UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

December 20, 1999

MEMORANDUM TO: Melanie A. Galloway, Acting Chief
Special Projects Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

THRU: Charles Cox, Acting Chief
Enrichment Section
Special Projects Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

FROM: Andrew Persinko, Sr. Nuclear Engineer
Enrichment Branch
Special Projects Branch
Division of Fuel Cycle Safety
and Safeguards, NMSS

SUBJECT: SUMMARY OF MEETING WITH DUKE COGEMA STONE & WEBSTER TO DISCUSS TECHNICAL TOPICS ASSOCIATED WITH THE MIXED OXIDE FUEL FABRICATION FACILITY

On December 10, 1999, the Nuclear Regulatory Commission (NRC) staff met with representatives from Duke Cogema Stone & Webster (DCS) to discuss technical topics associated with the mixed oxide (MOX) fuel fabrication facility. DCS (applicant) intends to apply to NRC for authorization to construct and operate a MOX fuel fabrication facility. Topics discussed included material control and accounting (MC&A), International Atomic Energy Agency (IAEA) requirements, classification of information, and physical security.

The attendance list and slides used in the presentation are attached (Attachments 1 and 2, respectively).

For each of the technical areas the applicant described its proposed approach, followed by a discussion with the NRC staff. During the meeting it became evident that differences in Department of Energy (DOE) and NRC requirements are a potential problem area with respect to physical security and classification of information, and these differences must be resolved before the application is submitted. DCS plans to follow DOE requirements as the application is being prepared; however, NRC indicated that as soon as DCS becomes an NRC licensee, it must follow and meet NRC requirements. NRC provided a copy of its classification guidance to DCS (NUREG/BR-0069, Rev 2).

With respect to IAEA requirements, NRC presented DCS with substantial information regarding the IAEA processes and requirements. Normally, IAEA would be informed by NRC about the MOX facility at the time an application is submitted (i.e., the application for construction). However, NRC stated that it would be agreeable to presenting the preliminary design information at the next IAEA meeting on March 27, 2000, before the application is submitted, if DCS so desires. To do this, NRC needs a separate report from DCS before March 2000. NRC would assure that the report contains the information needed by the IAEA. Attachment 3 contains an

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NRC-prepared handout describing IAEA requirements and the titles of other publically-available references about IAEA provided to DCS at the meeting. The following describes major points and follow-up items from the meeting:

1. MC&A

   To prevent contamination in the MOX facility, DCS stated its preference to take MC&A measurements while the material is still in the pit disassembly and conversion facility (PDCF) before the material is sealed in a container. Only weighing would be performed upon receiving the material in the MOX facility. DCS stated that it would provide NRC with a letter, describing in detail, the various MC&A options considered by DCS and DCS's preferred approach to taking the MC&A measurements in the PDCF. NRC indicated that it would provide DCS with a position after reviewing the DCS letter.

2. IAEA

   DCS will inform NRC of its decision on whether to have NRC present information to the IAEA in March 2000 about the MOX facility. If DCS wants NRC to present the information in March, DCS will prepare a report containing information needed by the IAEA. NRC will assure that the report contains the necessary information.

3. Classification of Information/Physical Protection

   a. There was significant discussion concerning the DOE versus the NRC classification schemes, especially with respect to unclassified controlled nuclear information (UCNI). UCNI is a DOE classification category that does not exist in the NRC classification scheme. NRC stated that DCS must follow NRC's categories upon becoming an NRC licensee. DCS agreed to provide NRC with a copy of the DOE guidelines concerning UCNI; NRC provided DCS with a copy of NRC classification guidelines (NUREG/BR-0069, Rev 2). DCS agreed to review the material provided by NRC and subsequently seek further discussion with NRC on this matter.

   b. With respect to physical protection, NRC stated that there are differences between the DOE and NRC design basis threats. NRC agreed to provide DCS with a copy of the details of the NRC design basis threat. Again, DCS agreed to review the document and subsequently seek further discussion with NRC on this matter.

   c. NRC will provide DCS its acceptance criteria for facilities used to store safeguards/classified information.

Future meetings will be scheduled to discuss worker dose, use of polycarbonate material in glovebox construction, definition of site boundary and collocated workers, radiation protection, confinement systems, and fire protection.

