

July 19, 2000

MEMORANDUM TO: Michael F. Weber, Director  
Division of Fuel Cycle Safety  
and Safeguards, NMSS

FROM: Theodore S. Sherr, Chief /RA/  
Safety and Safeguards  
Support Branch  
Division of Fuel Cycle Safety  
and Safeguards, NMSS

SUBJECT: NRC AND HOW IT WORKS

Staff members from the three Fuel Cycle Safety and Safeguards (FCSS) branches have reviewed the subject document and recommend extensive revision to the paragraphs describing FCSS activities, as follows:

- 5.3.1 should address only in situ leaching facilities. A paragraph on other forms of uranium mining should be included as background information, but it should emphasize that this is not an area regulated by the NRC.
- The Energy Policy Act referred to in 5.3.4 has been amended to require re-certification every five years instead of annually as indicated in the document.
- Additional emphasis should be placed on safeguards throughout 5.3. Although the document uses the word "safeguard", it does not explain why it is important to safeguard nuclear material, particularly in fuel cycle facilities. (Refer to Attachment 1 for possible wording.)

These errors/problems are in addition to the ones you had already noted.

Staff recommends that the safety and safeguards oversight program be addressed specifically in Section 9, Expectations of Licensees. (Suggested wording is included in Attachment 1.)

Staff also noted that the entire document should be read by an editor as there are missing words and punctuation, as well as misspellings. I have attached two copies of the document in which some of the problems are identified.

Attachment: As stated

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OFC	SSSB	SSSB	SSSB
NAME	MWilliams	PCastleman	TSherr
DATE	7/ /00	7/ /00	7/ /00

Suggested Wording for Safeguards Addition to Paragraph 5.3:

“The NRC’s safeguards program is designed to prevent and deter diversion of nuclear material and, if that fails, to trigger timely detection, response and recovery operations. Although facilities are responsible for safeguarding nuclear material, the NRC is responsible for making sure that the licensees meet requirements. The physical protection and material control and accounting inspection programs serve to provide assurance that licensed facilities are complying with the terms of their licenses and with applicable government regulations. This assurance is necessary to show that the NRC is meeting its mission to safeguard nuclear material.”

Suggested Wording for Paragraph on Safety and Safeguards in Section 9:

“The NRC fuel cycle facility oversight program takes a risk-informed performance-based approach, focusing on the more significant risks at licensed facilities. Objective safety and safeguards performance indicators, together with inspection findings which provide risk and performance insights, offer an objective and reliable basis for determining if licensed facilities are safe and nuclear materials are safeguarded. They also provide early indications of declining performance. Licensees are responsible for safety and safeguards at their facilities.”