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NRC PROPOSES TO AMEND  
PHYSICAL PROTECTION REQUIREMENTS FOR FIXED SITES

The Nuclear Regulatory Commission is proposing to amend its regulations governing physical protection for fixed sites to:

(1) make clear that the regulations do not require protection against both radiological sabotage and theft of special nuclear material at all facilities; and

(2) add a requirement that licensees who operate nonpower reactors at power levels of two megawatts thermal or above protect against radiological sabotage when deemed necessary.

The clarifying amendment is needed because a NRC Atomic Safety and Licensing Board ruled that the general physical protection requirements of Part 73 of the Commission's regulations require all fixed site licensees to protect against both radiological sabotage and theft of special nuclear material. At present, detailed physical protection requirements are provided in other sections of Part 73 for each class of licensed facility, material or activity, including the transportation of both unirradiated and irradiated special nuclear material. The specific requirements of Part 73 do not necessarily require protection against both radiological sabotage and theft of special nuclear material. Because the Licensing Board view could unnecessarily require some licensees to provide physical protection measures not warranted by their particular licensed facility, material or activity, a clarification of Part 73 is necessary.

The Commission's regulations pertaining to nonpower reactors currently contain requirements only for protection against theft and diversion of special nuclear material. The Commission believes that, while the possibility of sabotage leading to a release of radioactive material is remote, it should not be discounted and that a requirement for physical protection against such an act should be included in its regulations. Currently, those nonpower reactor licensees operating at or above two megawatts thermal, who have been identified as possibly being

vulnerable to radiological sabotage, are voluntarily implementing additional measures to provide physical protection against radiological sabotage.

Written comments on the proposed amendments to Part 73 of the Commission's regulations should be received by August 12. They should be addressed to the Secretary of the Commission, Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Branch.

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