Docket: 70-3098

Attachments: 1. Attendance List
2. DCS Presentation Slides
3. NRC Handout on IAEA Requirements

December 10, 1999
Meeting to Discuss Technical Topics
Associated with MOX Fuel Fabrication Facility

ATTENDEES

NAME	AFFILIATION
Andrew Persinko	Nuclear Regulatory Commission (NRC)
Robert Pierson	NRC
Elizabeth Ten Eyck	NRC
Melanie Galloway	NRC
Robert Pierson	NRC
Amy Bryce	NRC
Yen-Ju Chen	NRC
Rocio Castaneira	NRC
J. Keith Everly, Jr.	NRC
Bruce Moran	NRC
Tom Pham	NRC
Charles Gaskin	NRC
D. L. Whaley	NRC
Tim Johnson	NRC
Wilkins Smith	NRC
Andy Rayland	NRC
Mike Warren	NRC
Wayne Burnside	NRC
Martha Williams	NRC
Ed Brabazon	Duke Cogema Stone & Webster (DCS)
Peter Hastings	DCS
Gary Bell	DCS
Richard Berry	DCS
Kenneth Bristol	DCS
Scott Johnson	DCS
Skip Copp	DCS
Jamie Johnson	Department of Energy (DOE)
Patrick Rhoads	DOE
Dan Bruner	DOE
Tom Williams	DOE
Ray Buck	DOE
Don Williams	Oak Ridge National Laboratory (ORNL)
Frank Motley	Los Alamos National Laboratory (LANL)
Phil Kasik	MPR Associates

ATTACHMENT 1

DUKE COGEMA
STONE & WEBSTER

NRC Technical Exchange

Material Control and Accounting

Gary Bell
Ken Bristol
December 10, 1999

ATTACHMENT 2

DUKE COGEMA
STONE & WEBSTER

MC&A -Introduction

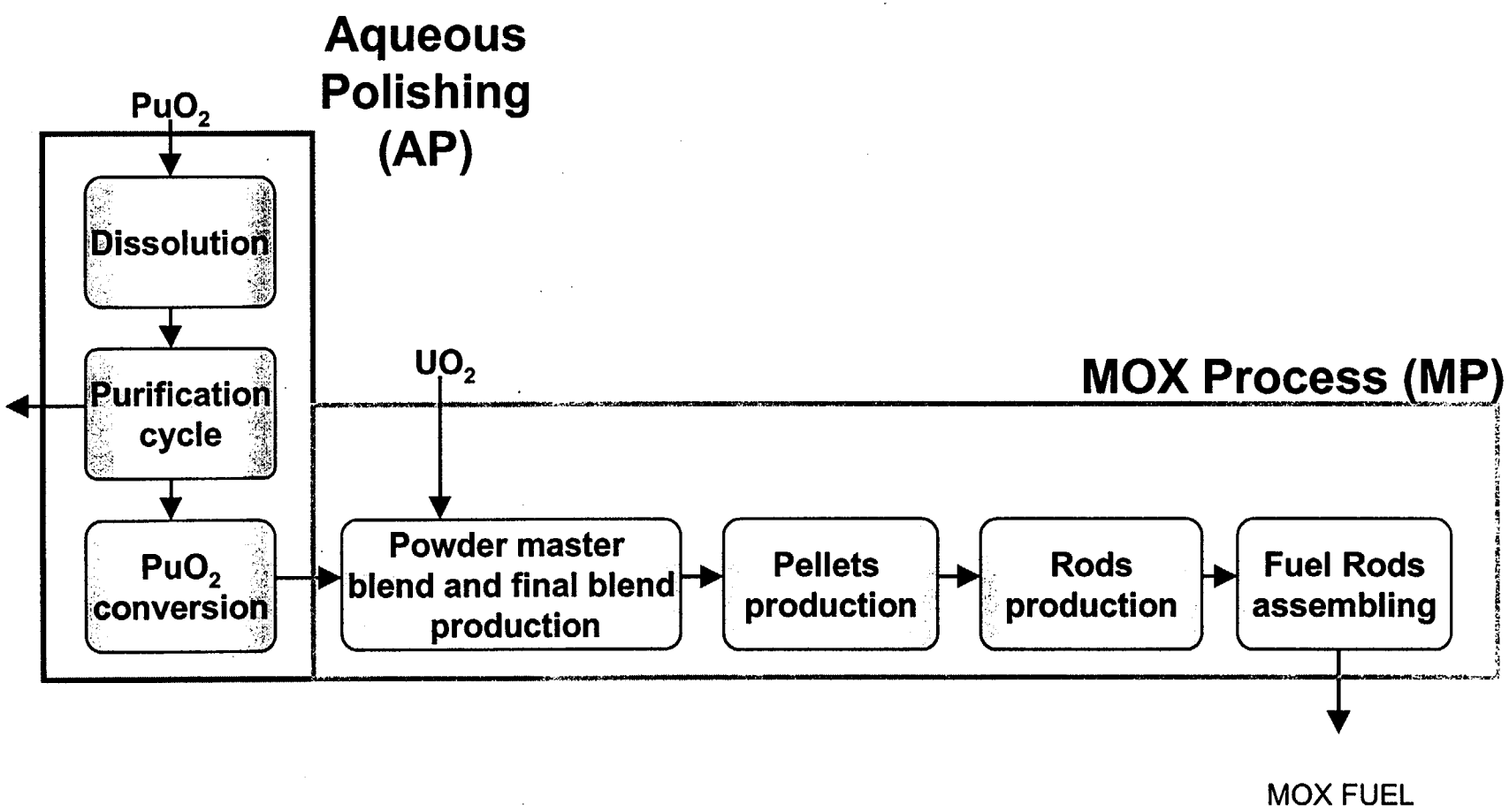
- Objectives
  - State the basis of the MOX MC&A System
  - Provide brief summary of the MOX process
  - Review of MOX facility layout
  - Present/Discuss three issues under consideration
    - Item Monitoring
    - Feed Material Inspection
    - Submittal of the Fundamental Nuclear Material Control Plan
  - Protocol for future interaction between NRC and DCS

