



UNITED STATES
NUCLEAR REGULATORY COMMISSION

WASHINGTON, D.C. 20555-0001

March 4, 1994

ATTACHMENT 1

AL 94-06

April 27, 1994

Page 1 of 2

Mr. Ed Fuller, President
American Nuclear Society
555 North Kensington Avenue
La Grange Park, Illinois 60525

Dear Mr. Fuller:

Your December 3, 1993, letter to the Chairman has been referred to me for response. In this letter, you summarized the work of an ANS Task Force organized to examine issues associated with tours inside nuclear plants for members of the public. These tours were being considered as a means of enhancing public understanding of the importance placed on safety in the design and operation of the plants. The ANS statement enclosed with your letter included three recommended actions to improve public access.

We support this and other efforts to improve openness at power plants, and see no real problem in your proposal. As far as your specific recommendations are concerned, the first one was that the NRC policy outlined in 57 FR 33426 needed to be revised for the purpose of clearly permitting escorted tours that would allow brief, controlled access to vital areas. The ANS statement concluded that the "tone" of 57 FR 33426 had a "chilling effect" on corporate policies toward public tours.

As pointed out in the ANS statement, current regulations do not prevent a licensee from escorting visitors inside the plant. The list of examples of "legitimate small tours" cited in the Federal Register notice was not intended to be complete. The absence of the general public from the list should not be interpreted to discourage tours by small groups of the public when the purpose of the tour is to enhance public understanding of nuclear safety requirements. The NRC believes that such tours do serve a legitimate purpose and are, therefore, appropriate when due consideration is given to plant and personal safety. However, although we have no objection to tours in general, we do discourage those that could disrupt safe operations or be distracting to operators, such as tours of the control room.

The second recommendation was that the NRC should issue guidance permitting "minor infractions" of its rules (presumably security and radiological protection rules) that may occur during a tour "unless actual intent of a credible threat is established." The nature of the minor infractions you are referring to is not clear from your letter or the ANS statement. We believe that existing guidance is flexible and can be followed without any unintentional minor violations. In any case, it is not possible for the NRC to issue blank guidance permitting violation of its rules of any nature. The NRC is, however, more than willing to discuss any points of confusion or contention (in a public meeting) where the industry feels clarification is needed before it could go forward with a program of public tours of protected or vital areas.

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Mr. Ed Fuller

- 2 -

And finally, Recommendation #3 was directed at utility management and encouraged them to promote tours by actively seeking interested groups to tour in-plant facilities. Again, as stated above, NRC policy should not be interpreted to discourage in any way such tours when due consideration is given to safety.

I hope that this letter adequately clarifies NRC policy in this area. In summary, we do not believe that special provisions need to be included in the regulations to accommodate tours by small groups of the public inside the plants. We plan to communicate our position on this matter to the licensees in the near future. If you have additional questions or would like to discuss the possibility of using this approach at one or more sites to resolve any unforeseen issues that might arise, please feel free to contact me.

Sincerely,

Original signed by
James M. Taylor
Executive Director
for Operations