



Oregon

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To: Energy Facility Siting Council

From: Mark Reese, Radiological Emergency Planning Coordinator

Date: February 9, 2024

Subject: Agenda Item F (Action Item): Trojan Independent Spent Fuel Storage Installation Security Plan Update for the February 23, 2024, EFSC Meeting

Attachments: Draft Public Statement on Review of the ISFSI Security Plan (FORTHCOMING)

STAFF RECOMMENDATION

The Council will receive an update on staff's review of modifications to the Security Plan for the Trojan Independent Spent Fuel Storage Installation (ISFSI). Following the update, the Department recommends the Council authorize staff to issue a joint statement with the Director in accordance with OAR 345-070-0030(1).

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 to the Nuclear Regulatory Commission (NRC). On September 19, 2023, the Department received the transmittal letter that accompanied the revision. The transmittal letter indicated that the Security Plan was being revised to reflect operational and personnel changes at the ISFSI, incorporate rule changes adopted by the Council in 2021, and update drawings and process descriptions to reflect enhanced security features installed at the site. The NRC confirmed that some of the changes were made to address non-cited violations identified in NRC security inspections conducted at the ISFSI in 2022 and 2023.¹

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 and Director 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. Federal regulations do not require the NRC to formally review or approve changes to a security

¹ 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](#).

plan that do not reduce its effectiveness; however, ORS 469.530 and OAR 345-070-0030 require the Council and Director 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.²

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 Planning Coordinator, to inspect the Security Plan and report back to the Council and the Director. Mr. Reese will provide a report to the Council on his review, including the nature and scope of the review conducted, the adequacy of the security program, and a general description of the security measures included in the plan at the February Council meeting. No safeguards information will be discussed at the meeting. If the Council requires additional information regarding the security plan, a non-public meeting may be scheduled under ORS 192.690(2).

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. The Department recommends the Council authorize staff to issue a joint statement on its behalf and will provide a draft prior to the Council meeting.

² Also see ORS 469.300, 469.594, and OAR 345-070-0015(3).