DUKE COGEMA
STONE & WEBSTER

MC&A -Introduction

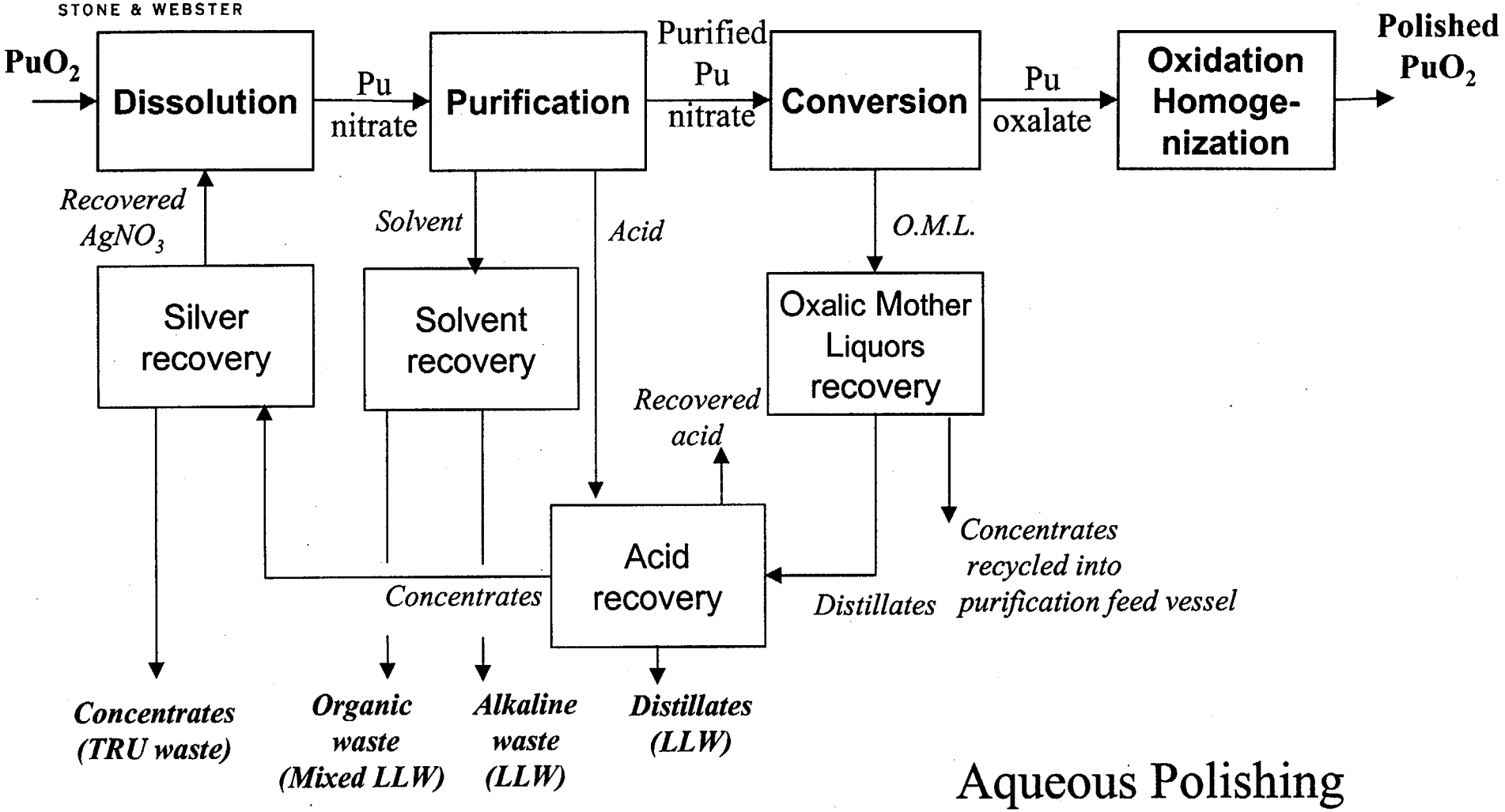
- Basis of MOX MC&A program
  - MOX MC&A program will be in accordance with 10 CFR Part 74 Subpart E
  - FNMCP will be prepared and submitted per the Guidelines of NUREG-1280
  - Use the MELOX design as much as possible

