

UNITED STATES
NUCLEAR REGULATORY COMMISSION
OFFICE OF NUCLEAR REACTOR REGULATION
WASHINGTON, D. C. 20555

July 18, 1988

NRC INFORMATION NOTICE NO. 88-49: MARKING, HANDLING, CONTROL, STORAGE AND
DESTRUCTION OF SAFEGUARDS INFORMATION

Addressees:

All holders of operating licenses or construction permits for nuclear power reactors and all other licensed activities involving a formula quantity of special nuclear material.

Purpose:

This information notice is being provided to alert addressees to identified weaknesses in the use and protection of Safeguards Information (SGI) that could adversely impact the public health and safety. It is expected that recipients will review the information for applicability to their facilities and consider actions, as appropriate, to avoid similar problems. Suggestions contained in this information notice do not constitute NRC requirements; therefore, no specific action or written response is required.

Description of Circumstances:

In a number of recent instances SGI has not been adequately protected. Inadequacies have been found in marking, handling, control, storage, and destruction. In most instances, these violations were directly attributable to poor training or no training in the use and protection of SGI. Many licensees do not specifically address SGI in either their Guard Force Training and Qualification Program or in general employee training programs. Other deficiencies include lack of designated program responsibility, inadequate procedures, and lack of (or inadequate) audit of licensee SGI programs at both corporate and nuclear facility locations. Some licensees have not vested responsibility for their SGI program in one individual or group; it has more or less been left to the discretion of each individual who produced or acquired such information to protect it in accordance with that individual's interpretation of 10 CFR 73.21. Although each individual who produces or acquires SGI is responsible for safeguarding it, it is important that licensees train and audit their employees, agents, and contractors in order to assure proper handling and protection of SGI.

Failure to protect SGI contained in a nuclear facility's Physical Security and Contingency Plans and in implementing procedures could compromise access controls and security response capabilities that are designed to protect against theft of nuclear materials and radiological sabotage.

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The following are examples of instances in which SGI was inadequately protected, resulting in violations of regulatory requirements:

1. Markings:

Some SGI documents were not marked properly; some were not marked at all.

2. Storage:

- ° A licensee was unable to locate a missing copy of the site Physical Security Plan.
- ° SGI consisting of quality assurance (QA) check sheets that addressed various aspects of the nuclear security program at one of a licensee's nuclear facilities was discovered incorporated with nonsafeguards QA documents. The safeguards documents were inadequately protected.
- ° At some facilities, documents containing SGI were found stored in unauthorized or unlocked containers both inside and outside the protected area.
- ° SGI relating to the security program at each of a licensee's nuclear facilities was made accessible to unauthorized personnel through computer terminals on and off the site. This occurred because a contractor, employed by the utility to upgrade the utility-wide computerized information management system, incorporated computerized SGI data into the system without the knowledge of the licensee.

3. Destruction:

The security programs of a licensee's nuclear facilities could have been compromised when major portions of Physical Security and Safeguards Contingency Plans for each facility were inadequately destroyed. The potential compromises occurred at the licensee's corporate office and were committed by administrative personnel who tore superseded pages of plans (identified as SGI) into large pieces that could have been easily reconstructed and discarded them in office-type trash containers.

Discussion:

These occurrences indicate that weaknesses exist in programs for protecting SGI that could allow unauthorized access to SGI and could compromise programs at nuclear facilities.

Section 73.21 of 10 CFR established the requirements for protecting SGI, specified the type of information to be protected, and defined access, storage, marking, handling, and destruction criteria. Additional guidance is available in NUREG-0794, "Protection of Unclassified Safeguards Information." Also, 10 CFR 73.57 establishes a requirement for criminal history checks of individuals permitted access to SGI by power reactor licensees. This new rule supersedes NUREG-0794 with respect to access to SGI.

Although the manner in which SGI programs are managed and administered varies among individual licensees and nuclear facilities, it is important that certain basic criteria defined in 10 CFR 73.21 be applied in all SGI programs. Viable SGI programs include training, procedures, annual program reviews, and audits, as well as requirements for corrective action and licensee or contractor followup. It is important that programs not be verbatim copies of 10 CFR 73.21 which, due to its nature as a regulation, is not very illustrative and, therefore, subject to varied interpretations. Using NUREG-0794 as a guide, licensees can specifically address all aspects of SGI as they apply to their facility.

Recipients should consider (1) providing this notice to employees and contractor's employees, especially those having custodial and data management responsibility for SGI; (2) reviewing their SGI program, including the areas of organizational responsibilities, training, procedures and audits; and (3) advising those personnel authorized access to SGI that not only are they subject to civil enforcement action for failure to protect the information, but also to criminal prosecution if the requirements for the protection of SGI are intentionally violated.

No specific action or written response is required by this information notice. If you have any questions about this matter, please contact one of the technical contacts listed below or the Regional Administrator of the appropriate regional office.



