

Safeguards Information - Modified Handling Categorization, Change for Materials Facilities

10 CFR Parts 30, 37, 73, and 150

(79 FR 58664, Published September 30, 2014: 80 FR 3865, Confirmation of Effective Date Published January 26, 2015)

RATS ID: 2015-2

Effective Date: January 28, 2015

Date Due for State Adoption: January 28, 2018

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
§ 30.4	Definitions	N/A	NRC	In § 30.4, remove the definition for "Quantities of Concern."			
§ 30.32(k)	Application for specific licenses	N/A	NRC	In § 30.32, remove paragraph (k).			
§ 30.34(l)	Terms and conditions of licenses	N/A	NRC	In § 30.34, remove paragraph (l).			
§ 37.29(a)(10)	Relief from fingerprinting, identification, and criminal history records checks and other elements of background investigations	105 CMR 120.060(A)(10)	B	In § 37.29, revise paragraph (a)(10) to read as follows: (a) * * * (10) Commercial vehicle drivers for road shipments of category 1 and category 2 quantities of radioactive material;			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
	for designated categories of individuals permitted unescorted access to certain radioactive materials						
§ 37.43(d)(1)	General security program requirements	105 CMR 120.064(D)(1)	C	<p>In § 37.43, revise paragraph (d)(1) to read as follows:</p> <p>(d) Protection of information. (1) Licensees authorized to possess category 1 or category 2 quantities of radioactive material shall limit access to and unauthorized disclosure of their security plan, implementing procedures, and the list of individuals that have been approved for unescorted access.</p>			
§ 37.43(d)(9)	General security program requirements	N/A	NRC	In § 37.43, remove paragraph (d)(9).			
§ 37.77(f)	Advance notification of	105 CMR 120.075(F)	C	In § 37.77, revise paragraph (f) to read as follows:			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
	shipment of category 1 quantities of radioactive material			(f) Protection of information. State officials, State employees, and other individuals, whether or not licensees of the Commission or an Agreement State, who receive schedule information of the kind specified in § 37.77(b) shall protect that information against unauthorized disclosure as specified in § 37.43(d) of this part.			
§ 73.2	Definitions	N/A	NRC	In § 73.2, remove the definition for “Quantities of Concern.”			
§ 73.21	Protection of safeguards information: performance requirements	N/A	NRC	In § 73.21, revise paragraph (a)(1)(ii) to read as follows: (a) * * * (1) * * * (ii) Establish, implement, and maintain an information protection system that includes the applicable measures for Safeguards Information specified in § 73.23 related to: research and test reactors that possess special nuclear material of moderate strategic significance or special nuclear material of low			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
				strategic significance.			
§ 73.23	Protection of safeguards information-modified handling: specific requirements	N/A	NRC	<p>In § 73.23, revise the introductory text and paragraph (a)(2) to read as follows:</p> <p>This section contains specific requirements for the protection of Safeguards Information in the hands of any person subject to the requirements of § 73.21(a)(1)(ii) and research and test reactors that possess special nuclear material of moderate strategic significance or special nuclear material of low strategic significance. The requirements of this section distinguish Safeguards Information requiring modified handling requirements (SGI-M) from the specific Safeguards Information handling requirements applicable to facilities and materials needing a higher level of protection, as set forth in § 73.22.</p> <p>(a) * * *</p> <p>(2) Physical protection in transit. Information not classified as Restricted Data or National Security Information related to the physical protection of shipments of special</p>			

Change to NRC Section	Title	State Section	Compatibility Category	Summary of Change to CFR	Difference Yes/No	Significant Yes/No	If Difference, Why or Why Not Was a Comment Generated
				nuclear material in less than a formula quantity (except for those materials covered under § 73.22), including:			
Appendix I, Part 73	Category 1 and category 2 radioactive materials	N/A	NRC	Remove Appendix I to Part 73, Table of Quantities of Concern Threshold Limits.			
§ 150.15(a)(9)	Persons not exempt	N/A	NRC	In § 150.15, remove paragraph (a)(9).			