



Enhancing Openness and Transparency in NRC Security Inspection Programs

NRC Headquarters
Rockville, MD
Sept 4, 2008; 9:30 a.m. – 12 noon

AGENDA



- Welcome Patricia “Trish” Holahan, Director
Division of Security Operations (DSO)
Office of Nuclear Security and Incident
Response (NSIR)
- Presentation Paul Harris, Senior Program Manager
Reactor Security Oversight Branch
NSIR/DSO
- Discussion, with Questions and Answers

Enhancing Public Confidence and Physical Protection Through Effective Openness

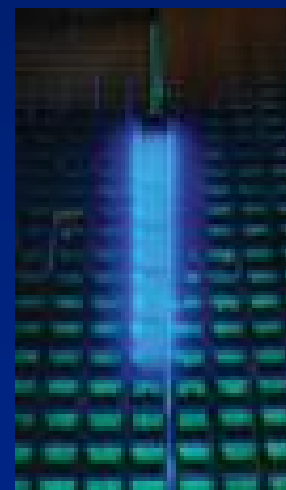
- NRC has long recognized the importance of protecting the nation by securing nuclear facilities and materials, and we and our stakeholders have significantly enhanced security after the events of 9/11.
- This protection was and is accomplished through regulation and inspection, partnership with the nuclear industry, and extensive coordination with other Federal agencies.

Balancing Openness and Protection

There must be an appropriate balance between the public's right to information so they can meaningfully participate in regulatory processes and the need to protect sensitive security information from inadvertent release or unauthorized disclosure which might compromise the security of nuclear facilities or materials.

Agency-Wide Openness

- Reactors
- Materials
- Transportation
- Research & Test Reactors
- Fuel Facilities



Types of Information

- Unprotected Information (public information)
 - That which is legitimately in the public domain
 - That which is not useful for the planning or conduct of a malevolent act or obtaining safeguards or classified information
- Protected (controlled information)
 - Classified Information, including Restricted Data
 - Safeguards Information
 - Sensitive Unclassified Security-Related Information (SUNSI)

Protected Information - Examples

- Information Withholding Mandated by Law, Statute, or Regulation
 - Classified, Safeguards, Proprietary, Personal, etc.
- Inter-Agency Security Information (e.g., FBI, DHS, DOE, etc)
 - Law Enforcement Sensitive, Critical Infrastructure, etc.
- Site-Specific or Generic Vulnerabilities
 - Structure, System, Design, Impact, or Officer Performance
- Details involving aircraft impact design, damage, and mitigation
- Any information that could aid in obtaining security-related information or the planning or attempt of hostile acts

Why We Could Increase Openness & Transparency

1. Significant Defense in Depth

- Robust Structures
- Multiple Security Layers
- Strong Information Control
- Diverse and Redundant Systems
- Comprehensive Officer Training and Performance
- Effective Command, Control, Communication, and Coordination
- Significant Federal, State, and Local Response Capabilities

2. NRC has been conservative in information control following the attacks of September 11, 2001



Nuclear Power Plant Security



Current Status on Openness

- Inspection Report Cover Letters
 - Provides inspection dates
 - States the number of findings if of very low significance (i.e., Green)
 - Acknowledges that there are GTG findings, but not how many
 - Acknowledges that there was a cross-cutting aspect
 - States whether the finding is NRC or licensee identified
- NRC Web Page
 - References that security-related information has been removed

GTG – Greater than Green

Options for Increasing Openness

- Provide Additional Detail to Inspection-Related Documents
 - Annual Report to Congress
 - Provide description & significance of findings
 - Inspection Report Cover Letters
 - Provide the key attribute and/or inspectable area for a finding
 - Provide the significance of a finding, if Greater-than-Green
 - Provide public mid-cycle & end-of-cycle security assessments
- Enhance NRC Website Information
 - Provide descriptions of security-related findings
 - Provide Performance Indicator Results
 - Provide Inspection Procedures



Key Attributes for Security

Key Attributes

Physical Protection Systems

Access Authorization

Access Controls

Response to Contingency Events

Material Control and Accounting

Inspectable Areas

Barriers, Alarms, Assessment, and Equipment Performance

Personal Screening, Behavior Observation, and Fitness for Duty

Search and True Identity

Protective Strategy and Implementation

Physical Inventory, Records, & Procedures

Note: The key attribute and inspectable area relating to a finding are not currently public.

Considerations and Milestone

Considerations

1. NRC already has processes and procedures in place to continue ensuring effective control of sensitive security-related information.
2. NRC staff will proceed cautiously and methodically when implementing any changes.
3. Prior to releasing security-related information, as a minimum, the staff considers whether: (1) the site-specific issue has been corrected; (2) generic considerations exist; and, (3) whether there needs to be an “issuance delay.”

Milestone (current projection)

January - March 2009

Program changes implemented

Summary

- Openness and transparency is an Agency-wide effort.
- The NRC staff currently believes that the level of openness and transparency can be enhanced; however, stakeholder input is needed to inform any staff recommendation to the Commission.
- The NRC is soliciting public comment (via public meetings and a *Federal Register* Notice) on the current level of openness and transparency associated with its security inspection program and assessment of licensee security performance.
- There must be a proper balance between the public's right to know and be involved in the regulatory process and the need to prevent disclosure of sensitive security-related information.