MOX Facility Summary Presentation



MOX Facility Summary Presentation

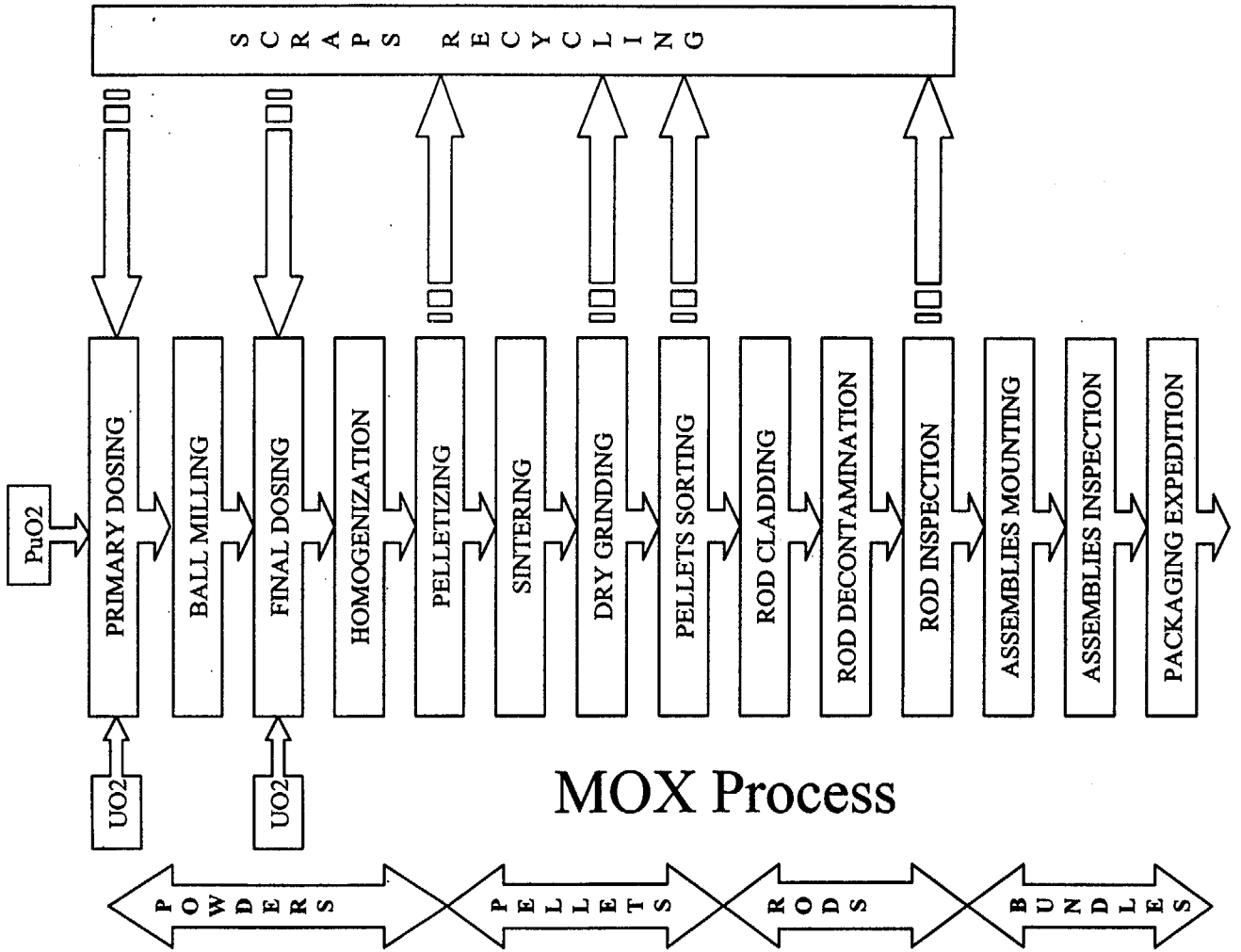
DUKE COGEMA
STONE & WEBSTER



