



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

SEP 02 1982

AB 99-2
PDR

NOTE TO: Russell R. Rentschler, Chief
Physical Security Licensing Section
Fuel Facility Safeguards Licensing Branch
Division of Safeguards
Office of Nuclear Material Safety and Safeguards

FROM: James J. Dunleavy, Chief
Operations Section
Personnel Security Branch
Division of Security
Office of Administration

SUBJECT: REVISION OF 10 CFR PART 11

Reference is made to our 10 CFR Part 11 rule drafting meeting of August 13, 1982, which was also attended by a representative of ELD.

This confirms my August 27, 1982 telephone call to you following up on the status of your deliberations/coordination within NMSS on a number of policy related decisions yet to be made by NMSS in order to revise various provisions of Part 11, including:

- allowing an individual with an NRC "L" or "R" or DOE "L" to assume an NRC "U" position while undergoing NRC "U" processing;
- to what extent 10 CFR Part 11.13 (transportation requirements) is to be revised;
- scope and timing of renewal provision in 10 CFR Part 11.15(c); and
- acceptance of a full field investigation of lesser scope than an OPM full field investigation as the basis for an NRC "U" (e.g., DoD IBI).

When these issues are resolved, specific revisions can be drafted up.

This also confirms my understanding that you envision SEC's role at the upcoming September 8, 1982 meeting with representatives of the nuclear materials management group to be one of discussing in a very informal manner the Part 11 revisions/issues under review, preliminary as they are.

Please advise when you wish to discuss Part 11 revision further.

James J. Dunleavy

James J. Dunleavy, Chief
Operations Section
Personnel Security Branch
Division of Security
Office of Administration

8601090439 851223
PDR PR
11 50FR39076 PDR

AB99-2



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

SEP 02 1982

NOTE TO: Russell R. Rentschler, Chief
Physical Security Licensing Section
Fuel Facility Safeguards Licensing Branch
Division of Safeguards
Office of Nuclear Material Safety and Safeguards

FROM: James J. Dunleavy, Chief
Operations Section
Personnel Security Branch
Division of Security
Office of Administration

SUBJECT: REVISION OF 10 CFR PART 11

R³
COMMENTS
↓

Reference is made to our 10 CFR Part 11 rule drafting meeting of August 13, 1982, which was also attended by a representative of ELD.

This confirms my August 27, 1982 telephone call to you following up on the status of your deliberations/coordination within NMSS on a number of policy related decisions yet to be made by NMSS in order to revise various provisions of Part 11, including:

APPROVE

REVISE
AS DRAFTED

REVISE TO
REQUIRE
SUBMISSION OF
FORMS

NO. SHOULD
BE COMPARABLE
INVESTIGATION

- allowing an individual with an NRC "L" or "R" or DOE "L" to assume an NRC "U" position while undergoing NRC "U" processing;
 - to what extent 10 CFR Part 11.13 (transportation requirements) is to be revised;
 - scope and timing of renewal provision in 10 CFR Part 11.15(c); and
 - acceptance of a full field investigation of lesser scope than an OPM full field investigation as the basis for an NRC "U" (e.g., DoD IBI).
- When these issues are resolved, specific revisions can be drafted up.

AGREE

This also confirms my understanding that you envision SEC's role at the upcoming September 8, 1982 meeting with representatives of the nuclear materials management group to be one of discussing in a very informal manner the Part 11 revisions/issues under review, preliminary as they are.

Please advise when you wish to discuss Part 11 revision further.

James J. Dunleavy

James J. Dunleavy, Chief
Operations Section
Personnel Security Branch
Division of Security
Office of Administration

B

active federal access authorization

DRAFT-WORKING PAPER

§11.7 (c) Add normally conducted or alternatively, delete OPM

PART IN [] WOULD
REQUIRE THE LOWER
L, OR R TO ALLOW
ACCESS UNDER
"U" APPLICATION,
I.E. CANNOT
WALK IN OFF
THE STREET
TO "U" ACCESS

and §11.11(b) No individual may be permitted to work at any job determined by the Commission to fall within the criterion of paragraph (a)(1) of this section without an NRC-U special nuclear material access authorization. ~~and~~ No individual may be permitted unescorted access to any protected area at any site subject to this part without either an NRC-U or NRC-R special nuclear material access authorization. An exception is provided for any individual in possession of an NRC-L or R access authorization or an equivalent but not yet in receipt of the NRC-U, provided that a complete application was submitted for that employee in accordance with §11.15 and the application has not been disapproved.

