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November 17, 1981

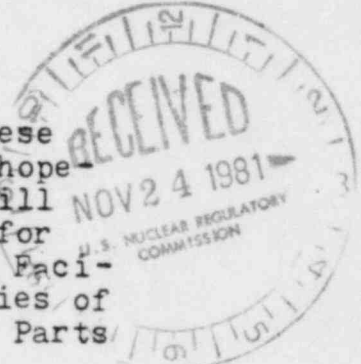
Secretary of the Commission
NRC
Washington, DC 20555

DOCKET NUMBER **PR-50,70,73**
PROPOSED RULE **(46 FR 46333)**

Attention: Docketing and Service Branch

Dear Secretary:

I apologize for the delay in sending these few comments off to you for consideration - hopefully, because of the brevity, the content will be taken into account in your proposed rule for Safeguards Requirements for Nonpower Reactor Facilities Authorized to Possess Formula Quantities of Strategic Special Nuclear Material to 10 CFR Parts 50, 70 and 73.



As requested by the Commission in its Register notice, I will have to frame my comments in the negative on its proposal. Although it is stated numerous times in the text of PR Vol. 46, No. 181, Sept. 18, 1981 that 100 rem/hr at 3 feet from a special nuclear materials source is no guarantee that a committed adversary will be deterred from stealing same, this is the limit which is being proposed. I do not support this position.

I am supportive of the minimum level of physical protection be required for non power reactor facilities possessing special nuclear material, as well as the requirement of separate and redundant physical security systems for noncontiguous facilities.

I support the positions outlined by Commissioners Bradford and Gilinsky which would require all nonpower reactors that possess in excess of 5 kilograms of highly enriched uranium fuel to implement the safeguards upgrade rule, with an exemption from this requirement if the fuel emits external radiation above 2,000 rem/hr at 3 feet, at which the fuel is considered self-protecting. The point made by these Commissioners that this would provide that significant quantities of unirradiated

Acknowledged by card.....

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Secretary of the Commission

P. 2

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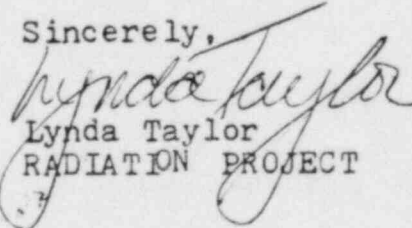
highly enriched uranium fuel would be treated in the same way, whether at a fuel cycle plant or at a university. (We have a university right across the street which possesses enriched uranium fuel, and I agree there is nothing inherently safer about the university environment than a fuel cycle plant for the theft of nuclear materials which can be used in making a nuclear device). I support the Bradford and Gilinsky points that severe protection of the fuels would be less necessary if reactors switched to fuels using lower enrichment uranium which cannot be used to make nuclear weapons. This recommendation should be adopted by the Commission.

We would support another comment period opportunity for non power reactor operators to comment on the range of possible exposure standards and protection formats instead of the Commission's unsupported position that under 100 rem/hr 3 feet away would require more stringent protection, especially since this exposure rate offers no deterrent whatsoever to theft. The exposure rate of 2,000 rem or more per hr. at 3 feet would certainly provide a serious deterrent to nuclear materials theft, and should be implemented as the new standard for protection, with special language in accordance with ALARA prohibiting reactor operators from establishing this upper limit for purposes of avoiding instituting the protection requirements of paragraph 73.67(h). Additional physical protection measures outlined in 73.67(h) should be a requirement at all times, affording maximum protection from theft and possible development of a nuclear bomb.

In addition to any new safeguards and protection requirements should be the adequate implementation, oversight and enforcement of said safeguards.

Thank you for an opportunity to comment.

Sincerely,


Lynda Taylor
RADIATION PROJECT