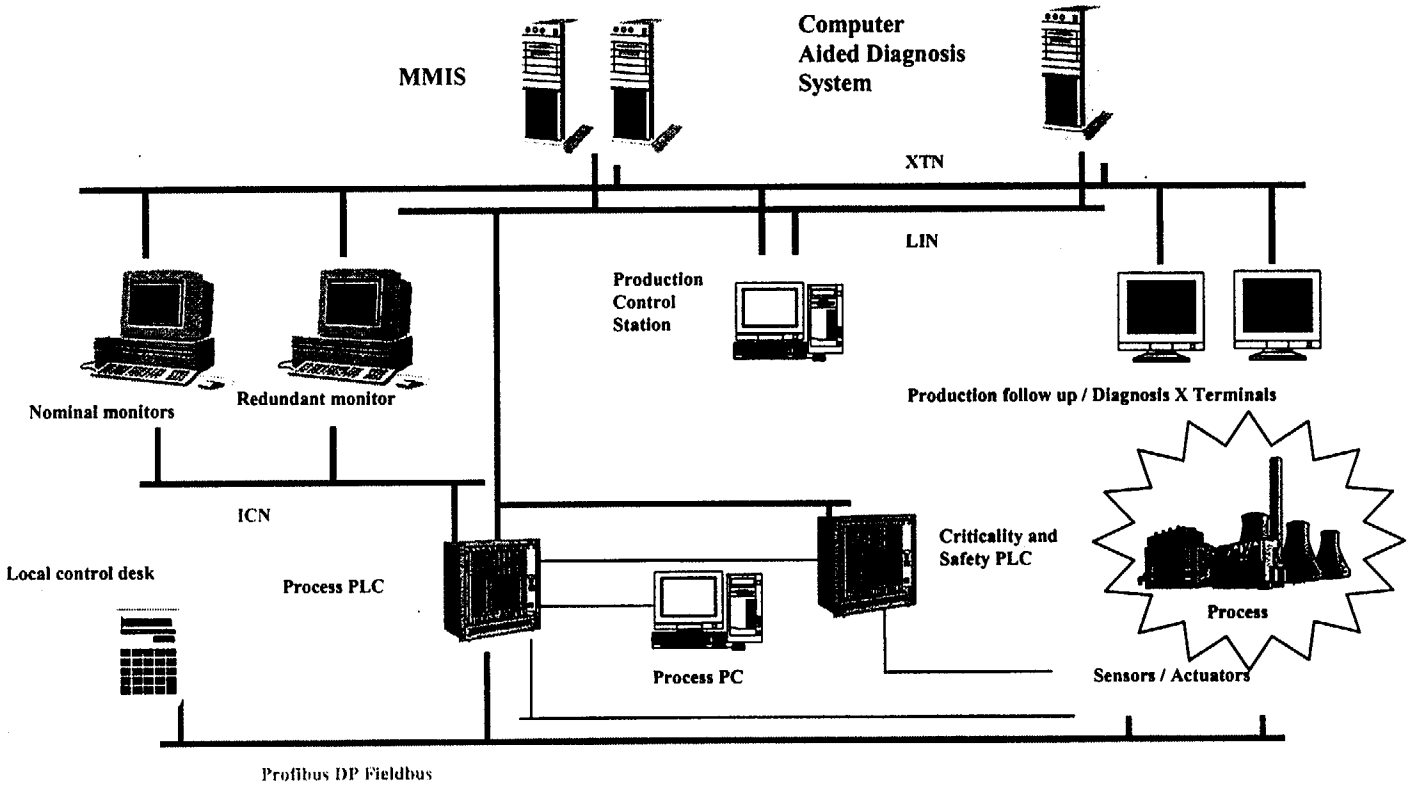
Aqueous Polishing

MOX Facility Summary Presentation

DUKE COGEMA
STONE & WEBSTER



Process Control Architecture