NOTE: THIS
WOULD DISALLOW
GRANTING "U"

§11.13 Special requirements for transportation.

IF THE OTHER FEDERAL
AGENCY DID NOT HAVE A
COMPLETE BACKGROUND INVESTIGATION,
E.G.

(a) No individual shall transport, arrange for transport, drive motor vehicles in road shipments of special nuclear material, pilot aircraft in air shipments of special nuclear material, act as monitors at transfer points or escort road, rail, sea, or air shipments of special nuclear material subject to the appropriate physical protection requirements of §§73.20, 73.25, 73.26, or 73.27 of this chapter without NRC-U special nuclear material access authorization. Exceptions are provided for (i) any individual employed on the effective date of these amendments and not yet in receipt of an approved access authorization from the Commission, provided that a complete application was submitted for that employee in accordance with §11.25(b) and the application has not been disapproved; (ii) any individual (in possession of an NRC-L or R access authorization or equivalent) but not yet in receipt of the NRC-U, provided that a complete application was submitted for that employee in accordance with §11.15 and the application has not been disapproved.

(b) Licensees who after 365 days following Commission approval of the amended security plan submitted in accordance with §11.11(a) transport or who deliver to a carrier for transport special nuclear material subject to the physical protection requirements of §§73.20, 73.25, 73.26, 73.27 of this chapter shall confirm and record prior to shipment the name and special nuclear material access authorization number of all individuals identified in paragraph (a) of this section assigned to the shipment. Exceptions to the requirement to confirm and record the SSNM, access authorization number are provided for (i) any individual employed on the effective date of these amendments and not yet in receipt of an approved access authorization from the Commission, provided that a complete application was submitted for that employee in accordance with §11.13(a) and the application has not been disapproved; (ii) any individual (in possession of an NRC-L or R access authorization or equivalent) but not yet in receipt of the NRC-U, provided that a complete application was submitted for that employee in accordance with §11.15 and the application has not been disapproved.

§11.15(a) Renumber to §11.15(a)(1)

(2) LICENSEES WHO WISH TO SECURE NRC-U OR NRC-R ACCESS AUTHORIZATIONS FOR

§11.15(a) Individuals in possession of an active federal access authorization based on an equivalent background investigation who wish to request NRC-U or R access authorization shall submit NRC Form _____ "Material Access

LICENSEES

Authorization Acknowledgment" and NRC Form 237 "Request for Access Authorization." ~~Such individuals may in addition request the federal agency administering the access authorization to certify such to the NRC at the address given above.~~ ^{DISCREETLY} _{ITS EXISTENCE}

§11.15(b) same

§11.15(b) (1)(2)(3) same

§11.15(b) (4) Material Access Authorization Acknowledgment Form

§11.15(b) (5)(6) same

§11.15(c) Renewal of NRC-U or R access authorizations shall not be required at intervals of less than 5 years ^{from} the date of issue of the authorizations unless earlier renewal is warranted on the basis of special circumstances. When renewal is determined to be necessary, the licensee shall apply on behalf of the affected individual.

The application for renewal will consist of the following:

- (1) A Personnel Security Questionnaire, completed by the applicant.
- (2) Two standard fingerprint cards with the individual's fingerprints.
- (3) Authority to release information.
- (4) Other related forms where specified.
- (5) Same

§11.15(d) same

§11.15(e) Each application for special nuclear material access authorization, renewal, or change in level shall be accompanied by the licensee's remittance payable to the U.S. Nuclear Regulatory Commission according to the following schedule:

NRC "U" requiring full field investigation \$1,550.00

NRC "U" based on Certification of Comparable Full Field background investigation \$15.00

*NRC "R" Material access authorization fees will be published in December of each year and will be applicable to each access authorization request received during the following calendar year. \$1,550.00

*If full field background investigation is deemed necessary, a fee of 1550.00 will be assessed.

§11.15(f)(1) Federal employees possessing an active NRC or DOE "Q" access authorization (security clearance) or an equivalent access authorization based on a full field background investigation or federal employees possessing an active NRC or DOE "L" access authorization or its equivalent based on a comparable National Agency Check will be permitted, on official business, the same level of unescorted access to special nuclear material within material access areas, or within vital area, or protected areas that an NRC "U" or "R" access authorization would afford in accordance with §11.11.

