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**Docket:** NRC-2014-0118  
Enhanced Security for Special Nuclear Material

**Comment On:** NRC-2014-0118-0043  
Enhanced Security of Special Nuclear Material: Revised Regulatory Basis; Extension of  
Comment Period

**Document:** NRC-2014-0118-DRAFT-0045  
Comment on FR Doc # 2019-05261

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## Submitter Information

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## General Comment

UUSA Comments on Rulemaking for Enhanced Security of Special Nuclear Material  
Regulatory Basis Document

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## Attachments

LES-19-068-NRC UUSA Comments on Regulatory Basis Document Rulemaking for  
Enhanced Security of SNM

04/19/2019

**Subject:** UUSA Comments on Regulatory Basis Document Rulemaking for Enhanced Security of Special Nuclear Material  
(Docket No. ID NRC-2014-0118)

On March 1, 2019, the Nuclear Regulatory Commission (NRC or Commission) published a Federal Register Notice, 84 *Fed. Reg.* 6980, dated March 01, 2019 (Notice), requesting public comment on the regulatory basis document, "Rulemaking for Enhanced Security of Special Nuclear Material". The comment period was extended to April 19, 2019. UUSA hereby submits and requests the Commission's consideration of the following comments.

UUSA believes that clear delineation of the physical security system's maintenance requirements for each Category of facility must remain in place in order to keep them commensurate with the type of facility as defined in §73.67. Pursuant to 10 CFR 73.67(g) and (f) UUSA is a Category III facility.

Specifically, our comment is to note that the physical security system's maintenance requirements under the new rule are not clear as they would apply to a Category III facility. The Regulatory Basis Document is written in a general manner so that the maintenance requirements on the physical barriers, intrusion alarms, communications equipment, and other security related equipment remain consistent with 10 CFR 73. However, section 3.3 Consistency and Clarity may be interpreted that in order to maintain consistency, the requirements should be the same for Categories I, II and III. Therefore it is not clear whether this section will drive tracking and trending software installed on the security servers and as a result create more robust reporting for Category III facilities.

An excerpt, from page 28 states:

*[... the current regulations for Category II and III SNM do not address all aspects of a physical protection program. For example, the assessment function is not described in the current Category III requirements; and maintenance and testing functions are not described in the current Category II or III requirements. In addition, items, such as access control devices, badging systems, surveillance, escorting, searches, tamper indication and security organization, are only addressed in Category III regulatory guidance. This makes the existing SNM physical protection requirements more confusing and difficult to implement, to inspect and to understand all the requirements associated with a functional area.]*

We suggest that the rulemaking be clarified to address this concern and clearly delineate the requirements of facilities in the respective Categories as defined in §73.67.

UUSA appreciates the opportunity to comment on the subject Regulatory Guide. If you have any questions, please contact Rick Medina, Acting Licensing and Performance Assessment Manager, at 575-394-5846.

Respectfully,



Stephen R. Cowne  
Chief Nuclear Officer and Compliance Manager