



Yellow Ticket

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

137F-156
→ Frank Magrha
Action: PLS
prepare reply
for my signature

[Signature]
5/14

MAY 10 1984

NOTE TO: Edson G. Case, Deputy Director
Office of Nuclear Reactor Regulation

FROM: Robert F. Burnett, Director
Division of Safeguards, NMSS

SUBJECT: IMPLEMENTATION OF REGULATORY EFFECTIVENESS REVIEW (RER)
RECOMMENDATIONS

The attached draft memorandum to Mr. Denton sets forth my understanding of matters discussed between you, Mr. Davis, and me relative to handling findings from RER's.

Your comments would be appreciated.

[Signature]
Robert F. Burnett, Director
Division of Safeguards, NMSS

Attachment:
As stated



UNITED STATES
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DRAFT

MEMORANDUM FOR: Harold R. Denton, Director
Office of Nuclear Reactor Regulation

FROM: John G. Davis, Director
Office of Nuclear Material Safety
and Safeguards

SUBJECT: IMPLEMENTATION OF REGULATORY EFFECTIVENESS
REVIEW (RER) RECOMMENDATIONS

During recent meetings with key personnel in the various offices interested in the RER program, including NRR, procedures to be employed in instituting corrective actions responsive to matters identified by RER reviews were discussed. At that time, a program was set forth that we believe adequately addresses the issues and is consistent with the views of all parties concerned and, at the same time, is compatible with recently initiated backfit procedures.

In coordination with representatives of NRR, RER Reports have been reorganized into a format to facilitate processing and which should, at the same time, accommodate backfit procedures. Part I of the RER now contains only the findings relative to the effectiveness of the licensee's safeguards program. These findings can be categorized as follows:

- a) Actions related to adequacy of Commission regulations and guidance;
- b) Actions related to compliance with approved safeguards plans; and
- c) Actions resulting from weaknesses and deficiencies in staff approved safeguards plans.

In the areas of compliance and regulatory changes, I believe adequate procedures exist. The last category, however, requires action to address safeguards concerns and constitutes the heart of the problem relative to the initiation of corrective actions.

Some identified safeguards deficiencies will be of a nature requiring prompt corrective action. It is suggested that these be processed as follows:

- a) When licensees choose not to initiate voluntary corrective measures after reviewing the RER Report, NMSS (as the cognizant office for safeguards matters) will prepare an immediately effective order along with appropriate licensing actions.
- b) NRR, after reviewing such actions from a safety standpoint, will transmit such orders or licensing correspondence to licensees.

DRAFT

- 2 -

We recognize that some safeguards weaknesses identified through RER's will be of lesser significance and will not warrant immediate corrective actions. Those items falling into this category could be handled through the Plant-Specific Backfitting Plan, a copy of which is attached for your ready reference.

Part II of the RER Report, Vital Area Definition, validates the identification of equipment that should be protected as vital based on the vital area analysis conducted by Los Alamos National Laboratory (LANL). With respect to vital area identification, vital area commitments in licensee security plans were approved previously by the staff subject to subsequent validation. Validation problems should be addressed to the licensee for action, and not fall under the backfit procedures since they do not reflect a change in staff position. On the other hand, I believe that vital area problems arising from new vital equipment guidelines being considered by our staffs should be handled the same as deficiencies in approved plans. /

Safety/Safeguards Considerations are addressed in Part III of the report and should be evaluated, I believe, on a case-by-case basis by NRR/NMSS with appropriate disposition determined jointly.

In my opinion, treating safeguards corrective actions in the manner outlined above will result in a significant improvement in the timeliness of actions resulting from RER's. Your cooperation in this matter would be very much appreciated.

John G. Davis, Director
Office of Nuclear Material Safety
and Safeguards

cc: V. Stello, EDO
W. Dircks, EDO



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

FROM: ROBERT BURNETT

ORIG. DUE DATE: 06/05/84

TICKET NO: 849136

TO: E. CASE

DOC DATE: 05/10/84

NRR RCVD DATE: 05/15/84

** YELLOW **

FOR SIGNATURE OF: ED CASE

DESC:

CC:

IMPLEMENTATION OF REGULATORY EFFECTIVENESS REVIEW
RECOMMENDATIONS

CASE/DENTON

1. PPAS

2. SPEIS

3. MATTSON

4. VOLLMER

5. THOMPSON

6. SNYDER

REFERRED TO: DL

DATE: 05/15/84

CONTACT: EISENHUT/MIRAGLIA - 5116

EA →

*C. Thomas
Active 5/17*

PLEASE REVIEW THE DUE DATE IMMEDIATELY:

IF THE DUE DATE DOES NOT ALLOW ADEQUATE TIME TO RESPOND TO THIS TICKET, YOU MAY REQUEST A REVISED DUE DATE. THE REQUEST MUST INCLUDE A VALID JUSTIFICATION AND BE MADE THROUGH YOUR CORRESPONDENCE COORDINATOR TO THE NRR MAIL ROOM (KAREN BOWMAN OR HAZEL SMITH)

REQUESTS FOR REVISION OF YELLOW TICKET DUE DATES MAY BE MADE, WITH JUSTIFICATION, THRU THE WEEKLY WITS UPDATE UP TO ONE WEEK AFTER ASSIGNMENT BY NRR MAIL ROOM. THE NEW DUE DATE, IF APPROVED BY NRR MAILROOM, WILL BE USED TO TRACK DIVISION CORRESPONDENCE COMPLETION SCHEDULES.

PLEASE DO NOT HAND CARRY CONCURRENCE PACKAGES TO DIRECTORS OFFICE

WITHOUT FIRST GOING THRU THE NRR MAIL ROOM.