DRAFT WORKING PAPER

Requiring to
IL/SC
Renewal?
What is the
intent? How is
the govt. renewed?
See proposed renewal
form PART 10!
DO WE WANT EVEN
FORMS SENT IN
e.g. SYR INTERVIEW
THAT WITH NRC
USING SYROR
ON BASIS OF
BIOGRAPHICAL
INFO ONLY?

§11.15(f)(2) Any other individual possessing an active NRC or DOE "Q" access authorization or an equivalent federal access authorization based on a comparable full field background investigation or possessing an active NRC or DOE "L" access authorization or an equivalent access authorization based on a background investigation comparable to a National Agency Check may be granted an NRC "U" or "R" access authorization, or appropriate, if certified in accordance with paragraph (a)(2) of this section.

DRAFT - WORKING PAPER

AB 99-2
PDR
Sandia National Laboratories

Albuquerque, New Mexico 87185

10/6 → Russ R
FYI
Be

September 20, 1982

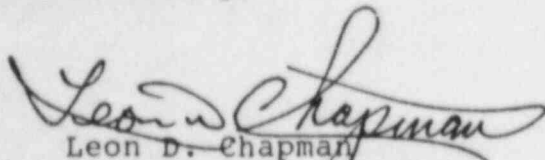
Mr. Bob Sorenson
Chairman, Safeguards Committee
Battelle Pacific Northwest Laboratories
P.O. Box 999
Richland, WA 99352

Dear Bob:

I have enclosed a copy of a report of the subcommittee on Category I material. This report details the events and meeting between INMM/NRC/Industry concerning the 10 CFR Part 11 rule. Concerns of Industry related primarily to compatibility of clearances between NRC-DOE-DOD and clearances required for those persons who have access to special nuclear materials.

Julia M. Smith of the safeguards committee contacted me and wants to participate on this Category I subcommittee. I informed her of the meeting in Washington, DC and she plans to participate in future meetings.

Sincerely,


Leon D. Chapman
Chairman, Category I
Material Subcommittee

LDC:je

cc: Gary Molen, E.I. duPont de Nemours
John L. Jaech, Exxon Nuclear Co., Inc.

REPORT OF THE SUBCOMMITTEE ON
CATEGORY I MATERIAL

At the Institute of Nuclear Materials Management (INMM) Safeguards Subcommittee meeting in Washington in July, 1982, the Category I subcommittee was formed to consider the Nuclear Regulatory Commission's (NRC) 10 CFR Part 11 rule (clearances) and the Category I rule. I agreed to form the subcommittee and hold the first meeting to discuss the NRC clearance program as soon as possible.

Contacts were made with Bud Evans and Russ Rentschler from the NRC Fuel Facility Safeguards Licensing Branch in the Division of Safeguards, Office of Nuclear Materials Safety and Safeguards (NMSS). Rentschler provided me with names and phone numbers of people at seven (7) nuclear facilities and three (3) transportation firms that are affected by the 10 CFR Part 11 rule. A list of these people appears in Attachment 1.

Contact was made with each of these people and a meeting was scheduled between INMM/NRC/Industry to discuss potential problems with the concerns of implementing 10 CFR Part 11 which deals with clearances of personnel having access to special nuclear material (SNM). A letter (Attachment 2) was sent to each person setting the time, date and location of the meeting.

The INMM/NRC/Industry meeting was held at NRC on 8 September. Seven industry representatives attended the meeting and several NRC personnel were present. (See

Attachment 3). Industry concerns related to the 10 CFR Part 11 rule primarily dealt with compatibility of clearances, NRC-DOE-DOD, and specific requirements for personnel clearances for those persons who have access to SNM at facilities and in-transit. The current rule was explained by NRC and Industry representatives made several pertinent comments.

Bud Evans of NRC seemed very pleased to obtain clarifying comments and feedback from Industry regarding the implementation problems associated with 10 CFR Part 11. Industry representatives were very happy to provide operational experience and input regarding the Part 11 implementation as it pertains to their operations.