Charles E. Rossi, Director
Division of Operational Events Assessment
Office of Nuclear Reactor Regulation

Technical Contacts: Aubrey Tillman, RII
(404) 331-5613

Nancy E. Ervin, NRR
(301) 492-0946

Attachment: List of Recently Issued NRC Information Notices

LIST OF RECENTLY ISSUED
NRC INFORMATION NOTICES

Information Notice No.	Subject	Date of Issuance	Issued to
88-48	Licensee Report of Defective Refurbished Valves	7/12/88	All holders of OLs or CPs for nuclear power reactors.
88-47	Slower-Than-Expected Rod-Drop Times	7/14/88	All holders of OLs or CPs for PWRs.
88-46	Licensee Report of Defective Refurbished Circuit Breakers	7/8/88	All holders of OLs or CPs for nuclear power reactors.
88-45	Problems In Protective Relay and Circuit Breaker Coordination	7/7/88	All holders of OLs or CPs for nuclear power reactors.
88-44	Mechanical Binding of Spring Release Device in Westinghouse Type DS-416 Circuit Breakers	6/24/88	All holders of OLs or CPs for nuclear power reactors.
88-43	Solenoid Valve Problems	6/23/88	All holders of OLs or CPs for nuclear power reactors.
88-42	Circuit Breaker Failures Due to Loose Charging Spring Motor Mounting Bolts	6/23/88	All holders of OLs or CPs for nuclear power reactors.
88-41	Physical Protection Weaknesses Identified Through Regulatory Ef- fectiveness Reviews (RERs)	6/22/88	All holders of OLs or CPs for nuclear power reactors.
88-40	Examiners' Handbook for Developing Operator Licensing Examinations	6/22/88	All holders of OLs or CPs for nuclear power reactors.
88-39	LaSalle Unit 2 Loss of Recirculation Pumps With Power Oscillation Event	6/15/88	All holders of OLs or CPs for BWRs.

OL = Operating License
CP = Construction Permit

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*SEE PREVIOUS CONCURRENCES

*C/OGCB:DOEA:NRR D/DOEA:NRR
CHBerlenger CERoss
07/07/88 07/12/88

*RPB:ARM *D/SGTR:NMSS
TechEd RBurnett
06/16/88 06/27/88
*OGCB:DOEA:NRR *RSGB:DRIS:NRR
BMann NEErvin
06/15/88 06/14/88

*Changes to final
draft discussed
with B Grimes
on 7/12/88
CE Rossi*

*OB:SGTR:NMSS *RII
DKasun DMcGuire
06/27/88 06/02/88
*C/RSGB:DRIS:NRR *AD/DRIS/NRR
LLBush RAerickson
06/14/88 06/14/88

*RII
ATillman
06/02/88
*AD/DRIS/NRR
BKGrimes
06/14/88

a requirement for criminal history checks of individuals permitted access to SGI by power reactor licensees. This new rule superseded guidelines in NUREG-0794 dealing with access to SGI.

Although the manner in which SGI programs are managed and administered differs among individual licensees and nuclear facilities, certain basic criteria defined in 10 CFR 73.21 should be applied in all SGI programs. Licensees should establish viable SGI programs that include training, procedures, annual program reviews, and audits, as well as requirements for corrective action and licensee or contractor follow-up. Programs should not be verbatim copies of 10 CFR 73.21 which, due to its nature as a regulation, is not very illustrative and, therefore, subject to varied interpretations. Using NUREG-0794 as a guide, licensees should specifically address all aspects of SGI as they apply to their facility.

It is recommended that recipients (1) review this notice and provide it to employees and contractor's employees, especially those having custodial and data management responsibility for SGI; (2) review their SGI program, to include the areas of organizational responsibilities, training, procedures and audit; and (3) advise those personnel authorized access to SGI that not only are they subject to civil enforcement action for failure to protect the information, but also to criminal prosecution if the requirements for the protection of SGI are intentionally violated.

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CHB *SEE PREVIOUS CONCURRENCES

C/OGCB:DOEA:NRR D/DOEA:NRR

CHBerlinger CERossi

06/17/88 06/ /88

*RPB:ARM D/SGTR:NMSS

TechEd RBurnett

06/16/88 06/27/88

OGCB:DOEA:NRR *RSGB:DRIS:NRR *RSGB:DRIS:NRR

BMann *BM* NEErvin

06/15/88 06/14/88

OB:SGTR:NMSS

DR DR:SGTR

06/27/88 06/27/88

*RSGB:DRIS:NRR *RSGB:DRIS:NRR

LLBush

06/14/88

*RII

DMcGuire (*by phone*)

06/02/88

*C/RSGB:DRIS:NRR

RAErickson

06/14/88

*RII

ATillman (*D:McGuire for*)

06/02/88 *R. Tillman by phone*

*AD/DRIS/NRR

BKGrimes

06/14/88

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RAErickson

06/14/88

RII

ATillman

06/ /88

*AD/DRIS/NRR

BKGrimes

06/14/88

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While it is recognized that the manner in which SGI programs are managed and administered differs among individual licensees and nuclear facilities, certain basic criteria defined in 10 CFR 73.21 are applicable and should be applied in all SGI programs. Licensees should establish viable SGI programs that include training, procedures, annual program reviews, and audits, to include requirements for corrective action and licensee or contractor follow-up. Programs should not be verbatim copies of 10 CFR 73.21 which, due to its nature as a regulation, is not very illustrative and, therefore, subject to varied interpretations. Licensees should use NUREG-0794 as a guide, and specifically address all aspects of SGI as applicable for their facility.

It is recommended that recipients (1) review and provide this Notice to employees and contractor's employees, especially those having custodial and data management responsibility for SGI, (2) review their SGI Program, to include the areas of organizational responsibilities, training, procedures and audit, and (3) advise those personnel authorized access to SGI that not only are they subject to civil enforcement action for failure to protect the information, but individuals who intentionally violate the requirements for the protection of SGI are subject to criminal prosecution.

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NAME	:NEErvin:bjp	:RAE:Yerson	:BK:James	:CHBerlinger	:CERossi	
DATE	:06/14/88	:06/14/88	:06/14/88	:05/14/88	:05/ /88	:05/ /88

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