



# Oregon

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**To:** Energy Facility Siting Council

**From:** Christopher M. Clark, Senior Siting Analyst

**Date:** March 8, 2024

**Subject:** Agenda Item F (Action Item): Trojan Independent Spent Fuel Storage Installation Security Plan Update for the March 21-22, 2024, EFSC Meeting

**Attachment:** Draft Public Statement on Review of the ISFSI Security Plan

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## BACKGROUND

By letter dated August 29, 2023, Portland General Electric (PGE) submitted Revision 9 of the Security Plan for the Trojan Independent Spent Fuel Storage Installation (ISFSI) to the Nuclear Regulatory Commission (NRC). On September 19, 2023, the Department received the transmittal letter that accompanied the revision. The transmittal letter indicates that the Security Plan was being revised to:

- Update the Organizational Chart to conform with the ISFSI Quality Assurance Program.
- Incorporate updated language in OAR 345-070-0015.
- Remove the search requirements specific to ISFSI Specialists to comply with direction from the NRC.<sup>1</sup>
- Revise figures to reflect a new Vehicle Barrier System constructed around the ISFSI Protected Area.<sup>2</sup>
- Revise the process for summoning offsite assistance.

The transmittal letter states that PGE evaluated the changes to the plan and determined that the changes did not decrease the effectiveness of the plan. Under OAR 345-026-0340(4), PGE may make changes to the Security Plan that do not reduce its effectiveness without prior approval from the Council but must notify the Department within 60 days after their implementation. The Department must then promptly notify the Council of the changes at a scheduled Council meeting, subject to the provisions of OAR chapter 345, division 070.

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<sup>1</sup> See NRC Inspection Reports 07200017/2022401 and 07200017/2023402 available from NRC's ADAMS Document system (<https://adams.nrc.gov/wba/>) under Accession Nos. [ML22265A241](#) and [ML23213A065](#).

<sup>2</sup> The transmittal letter also confirms that an engineering evaluation of the new vehicle barrier system had been conducted in accordance with the Nuclear Energy Institute guidance for NRC Order EA-02-104 Section 2(c), and found the new system to meet the applicable physical security requirements.

Federal regulations do not require the NRC to formally review or approve changes to a security plan that do not reduce its effectiveness; however, ORS 469.530 and OAR 345-070-0030 require the Council and the Director of the Oregon Department of Energy to review and approve “all security programs attendant to a nuclear-fueled thermal power plant,” including all security programs and modifications to security programs for the ISFSI.<sup>3</sup>

PGE timely notified the Department of the changes to the Security Plan by providing the transmittal letter described above. The Department notified the Council of the changes at its October 19, 2023, meeting. The Security Plan contains safeguards information concerning the physical protection of the ISFSI that is protected under federal and state law. To maintain the confidentiality and protection of this information, the Plan itself was not provided to the Department but is available for inspection by an authorized representative of the Council at the ISFSI site. During the October meeting, the Council appointed Mark Reese, the Department’s Radiological Emergency Program Coordinator, to inspect the Security Plan and report back to the Council. Mr. Reese is also authorized by the Director to inspect the report on her behalf.

At the February 23, 2024, Council meeting, Mr. Reese reported that he had met with the ISFSI Security Manager, Gus Zepeda, on February 22, 2024, and conducted a review of the revised Security Plan. Mr. Reese also conducted an inspection of physical security systems at the site, and based on his experience and training, was satisfied that the Security Plan met the requirements for public safety and site security.

#### **RECOMMENDED COUNCIL ACTION**

Under OAR 345-070-0030, following its review of the revisions to the Security Plan, the Council must promptly issue a joint statement with the Director that describes, without directly or indirectly breaching the confidentiality of the Plan, the nature and scope of the review conducted, the adequacy of the security program, and a general description of the security measures.

Based on Mr. Reese’s report, the Department recommends the Council find that Revision 9 to the ISFSI Security Plan does not appear to have adversely affected the effectiveness of the plan, and that the plan continues to provide adequate provisions for the protection of public health and safety. The Department further recommends the Council authorize staff to issue the attached joint statement summarizing this finding with the Director.

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<sup>3</sup> Also see ORS 469.300, 469.594, and OAR 345-070-0015(3).

## **AGENDA ITEM F – ATTACHMENT**

### **Energy Facility Siting Council and Oregon Department of Energy Approve Revision 9 of the of the Security Plan for the Trojan Independent Spent Fuel Storage Installation**

On September 19, 2023, Portland General Electric (PGE) notified the Oregon Department of Energy of Revision 9 of the Security Plan for the Trojan Independent Spent Fuel Storage Installation (ISFSI). Changes to the plan included administrative updates to charts, drawings, and procedures to reflect operational and personnel changes at the ISFSI; incorporating updates to administrative rules applicable to the facility; and updating figures to reflect enhanced security features installed at the ISFSI site, including a new vehicle barrier system constructed around the ISFSI Protected Area.

Under State law, any changes to the Trojan ISFSI Security Plan must be reviewed by the Department and the Energy Facility Siting Council, which share the State's responsibility to ensure the spent nuclear fuel at the ISFSI site is stored in a manner that protects public health and safety and the environment. At its October 19, 2023, meeting, the Council appointed Mark Reese, the Department's Radiological Emergency Program Coordinator to conduct the review. As the State's Alternate Liaison Officer to the Nuclear Regulatory Commission, Mr. Reese is also authorized by the Director to inspect the report on her behalf.

On February 22, 2024, Mr. Reese visited the Trojan Site and conducted the review of the revised Security Plan and inspected security features at the site. At the Council's meeting on February 23, 2024, Mr. Reese confirmed that, based on his training and experience, he was satisfied that the Security Plan met the requirements for public safety and site security.

Based on Mr. Reese's recommendation, the Council and the Director confirm that the changes to the ISFSI Security Plan made by Revision 9 do not appear to have affected the Plan's effectiveness, and that the Plan continues to provide adequate provisions for the protection of public health and safety.