

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, D.C. 20555-0001

June 12, 2006

**NRC REGULATORY ISSUE SUMMARY 2006-08
PUBLICLY AVAILABLE COVER LETTERS
FOR SECURITY-RELATED INSPECTION REPORTS**

ADDRESSEES

All holders of operating licenses for nuclear power reactors, except those that have permanently ceased operations and have certified that fuel has been permanently removed from the reactor vessel.

INTENT

The U.S. Nuclear Regulatory Commission (NRC) is issuing this regulatory issue summary (RIS) to inform licensees of a change in agency practice regarding the cover letters for security-related inspection reports.

BACKGROUND

In response to events on September 11, 2001, the NRC evaluated all the information on operating nuclear reactors it had been making publicly available. As a result of that evaluation, the agency stopped publicly publishing cover letters for security inspection reports. Then, in March 2004, the Commission directed the staff to stop placing in the public domain all information related to the security oversight of operating power reactors.

Recently, the Commission considered several options that would again make some security oversight information available to the public. The Commission selected an option that allows the cover letters to inspection reports that deal with security to be in the public domain. However, the information contained in the letters would have to be such that the letters do not identify actual or potential vulnerabilities at the inspected plant.

The staff developed guidance for the NRC's inspection program that implements the Commission's direction and issued the guidance via memorandum dated May 1, 2006, for the regions to use beginning May 8, 2006.

SUMMARY OF ISSUE

Starting May 8, 2006, NRC regions and headquarters began placing in the public domain the cover letters that transmit security-related inspection reports to the inspected licensees. The

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cover letters include basic information on the associated inspections, such as the dates of inspection, the licensee manager who attended the inspection exit meeting, and whether the inspection identified any findings of significance.

If findings of significance are identified in the inspection reports, the cover letters indicate the number of findings that were determined to be of very low security significance, i.e., green as determined by the Physical Protection Significance Determination Process. If the report identifies findings of greater significance, i.e., white, yellow, or red, then the cover letter merely indicates that findings of significance greater than green were identified, and will not indicate even the number of such findings.

The guidance that implements this change in agency practice is currently in an interim guidance memorandum. The staff is working to incorporate the guidance into the affected inspection manual chapters, which are publicly available.

BACKFIT DISCUSSION

This RIS requires no action or written response. Consequently, the NRC staff did not perform a backfit analysis.

FEDERAL REGISTER NOTIFICATION

A notice of opportunity for public comment on this RIS was not published in the *Federal Register* because the RIS is informational and pertains to a staff position that does not depart from current regulatory requirements and practices.

SMALL BUSINESS REGULATORY ENFORCEMENT FAIRNESS ACT OF 1996

The NRC has determined that this action is not subject to the Small Business Regulatory Enforcement Fairness Act of 1996.

PAPERWORK REDUCTION ACT STATEMENT

This RIS does not contain information collections and, therefore, is not subject to the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.).

CONTACT

Please direct any questions about this matter to the technical contact listed below.

/RA/
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Note: NRC generic communications may be found on the NRC public Web site, <http://www.nrc.gov>, under Electronic Reading Room/Document Collections.