2011

MEMORANDUM TO: R. W. Borchardt
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA by Andrew L. Bates
Acting For/**

SUBJECT: STAFF REQUIREMENTS – SECY-10-0137 – PROPOSED RULE:
REQUIREMENTS FOR ACCESS AUTHORIZATION AND
PHYSICAL PROTECTION DURING NUCLEAR POWER PLANT
CONSTRUCTION (RIN 3150-A165)

The Commission has disapproved the recommendation to publish for public comment the proposed rule to add requirements related to access authorization and physical protection during the construction of new nuclear power plants. The staff should terminate this rulemaking effort.

The staff should communicate NRC's support for industry's voluntary implementation of the access authorization controls and physical protection measures during construction as described in NEI 09-01, "Security Measures During New Reactor Construction" (formerly NEI 03-12, Appendix F).

The staff should continue to focus on the plant's transition from construction into its operational phase, including implementation of the requirements of 10 CFR 73.55, to ensure that the safety- and security-related SSCs are protected. This effort should include updating regulatory guides as needed and appropriate.

cc: Chairman Jaczko
Commissioner Svinicki
Commissioner Apostolakis
Commissioner Magwood
Commissioner Ostendorff
OGC
CFO
OCA
OPA
Office Directors, Regions, ACRS, ASLBP (via E-Mail)
PDR