



UNITED STATES  
NUCLEAR REGULATORY COMMISSION  
WASHINGTON, D.C. 20555-0001

October 2, 2018

MEMORANDUM TO: Those on the Attached List

FROM: Daniel S. Collins, Director  
Division of Materials Safety, Security, State  
and Tribal Programs */RA S Attack for D S Collins/*  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: REVISION OF INSPECTION PROCEDURE FOR 10 CFR PART  
37 MATERIALS SECURITY PROGRAMS

Attached for your review and comment is the first revision of Inspection Procedure (IP) 87137, "10 CFR Part 37 Materials Security Programs." The IP addresses the requirements outlined in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material."

On June 2014, the Government Accountability Office (GAO) issued an audit report (GAO-14-293) entitled "Nuclear Nonproliferation: Additional Actions Needed to Increase Security of U.S. Industrial Radiological Sources." As part of the response to the report, the U.S. Nuclear Regulatory Commission (NRC) committed to evaluate a GAO recommendation to consider whether the definition of collocation should be revised for well logging facilities that routinely keep radiological sources in a single storage area but secured in separate storage containers. The NRC evaluated this recommendation through its efforts to perform the congressional mandated review of 10 CFR Part 37. As a result of the staff's efforts, the 10 CFR Part 37 Program Review Team (PRT) determined that the definition of aggregation, previously referred to as collocation, is clear and does not need to be changed.<sup>1</sup> In addition, the PRT determined that the security requirements in Part 37 provide adequate protection for well logging sources in storage.

As a result of the review, the PRT did make a recommendation for enhancements to guidance specific to aggregation to ensure that the implementation of appropriate security measures is understood by licensees and evaluated accordingly by inspectors. The PRT referred the recommendation to the Part 37 Implementation Working Group (IWG) for follow up. The Working Group recommended a revision to IP 87137 to enhance inspection guidance and ensure inspectors assess licensees' potential to aggregate materials as part of routine inspections.

CONTACT: Willie Lee, NMSS/MSST  
(301) 415-8024

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<sup>1</sup> Summary of NRC Staff Program Review of 10 CFR Part 37 (Agencywide Documents Access and Management Systems Accession No. ML17019A411).

The PRT recommended that the IWG address the need for additional guidance related to the review of trustworthiness and reliability determinations for reviewing officials. The IWG recommended a revision to IP 87137. Specifically, IP 87137 is being revised to provide specific inspection guidance regarding the review of procedures developed and records used by the licensee to support its determination that the reviewing official is deemed trustworthiness and reliability if they have unescorted access to category 1 and 2 quantities of radioactive material. Also, a correction of an error in the existing text of Section 03.01.04(c) is included in the revision.

Although this IP is for use by NRC inspectors, it may also be used by Agreement States. Comments on the revision of IP 87137 are being sought separately from the Agreement States in parallel to this request. Written comments, from designated staff members, should be submitted to the contact listed below within 30 days from the date of this memorandum.

Comments of an editorial nature will be considered; however, the revised text may undergo additional technical editing and formatting by the NRC staff prior to publication.

If you have any questions regarding this correspondence, please contact me at (301) 415-3340 or the individual named below:

POINT OF CONTACT: Willie Lee  
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Enclosure:  
Revised Inspection Procedure 87137

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10 CFR PART 37 MATERIALS SECURITY PROGRAMS  
DATED: OCTOBER 3, 2018.

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<b>NAME</b>	WLee	TSmith	SAtack for:DCollins
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