Leon D. Chapman
Chairman, Category I
Material Subcommittee

Attachment 1

Facilities

Robert B. Gustafson
Corporate Security Director
United Nuclear Corporation
67 Sandy Desert Rd.
Uncasville, CT 06382
(203)848-1511 x401 FTS 645-3711

Richard W. Loving
Manager of Security
Babcock & Wilcox
Naval Nuclear Fuel Division
P. O. Box 785
Lynchburg, VA 24505
(804)385-2000 x-5049 FTS 937-6011

Milt McBride
Technical Services/
Administrative Manager
Fort St. Vrain
16805 Weld County Rd 19-1/2
Platteville, CO 80651
(303)785-2223

Charles J. Michel
Administrative Manager
Nuclear Fuel Service, Inc.
Caroline Ave.
Erwin, TN 37650
(615)743-9141 x157 or 180

William R. Mowry
General Atomic Corporation
P. O. Box 81608
San Diego, CA 92138
(714)455-2823

M. E. Remley
Rockwell International
Energy Systems Group, MS-NB13
8900 DeSoto Street
Canoga Park, CA 91304
(213)700-4439

W. J. Shelly
Vice President
Nuclear Licensing & Regulations
Kerr McGee Corporation
Oklahoma City, OK 73125
(405)270-1313 FTS 736-4011

In-Transit

Jack Edlow or Andrew Shaw
Norman Ravenscroft
Edlow International Co.
1100 17th Street NW.
Suite 404
Washington, DC 20036
(202)883-8237

John Man Gusi
General Motor of Operation
Transnuclear
1 North Broadway
White Plains, NY 10601
(914)761-4060

Earl Rutenkroger
Nuclear Specialist
Tri State Motor Transit Co.
P. O. Box 113
Joplin, MO 64801
(417)642-3131 x272

Attachment 2

August 17, 1982

Dear :

The Category I Subcommittee of the Institute of Nuclear Materials Managements (INMM) Safeguards Committee is conducting a one-day meeting regarding the advance notice of the Nuclear Regulatory Commission's (NRC) rule making dealing with Part 11 (clearances). The purpose of the meeting will be to provide a forum for understanding the intent of the new Part 11 rule and for NRC to receive informal comments from those affected. In other words, it will allow the NRC a chance to more fully explain the rationale and objectives of the new changes. Those licensees affected will be able to informally provide input regarding any areas of concern with the implementation of Part 11.

As previously discussed by telephone, a meeting has been scheduled to be held in Washington, DC. The meeting schedule has been changed to Wednesday, September 8, 1982 at 9:00 am. The time and location are as follows:

Wednesday, September 8

9:00 am

Nuclear Regulatory Commission
Willste Building
7915 Eastern Avenue
Silver Spring, MD 20910
(8th Floor Conference Room)

The NRC has precluded any distribution of the proposed Part 11 prior to the meeting in September. We will be given a draft copy during the meeting for review purposes which will ultimately be retained by NRC.

Our contacts at NRC will be Bud Evans and Russ Rentschler from the Fuel Facility Safeguards Licensing Branch. I have attached a copy of a list of potential attendees for this meeting. Almost everyone was interested in attending if the budget constraints could be solved.

Please call me if you cannot attend or be represented at this meeting. My address and phone number are as follows:

L. D. Chapman, Ph.D.
Division 9416
Sandia National Laboratories
P. O. Box 5800
Albuquerque, NM 87185
(505) 844-9158

If you have any questions, please call.

Sincerely,

Leon D. Chapman, Ph.D.
Systems Analysis and Technology
Applications Division 9416

LDC:je

Attachment

cc: Mr. Gary F. Molen, E.I. duPont de Nemours & Co.
John L. Jaech, Exxon Nuclear Company, Inc.
Robert J. Sorenson, Pacific Northwest Laboratory
Bud Evans, NRC
Russ Rentschler, NRC

Attachment 3

INMM/NRC/Industry

10 CFR Part 11 Meeting

8 September 1982

Leon D. Chapman	Sandia National Laboratories
John ManGusi	Transnuclear
Charles Michel	Nuclear Fuel Service, Inc.
Walter Burch	Tri State Motor Transit Co.
Richard Loving	Babcock & Wilcox, Lynchburg
J. A. Evans	Babcock & Wilcox, Lynchburg
Andrew Shaw	Edlow International Co.
Robert Gustafson	Edlow International Co.
Bud Evans	NRC
Russ Rentschler	NRC
James Dunleavy	NRC
Martin King	NRC
Charles Nulsen	NRC