

13.0 SAFEGUARDS

13.1 PHYSICAL PROTECTION

13.1.1 CONDUCT OF REVIEW

This chapter of the draft Safety Evaluation Report (DSER) reviews the physical protection commitments made by the applicant in Chapter 13 of the CAR and supplemental information provided by the applicant. The staff used applicable portions of NUREG-1718 as guidance in performing the review. The staff also reviewed the applicant's letter of March 8, 2002 which responded to a request for information. The objective of the review is to determine whether the applicant has committed to developing and implementing a physical protection plan that meets or exceeds the requirements in 10 CFR 73.20, 73.45, 73.46 and 10 CFR 73.46 Appendices B, C, G and H.

13.1.2 EVALUATION FINDINGS

The applicant committed to: 1) submit as part of its 10 CFR license application a Physical Security Plan that meets the requirements of 10 CFR 73.20, 73.45, 73.46 and 10 CFR 73 Appendix B, "General Criteria for Security Personnel", Appendix C " Licensee Safeguards Contingency Plans," Appendix G, " Reportable Safeguards Events," and Appendix H, "Weapons Qualification Criteria;" and 2) to provide a design that meets the design basis threat described in Reference 13.3.6. (Note that the information in this letter is confidential and not publicly available) (Reference 13.1.5).

The staff concludes that the applicant has provided adequate commitments to submit, as part of its 10 CFR Part 70 license application, a physical security plan that will meet the applicable physical protection requirements in 10 CFR Part 73.

NRC is conducting a comprehensive review of safeguards programs and design basis threats as a result the September 11, 2001, events. When this review is completed, a determination will be made with respect to the effect on the MFFF design.

13.1.3 REFERENCES

- 13.1.3.1 Code of Federal Regulations, *Title 10, Energy*, Part 20, "General Performance Objectives and Requirements for a Fixed Site Physical Protection System."
- 13.1.3.2 Code of Federal Regulations, *Title 10, Energy*, Section 73.45, "Performance Capabilities for Fixed Site Physical Protection Systems."
- 13.1.3.3 Code of Federal Regulations, *Title 10, Energy*, Section 73.46, "Fixed Site Physical Protection Systems, Subsystems, Components, and Procedures."
- 13.1.3.4 Nuclear Regulatory Commission (U.S.) (NRC). NUREG-1718, "Standard Review Plan for the Review of an Application for a Mixed Oxide (MOX) Fuel Fabrication Facility." NRC: Washington, D.C. January 2000.

- 13.1.3.5 Hastings, P., Duke Cogema Stone & Webster, letter to U.S. Nuclear Regulatory Commission, RE Clarification of Responses to NRC Request for Additional Information, March 8, 2002.
- 13.1.3.6 Weber, M., Nuclear Regulatory Commission (U.S.)(NRC), RE Design Basis Threat Guidance Applicable to the Mixed Oxide Fuel Fabrication Facility, March 13, 2000.