

NRR-2005-A-0021

**ALLEGATION REVIEW BOARD BRIEFING
AND MEETING SUMMARY**

FACILITY:	University of Florida
TAC NUMBER:	MC8339
RECEIVED:	September 16, 2005
150-DAY DATE:	February 13, 2006

TYPE OF ARB:	Followup ARB Meeting
PURPOSE OF ARB:	To discuss allegation resolution
DATE OF ARB:	October 27, 2005

CONCERN 1:

Individuals were given a tour of reactor room of the University of Florida research reactor without prior approval.

CONCERN 2:

Visitors' bags were not searched prior to entry into the controlled access area.

CONCERN 3:

Visitor's identification was not checked prior to being allowed access to the controlled access area.

CONCERN 4:

A University of Florida severe accident analysis done by Chairman Diaz showed extreme exposures requiring evacuation of the University Hospital.

CONCERN 5:

Vehicles can be parked in front of and next to the building that houses the reactor.

CONCERN 6:

Individuals were able to film, unchallenged, outside of the reactor building during the opening day football game.

CONCERN 7:

The doors to the building that houses the reactor were unlocked during the day. Once inside, individuals were able to film the reactor room through glass windows without being questioned.

CONCERN 8:

University students entered and exited the reactor building with keys at night.

UPDATED INFORMATION SINCE LAST ARB IS HIGHLIGHTED

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 the University of Florida, ABC provided information that individuals were allowed to tour the reactor room without prior approval. These individuals ID's may not have been checked, and their bags not search prior to entry into the controlled access area. This may be contrary to escorted access control procedures or commitments. Staff review of ABC's edited tape did not reveal any evidence of a violation at the University of Florida.

In addition, ABC asked about a University of Florida severe accident analysis done that showed extreme exposures requiring evacuation of the University Hospital. Chairman Diaz participated in this report during his time at the University of Florida.

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 the University of Florida; 2) plans to send an RAIs to all RTR facilities with reactor fuel, including the University of Florida. 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 the University of Florida.

On October 13, the day of the "Primetime" show, ABC published a public website listing all 25 RTRs that their interns visited. The ABC website identified the 25 colleges where interns attempted to gain access to the university research reactor facilities, and listed ABC's perceived security concerns. Staff opened allegations for the additional 12 RTRs. These are NRR-2005-A-0034 through NRR-2005-A-0045.

Staff identified two new concerns at the University of Florida.

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, "...*(d) Fixed site requirements for special nuclear material of moderate strategic significance*. Each licensee who possesses, stores, or uses quantities and types of special nuclear material of moderate strategic significance at a fixed site (...) shall (...)
6) Limit access to the controlled access areas to authorized or escorted individuals who require such access in order to perform their duties,
7) Assure that all visitors to the controlled access area are under the constant escort of an individual who has been authorized to access this area..."

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

Allowing unauthorized access to the facility will allow an increased possibility of sabotage to the reactor or theft of special nuclear material. However, there is no evidence that unauthorized access was granted at the University of Florida. The generic issue is a significant safety issue, and is addressed in NRR-2005-A-0019.

There is no evidence that the University violated NRC approved security procedures, plans or measures. NRC has evaluated security plans, procedures and systems and has verified that appropriate security measures are in place to protect the public health and safety from the potential radiological effects of postulated theft or sabotage. Therefore, the safety significance is low.

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 the University of Florida, 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 eight concerns, RTRS assessment states:

Concern 1: The licensee gave interns a tour of the facility. The decision to give the tour was made by the facility Director in accordance with the security plan compensatory measures.

Concern 2: The licensee states that all packages and cell phones were not brought into the Controlled Access Area (CAA). There is no evidence that bags were brought into the CAA.

Concern 3: The licensee states that identification was checked before entering the CAA. There is no evidence that identifications were not checked. There are locked doors into a classroom/lab area that are not part of the CAA and the video showed entry into this area. The Facility Director distinctly remembered checking identification prior to entry into the CAA.

Concern 4: The University of Florida Safety Analysis Report prepared under Dr. Diaz' supervision in 1981 and submitted to the NRC for evaluation, presents the maximum hypothetical accident analysis. The material ABC cited was prepared in a deliberately overly conservative manner and is not a credible scenario. It was included to look at the upper level of emergency preparedness in something that the report describes as "unrealistic." The Chairman has reviewed the report again and to quote the Chairman at a discussion of this issue - "It is not credible. There is no way to melt that reactor."

The NRC's Safety Evaluation Report concludes, in part: "The staff concludes that the possible credible accidents involving the UFTR do not pose significant hazard to the public or to the environment. The event with the greatest potential impact to the public is the loss of integrity of the cladding of one or more fuel plates, coupled with the loss of function of the room containment systems. No credible operational conditions of the reactor, including a rapid loss of all coolant, will lead to fuel-cladding failure. The conservative analyses ... give reasonable assurance that the operation of the reactor for the 20-year renewal period does not pose significant risk to the health and safety of the public." (emphasis added) . " ... The staff's current analyses continue to conclude this fact for the University of Florida research reactor.

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 the University of Florida 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.

RTRS identified four new concerns, and based on their review of the University's Physical Security Plan and Compensatory Measures did not identify any violations. Their assessment for the new concerns states:

Concern 5: There is no requirement in the Physical Security Plan or commitment in the CMs to secure this area. This area is open to the public.

Concern 6: There is no requirement in the Physical Security Plan or commitment in the CMs to secure this area. This area is open to the public.

Concern 7: There is no requirement in the Physical Security Plan or commitment in the CMs to lock the exterior doors to the building that houses the reactor. There are no requirements that prevent filming outside the reactor building.

Concern 8: Special Access conditions outside of normal operating hours are established in the Physical Security Plan. Staff did not identify any violations of the requirements set forth in the Physical Security Plan.

Staff reviewed the ABC "Primetime" show, and did not identify any new relevant information. Staff plans to request complete unedited tapes from ABC to determine if additional issues are identified. Any new issues indicating a possible violation of NRC regulations will be brought to the ARB.

Based on RTRS review, the staff plans to close this allegation. If additional information is received indicating a possible violation of NRC regulations (i.e. from ABC's unedited tapes) then staff will re-open the allegation. Due Date: December 31, 2005.

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
ARB MEMBER:	H. Berkow
ALLEGATION COORDINATOR:	G. Cwalina
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OE REPRESENTATIVE:	N/A
OGC REPRESENTATIVE:	G. Longo
IPSB LEAD REVIEWER:	V. Hall
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