

ADAMS Template: SECY-067

DOCUMENT DATE: 11/06/1973

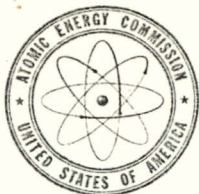
TITLE: PR-050,070,073 - 38FR30537 - PHYSICAL PROTECTION OF
PLANTS AND MATERIALS

CASE REFERENCE: PR-050,070,073
38FR30537

KEY WORD: RULEMAKING COMMENTS

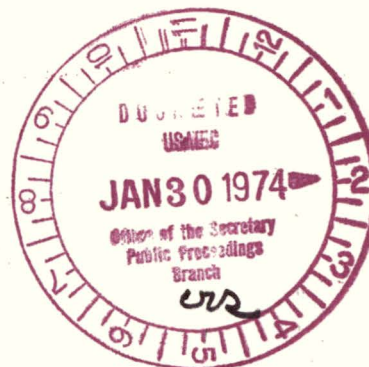
Document Sensitivity: Non-sensitive - SUNSI Review Complete

DOCKET NUMBER PR-50,70,73 (38 FR 30537)
PROPOSED RULE
Physical Protection of Plants + Units



UNITED STATES
ATOMIC ENERGY COMMISSION
WASHINGTON, D.C. 20545

JAN 24 1974



Dr. Carl Walske
Atomic Industrial Forum, Inc.
475 Park Avenue South
New York, New York 10016

Dear Dr. Walske:

We have reviewed the request in your letter of December 19, 1973 for extension of the time periods for submission of physical protection plans and for implementation of the plans in compliance with the recently published regulations in Parts 50, 70 and 73.

Staff is now reviewing the problems licensees have indicated they are experiencing in implementing some of the physical protection requirements involving procurement of equipment or construction. We do not believe it is appropriate to modify the regulations to generally extend the dates for implementation of the requirements. These problems will be resolved on a case-by-case basis so that the particular circumstances can be appropriately considered in decisions and extension of time periods for implementation.

If you have any further specific information pertaining to these situations, we would appreciate hearing from you.

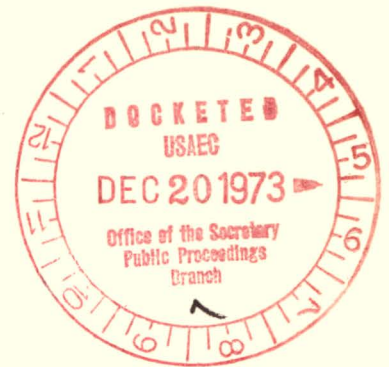
Sincerely,

LESTER ROGERS

Lester Rogers
Director of Regulatory Standards

Atomic Industrial Forum, Inc.

475 Park Avenue South
New York, New York 10016
Telephone: (212) 725-8300
Cable: Atomforum Newyork



Carl Walske
President

December 19, 1973

Honorable Dixy Lee Ray
Chairman
U.S. Atomic Energy Commission
Washington, D. C. 20545

Dear Dr. Ray:

The amendments to 10 CFR Parts 50, 70 and 73 published in the Federal Register, November 6, 1973, differed significantly from the proposed amendments published February 1, 1973 for public comment. These differences have required licensees to review and evaluate protection plans under development at the time of publication of the adopted regulations. In some instances substantial revisions to such plans will have to be made.

The Commission, apparently recognizing this problem, sent to licensees in late November a compendium of guidance to follow in the preparation and submittal of protection plans. The guidance added a number of clarifying details not initially evident from the regulatory language and causes even further modification of the protection plans being prepared.

In light of the time required for review, evaluation and revision of protection plans licensees will be unable to complete and submit fully workable and enforceable plans by the dates called for in the regulations. It is therefore requested that the dates for submitting and implementing plans as well as the compliance dates, all as set forth in Sections 50.54q, 70.32f, 70.51e(2), 70.51g, 70.51h, 73.30e, 73.40, 73.50 and 73.60 of the regulations, be deferred for sixty days.

This modest deferral should enable licensees to submit more substantive and comprehensive protection plans. Also, it is consistent with the Commission's apparent determination that the control and accountability plans should be developed in harmony with and subsequent to the physical security plans.

Due to the imminence of Christmas holiday, and the severe time constraints which the regulations impose, prompt action on this matter is urgently requested.

Sincerely,

Carl Walske

CW/kr

ACKNOWLEDGED

RECEIVED

'73 DEC 26 PM 3:12

OFFICE OF THE SECRETARY

*original
substituted*



Atomic Industrial Forum, Inc.
475 Park Avenue South
New York, New York 10016



AIR MAIL

Honorable Dixy Lee Ray
Chairman
U.S. Atomic Energy Commission
Washington, D.C. 20545

AIR MAIL