



Fuel Cycle Security Rulemaking Activities

**Fuel Cycle Information Exchange
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Outline

- Provide general reasons for rulemakings
- Discuss on-going security-related rulemaking activities

Reasons for Rulemakings

- Incorporate previously-issued Orders, and the lessons learned during their implementation that reflect the new threat environment
- Ensure that regulations account for new facility/technology types
- Develop a more graded approach to regulations

10 CFR Part 37 – Physical Protection of Byproduct Material

- Address IAEA Code of Conduct Category 1 and 2 quantities of 16 radioactive materials (listed in 10 CFR Part 73, Appendix I)
- Also known as Category 1 and 2 quantities

Spent Nuclear Fuel (SNF) Transport Security

- Based on security concepts / lessons learned from post-9/11 SNF transportation security Orders
- Consider several requests from Petition for Rulemaking (PRM-73-10) submitted by the State of Nevada

Independent Spent Fuel Storage Installation (ISFSI) Security

- Addresses
 - Physical security and vehicle barriers
 - Access authorization and fingerprinting
- Consistent requirements for all ISFSIs (at reactors and away from reactors)

Enhanced Security at Fuel Cycle Facilities

- Consider prior Orders, appropriate lessons learned, and recent studies on material attractiveness
- Enhance graded approach to special nuclear material protection

Material Transport Security

- Include security enhancements to materials not addressed by RAMQC and SNF rulemakings
 - Category I, II, and III special nuclear materials
 - Potential recycling process radioactive material (i.e., mixed oxide, high level waste)
- Status: Technical Basis expected Fall 2010

Questions?

Backup Slides

Criminal Sabotage

- Facilitate DOJ prosecution of acts of sabotage (AEA§236)
- Status: Technical Basis expected to be completed by March 2010
- No impact expected on licensees

Fitness for Duty Programs (Part 26)

- Address security force fatigue
 - Category I fuel facilities
 - ISFSIs
 - Decommissioned reactors
 - Enrichment and conversion facilities
- Status: Technical Basis expected September 2010

Extending Applicability of Firearms

- Apply enhanced weapons to material and waste licensees
- Status
 - Awaiting U.S. Attorney General approval of the Firearms Guidelines
 - Technical Basis delayed until 2010

Final Geologic Repository Operations Area Security (Part 63)

- Revise material control and accounting and security requirements to reflect post-9/11 environment
- Status: Remains on hold due to resource constraints

10 CFR Part 37 (cont.)

- Additional requirements
 - Fingerprinting, background checks, access control (Subpart B)
 - Security during use (Subpart C)
 - Transportation security (Subpart D)
- Status
 - Entire Part 37 draft proposed rule presented to the Commission, December 2009
 - Draft Proposed rule approved, published June 15, 2010
 - Comment period closes October 13, 2010
 - Final rule – 2011

SNF Transport Security (cont.)

- Enhance existing regulations in 10 CFR 73.37
 - Pre-planning and Coordination of Shipments
 - Notifications
 - Continuous and Active Monitoring
 - Communications
 - Operations
 - Drivers and Escorts

SNF Transport Security (cont.)

- Status
 - Draft proposed rule with Commission
 - Final rule expected 2011/2012

ISFSI Security Rule (cont.)

- Based on SECY-07-0148 and associated SRM-SECY-07-0148
- Status
 - Stakeholder interaction
 - Technical Basis expected by Summer 2009

Security Event Notifications

- Revised proposed rule to be issued (initial rule issued Oct 2006 – in Power Reactor Security Rule)
- Combined with Enhanced Weapons rulemaking
- Status
 - Proposed rule in Fall 2010
 - Draft Regulatory Guide DG-5019