

May 2, 2001

Mr. Paul Mann
U.S. Department of Energy
Albuquerque Operations Office
P.O. Box 5400
Albuquerque, NM 87185-5400

SUBJECT: NUCLEAR REGULATORY COMMISSION ASSISTANCE IN THE SAFETY
REVIEW OF THE RUSSIAN FISSILE MATERIAL STORAGE FACILITY

Dear Mr. Mann:

The purpose of this letter is to inform you that the Nuclear Regulatory Commission (NRC) has carefully considered the request by the Department of Energy and Los Alamos National Laboratory to provide assistance in the safety review of the Russian Fissile Material Storage Facility (RFMSF) and declines to provide the assistance for reasons described below.

NRC's current safety and regulatory oversight mandates do not include fissile materials storage facilities such as the RFMSF. As such, NRC experience and expertise are limited. Further, NRC does not have specific regulatory requirements in place for such a facility. NRC involvement in the RFMSF could necessitate development of review criteria in lieu of such requirements that may entail adapting existing NRC regulations. In addition, there are no resources available, nor can resources be redirected, to perform the work described without negatively affecting higher priority work. In addition to resources, the staff believes that it cannot adequately provide the Phase II and III communication requested within the structure set by the U.S. Safety Evaluation Project (USSEP) (i.e., not communicating with the Russians or visiting the site). The adequacy of safety assessments related to Phases II and III are largely dependent on activities performed at the site such as field inspections and the disposition of non-conformances that arise during construction and preoperational testing and cannot be determined solely through a review of documents. Without being able to visit the site or interact with the Russians to ascertain what inspections and safety assessments were actually done and how they were done, NRC communications related to Phases II and III would be severely hindered. Nonetheless, even if we were able to visit the facility and question the Russian authorities, we do not believe it would be appropriate for us to conduct this task for the other reasons previously listed.

If you have any questions, please feel free to contact me at (301) 415-8141.

Sincerely,

/RA/

Michael F. Weber, Director
Division of Fuel Cycle Safety
and Safeguards
Office of Nuclear Material Safety
and Safeguards

cc: F. Jeffrey Martin, Los Alamos
National Laboratory

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