

February 17, 2011
Michael May

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OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

May Comment on APS Proposed Rule

I am Michael May, a former US Delegate to SALT II and Director Emeritus of the Lawrence Livermore National Laboratory, now Professor Emeritus of Engineering at Stanford University.

I concur with the APS petition for an NRC Rule Change. I particularly wish to call the NRC's attention to the following points, in support of the petition.

1. Given the rapid growth of nuclear power in China and to a lesser but significant extent in India, South Korea, Russia and Japan, and given the interest in nuclear power manifested over the past few years by a number of countries that do not currently have experience in this field, it is likely that new sensitive nuclear facilities, including enrichment and reprocessing facilities, will be established and/or augmented in several countries. It is also possible that some new technologies for those facilities will become more widely available.
2. The countries where nuclear power is growing rapidly as well as some others have signified their plans to enter or increase their presence in the international nuclear export markets. As their presence increases, they will also increasingly be in a position to affect the rules for exports.
3. As a result, it will be ever more desirable that procedures and standards be established widely to ensure that nuclear facilities, particularly sensitive facilities, are designed and operated in such a way as to support effective safeguards against any kind of diversion or misuse for weapon proliferation or for sale to networks that could facilitate proliferation or terrorism.
4. It is feasible in my opinion to so design and operate those facilities, specifically centrifuge and laser-based enrichment facilities and various types of reprocessing facilities, in such a way as to make safeguards against diversion or misuse effective without revealing commercially proprietary information.
5. The US NRC has historically been a leader in the movement to improve safeguards, safety and security of the international nuclear industry through the various forums that exist for cooperation in those areas. While much of that competence is now more widely distributed worldwide, the NRC continues to be referred to as a source of improvement in the standards and procedures in those areas. As noted in the APS report referenced in the APS petition for NEC rule change,¹ "Over the next several years, the Nuclear Regulatory Commission will be reviewing license applications for

¹ "Technical Steps to Support Nuclear Arsenal Downsizing", APS/POPA Report, 2010, p. 20: <http://www.aps.org/link/downsizing.cfm>.

new technologies that could carry substantial proliferation risks.” Therefore any initiative the US NRC takes to increase the visibility and priority of preventing proliferation in its licensing process and to foster practical measures for doing so will help move the international nuclear industry consensus in that direction.

6. As a result of those considerations, I strongly support the proposed Rule Change in the APS petition. Requiring industries to prepare and submit to the NRC “an assessment of the proliferation risks that construction and operation of the proposed facility might pose”ⁱⁱ will serve the nuclear industry as well, in that steps to facilitate safeguards are more likely be incorporated into the design of the facilities rather than be retrofitted later at greater expense to both industry and clients and with probably less effectiveness.

ⁱⁱ APS Petition for NRC Rule Change, p. 3.

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Francis Slakey - Nuclear Proliferation Assessments

Comment On: NRC-2010-0372-0003
Francis Slakey on Behalf of the American Physical Society; Receipt of Petition for Rulemaking

Document: NRC-2010-0372-DRAFT-0013
Comment on FR Doc # 2010-32242

Submitter Information

Name: Michael M May
Submitter's Representative: n/a
Organization: Stanford University
Government Agency: n/a

General Comment

See attached file(s)

Attachments

NRC-2010-0372-DRAFT-0013.1: Comment on FR Doc # 2010-32242

Ngbea, Evangeline

From: Gallagher, Carol
Sent: Wednesday, February 23, 2011 8:44 AM
To: Rulemaking Comments
Subject: Comment letter on PRM-70-9
Attachments: NRC-2010-0372-DRAFT-0013.pdf

Categories: Red Category

Van,

Attached for docketing is a comment letter from Michael May on the above noted PRM (75 FR 80730) that I received via the regulations.gov website on 2/18/11.

Thanks,
Carol

Received: from HQCLSTR01.nrc.gov ([148.184.44.76]) by OWMS01.nrc.gov
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Content-Type: application/ms-tnef; name="winmail.dat"
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From: "Gallagher, Carol" <Carol.Gallagher@nrc.gov>
To: Rulemaking Comments <Rulemaking.Comments@nrc.gov>
Date: Wed, 23 Feb 2011 08:43:44 -0500
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