



Organization of
Test, Research, and
Training Reactors

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March 15, 2007

Mr. Ho K. Nieh, Deputy Director
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation
U.S. Nuclear Regulatory Commission
Mail Stop O12-D3
One White Flint North
11555 Rockville Pike
Rockville, MD 20852-2738

Dear Mr. Nieh,

The TRTR leadership respectfully submits our input to you regarding the proposed fingerprinting requirements for unescorted access to research and test reactors.

As stated in the letter dated 15 December 2006, all NRC-licensed research and test reactor facilities have developed more stringent access controls, including background investigations for unescorted access as part of the Compensatory Measure process initiated after 9/11. In addition, the TRTR community has incorporated fingerprinting requirements for access to safeguards information (SGI), which adds another level of protection as only those with access to SGI generally have knowledge, access, and authority to adversely affect the safety and security of the reactors.

The broad application of the proposed access requirements (i.e., fingerprinting everyone in the "facility" regardless of their association with the reactor) would impinge upon the ability of the RTR community to exercise their primary mission: to educate and promote the nuclear sciences. The net result could diminish the perceived worth of these educational tools to their host institutions.

Since 9/11, the Commission mandated that Compensatory Measures (CM's) be implemented at all RTR facilities, and subsequently conducted a comprehensive evaluation of those measures at each facility. The Commission made a determination that the Physical Security Plans, in conjunction with the CM's, provide adequate security to protect the health and safety of the public.

Although TRTR leadership believes that adequate measures have already been taken to protect the health and safety of the public, we also recognize the need to codify the measures that are already in place.

To this end, the TRTR community recommends that the definition of unescorted access in the context of the fingerprinting requirements be restricted to individuals that possess the knowledge and authority to gain physical access to the fuel. The material to be protected in accordance with the Atomic Energy Act's definition of utilization facilities is "...special nuclear material in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public...." Without both the ability to influence security measures in place and physical access to and knowledge of the fuel, any attempted theft, diversion or sabotage would be detected and security response initiated.

Specifically, the following verbiage is recommended:

The special nuclear material (i.e., reactor fuel) at RTRs is the component to be protected in accordance with the Atomic Energy Act of 1954, as amended, to promote the common defense and security and to protect the health and safety of the public. Therefore any requirement for fingerprinting should apply to those individuals who possess unescorted access to the reactor fuel. "Unescorted access" as used means any single individual who possess the knowledge and authority to exercise physical control over or access to the reactor fuel in such quantity as to be of significance to the common defense and security, or in such manner as to affect the health and safety of the public.

If you have any questions or concerns in this matter or if TRTR can be of assistance in any other matter, please do not hesitate to contact me.

Sincerely,



Steve Reese
2006-2007 TRTR Chair

cc:

Daniel S. Collins, Chief
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