

NRR-2005-A-0025

**ALLEGATION REVIEW BOARD BRIEFING
AND MEETING SUMMARY**

FACILITY:	Texas A&M University
TAC NUMBER:	MC8386
RECEIVED:	September 16, 2005
150-DAY DATE:	February 13, 2006
TYPE OF ARB:	Initial ARB Meeting
PURPOSE OF ARB:	To discuss allegation resolution
DATE OF ARB:	October 13, 2005

CONCERN 1:

Individuals went on a public tour of the research reactor without a background check.

CONCERN 2:

Individuals asked if there were guards stationed around the research reactor, and were told by the escort that "there are no guards." There are no guards specific to the research reactor.

CONCERN 3:

A camera was allowed in the reactor area.

I. BACKGROUND:

An investigative ABC News team provided information to NRC's Office of Public Affairs regarding issues at several research reactor sites that ABC believed to reflect violations of security measures. The ABC staff identified specific 13 colleges where interns attempted to gain access to the university research reactor facilities. The individuals videotaped portions of their attempts (the NRC staff has asked ABC for any tape they have on these issues).

Staff viewed part of the ABC videotapes, and identified 13 allegations, one for each RTR. The generic issue is addressed in allegation NRR-2005-A-0019.

At Texas A&M University, ABC provided information that individuals were allowed to go on a tour without having background checks performed. The individuals were also allowed to bring a camera into the reactor area. Finally, the individuals were told by their escort that the reactor does not have any guards. Staff review of ABC's edited tape did not reveal any evidence of a violation at Texas A&M University.

Allegation NRR-2005-A-0019, initiated various actions, as guided by Senior Management, and the Commission. These actions include: 1) review of the security plans at Texas A&M University; 2) plans to send an RAIs to all RTR facilities with reactor fuel, including Texas A&M University. These RAIs will clarify the CALs, but do not impose any new requirements; and 3) plans to send a Response Letter to ABC. This letter will formally request more information from the broadcast company so that staff may followup on concerns for the 13 RTRs, including Texas A&M University.

II. REGULATORY REQUIREMENT(S):

NRC licensed research reactors are required to establish, maintain and follow an NRC-approved security plan and procedures for the protection of nuclear materials from threats and theft. Those measures include the ability to detect unauthorized access to the facility and delay the intruders until the designated response force is able to respond. Security requirements are based on a graded approach with increasing requirements for material that is more attractive for theft or diversion and for facilities that have a greater risk of radiological releases due to sabotage.

10 CFR 73.67, *Licensee fixed site and in-transit requirements for the physical protection of special nuclear material of moderate and low strategic significance*, states, in part, "...6) Limit access to the controlled access areas to authorized or escorted individuals who require such access in order to perform their duties..."

Licensee have detailed plans and procedures specifying how to meet these requirements, including specific guidance as to the criteria for searching packages and for allowing escorted access.

III. SAFETY SIGNIFICANCE AND BASIS: Low

There is no evidence that unauthorized access was granted at Texas A&M University. The generic issue is a significant safety issue, and is addressed in NRR-2005-A-0019.

IV. TECHNICAL REVIEW PRIORITY AND BASIS: Low

Based on the above safety significance.

V. ACTIONS:

A. PROPOSED INVESTIGATIONS, PRIORITY LEVEL: No

The issues identified did not appear to violate NRC requirements for security at research reactors.

B. REFERRAL: No

C. PROPOSED INSPECTIONS AND DUE DATES: No

D. OTHER ACTIONS: Yes

As a result of allegation NRR-2005-A-0019, the Research and Test Reactor Section (RTRS) coordinated their proposed actions with OI, DIPM, OPA and OGC. For Texas A&M University, RTRS performed a review of security plans, and relevant documents. Their review did not identify any violations of the approved security plan. Due Date: Completed.

For the three concerns, RTRS assessment states:

Concern 1: The interns had been scheduled prior to tour as required by the licensee procedures that implement the Compensatory Measures (CMs) dated July 20, 2004. The Security Plan dated April 3, 2000, and the CMs do not have requirements to do background check of visitors.

Concern 2: The security plan does not say there are guards at the facility or not. It does specify law enforcement assistance. The compensatory measures are also mute on the specifics of guards. The licensee is training to sensitize staff that discussion of matters even remotely related to security should not be discussed, other than there are security plans, procedures and measures in place.

Concern 3: Both the Physical Security Plan and the commitment to CM's are both silent as to cameras carried by escorted visitors. Licensee procedures allow cameras in the facility. These visitors were escorted as required by the Security Plan and committed to in the CM's.

Staff plans to review the ABC show to determine if additional issues are identified. Any new issues will be brought to the ARB.

Further, the staff will request complete unedited tapes of the interns' visits to Texas A&M University from ABC. ABC has verbally agreed to release the tapes following airing of the show. If the tapes identify new issues, staff will return to the ARB.

If the show and unedited tapes do not identify any further information, the staff will close the allegation.

VI. NON-NRR ISSUES (OGC, OE, NMSS, REGION, ETC.): None

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ALLEGATION REVIEW BOARD SECTION

ARB DECISION (and comments):

The ARB agreed with the safety significance, technical review priority, and proposed resolution plan.

ARB CHAIRMAN:	M. Case
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ALLEGATION COORDINATOR:	G. Cwalina
ALLEGATION COORDINATOR:	J. Petrosino
ALLEGATION ASSISTANT:	J. Crutchley
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OE REPRESENTATIVE:	N/A
OGC REPRESENTATIVE:	G. Longo
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