

**ADVISORY COMMITTEE ON REACTOR SAFEGUARDS**  
**UNITED STATES ATOMIC ENERGY COMMISSION**  
**WASHINGTON, D.C. 20545**

June 14, 1966

Honorable Glenn T. Seaborg  
Chairman  
U. S. Atomic Energy Commission  
Washington, D. C. 20545

Subject: REVIEW OF "SECTION 91.b." REACTORS

Dear Dr. Seaborg:

The Advisory Committee on Reactor Safeguards and the AEC's Regulatory Staff review military reactors in accordance with Section 91.b of the Atomic Energy Act of 1954 as amended and as guided by the Presidential Directive of September 23, 1961, which sets forth the responsibilities of the Department of Defense (DOD) and the Atomic Energy Commission for protecting the health and safety of the public in connection with these projects. As a result of many such reviews and, particularly, of recent attempts by the Committee and the Staff to evaluate the continuing safety status of several military reactors, the Committee has concluded that there exist certain difficulties, mainly of a procedural nature and arising primarily because of the divided nature of the safety responsibility in these cases, which in practice have become obstacles to clear-cut safety review.

Military reactors include at present the various fixed-base reactors and the Army's floating power plant, and the reactors on Navy submarines and surface ships. The Presidential Directive seems to give the DOD the principal safety responsibility for these but states that the AEC is "to participate in the identification and resolution of... (health and safety) problems as a matter of responsibility". DOD is to obtain "advice and assistance...from the AEC on the safety aspects ... and in preparation or amendment of safety standards, procedures, or instructions relating to location and operation...and comment or concurrence shall be obtained from the AEC as to their adequacy".

In the Committee's opinion, the Naval Reactors Program complies with this Directive, the AEC's responsibility for reactor operation being exercised through the AEC Division of Naval Reactors and, for nuclear safety review and porting, by the Regulatory Staff. For other military reactors, it is difficult to identify a similarly clear-cut assignment of responsibility for safety review and compliance. AEC field offices sometimes have responsibility over the design contractor, but they have no control once operation is turned over to DOD. The Regulatory Staff does not routinely receive operating reports on all Army

and Air Force reactors; and, when it does, its responsibility for action is not clear. The Division of Compliance has investigated some potential safety problems, but does not normally accord the same degree of surveillance to military as to licensed reactors.

The Committee is aware that the AEC is working with DOD to obtain better delineation of safety responsibility and hopes that these efforts will be rewarded with success. Existing nuclear safety groups within the DOD appear to the Committee to serve essentially an "in-house" safety review role. In order to assure a sufficiently experienced and independent safety review, comparable with that accorded licensed reactors, the Committee believes that the AEC should be given the clear responsibility for nuclear safety review of military reactors, except where military considerations are controlling. This review should include all phases; namely, construction, initial operations, operating experience, and significant changes in procedures or facilities.

The Committee believes that the AEC Staff can fulfill these functions and that a clear responsibility should be assigned within the AEC for this purpose. The resulting centralization within the AEC of safety review responsibility for all reactors should have the additional benefit that safety-related information and experience can effectively and rapidly be applied to all reactors. The ACRS would expect to participate only in the review of particularly difficult or novel aspects of these problems.

Sincerely yours,

/s/ David Okrent

David Okrent  
Chairman