

Nov. 14, 1989

MEMORANDUM FOR: James Creed, Section Chief
Nuclear Materials Safety
and Safeguards Branch, RIII

FROM: Phil McKee, Chief
Reactor Safeguards Branch
Division of Reactor Inspection
and Safeguards, NRR

SUBJECT: PROTECTION OF SAFEGUARDS INFORMATION
UNDER 10 CFR 73.21 REQUIREMENTS

By memorandum dated September 28, 1989, Region III requested that RSGB make a determination as to whether information contained in a utility's General Employee Training (GET) Manual constitutes safeguards information as defined in 10 CFR 73.21(b).

As a result of the June 1989 inspection, the licensee submitted a letter dated August 24, 1989 which responded to and disputed the violation. The RSGB staff reviewed the licensee's overall response and concludes that the licensee's contention that NUREG-0794 provides for an exception to information already in the public domain is in error. The intent of Section 2.2 of the NUREG, is that only generic lists and regulatory requirements apply to the exception. Where plant specific information is addressed in this GET Manual, the common knowledge contention does not meet the exception permitted by NUREG-0794; therefore, the licensee is required to protect any identification of specific vital areas within the plant as safeguards information. It is also noted that the areas specifically designated as vital are identified in the physical security plan and that information is appropriately marked as safeguards information. Accordingly, we have determined that the vital areas listed in the GET Manual, which are identified as equipment required for the safe shut-down of the plant, meets the intent of 10 CFR 73.21(b)(1)(vii) and should therefore be deleted from the security section of the GET Manual.

15/
Phil McKee, Chief
Reactor Safeguards Branch
Division of Reactor Inspection
and Safeguards, NRR

9001250164 900118
PDR ADOCK 05000305
Q PDC