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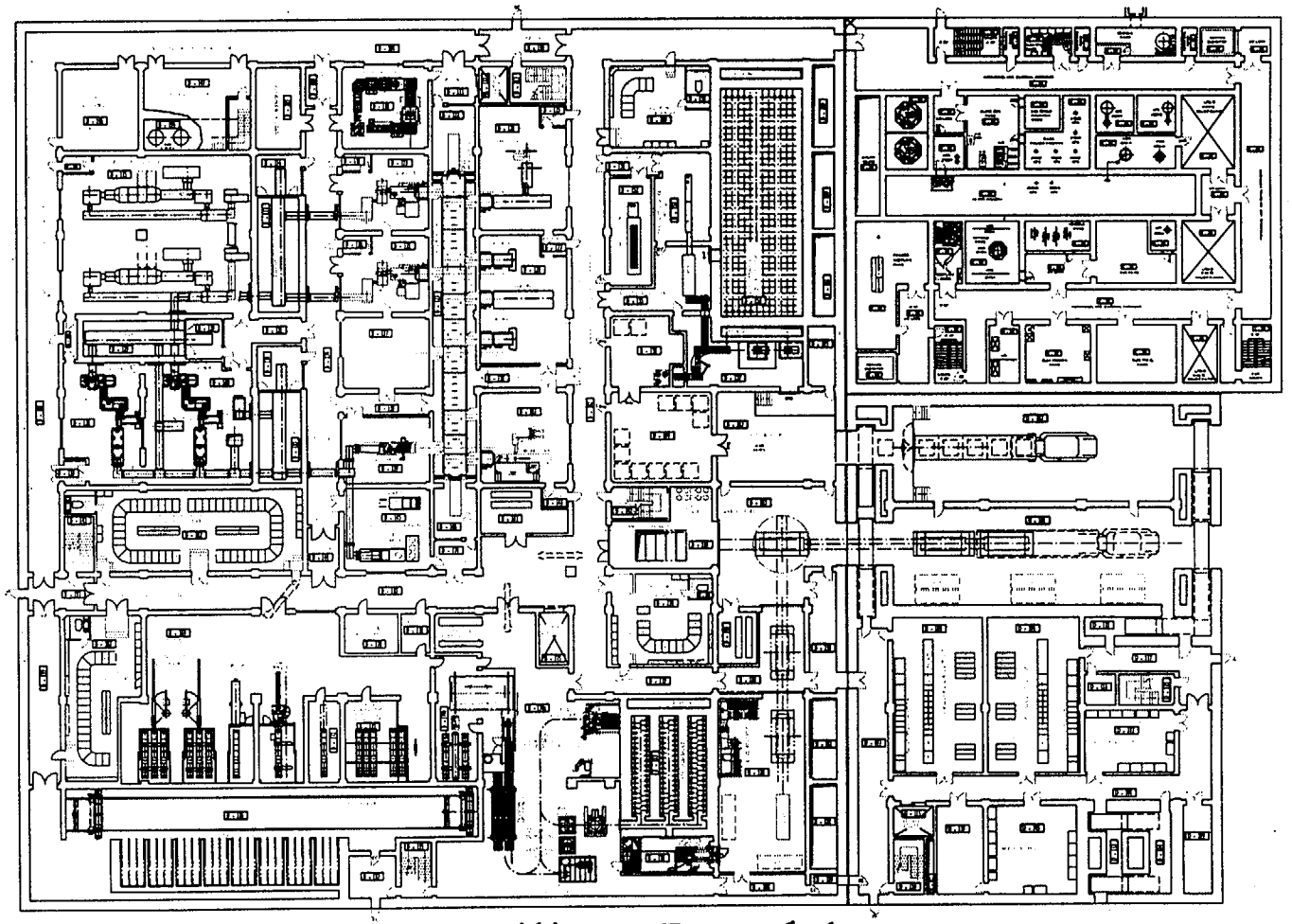

Facility - Level 1

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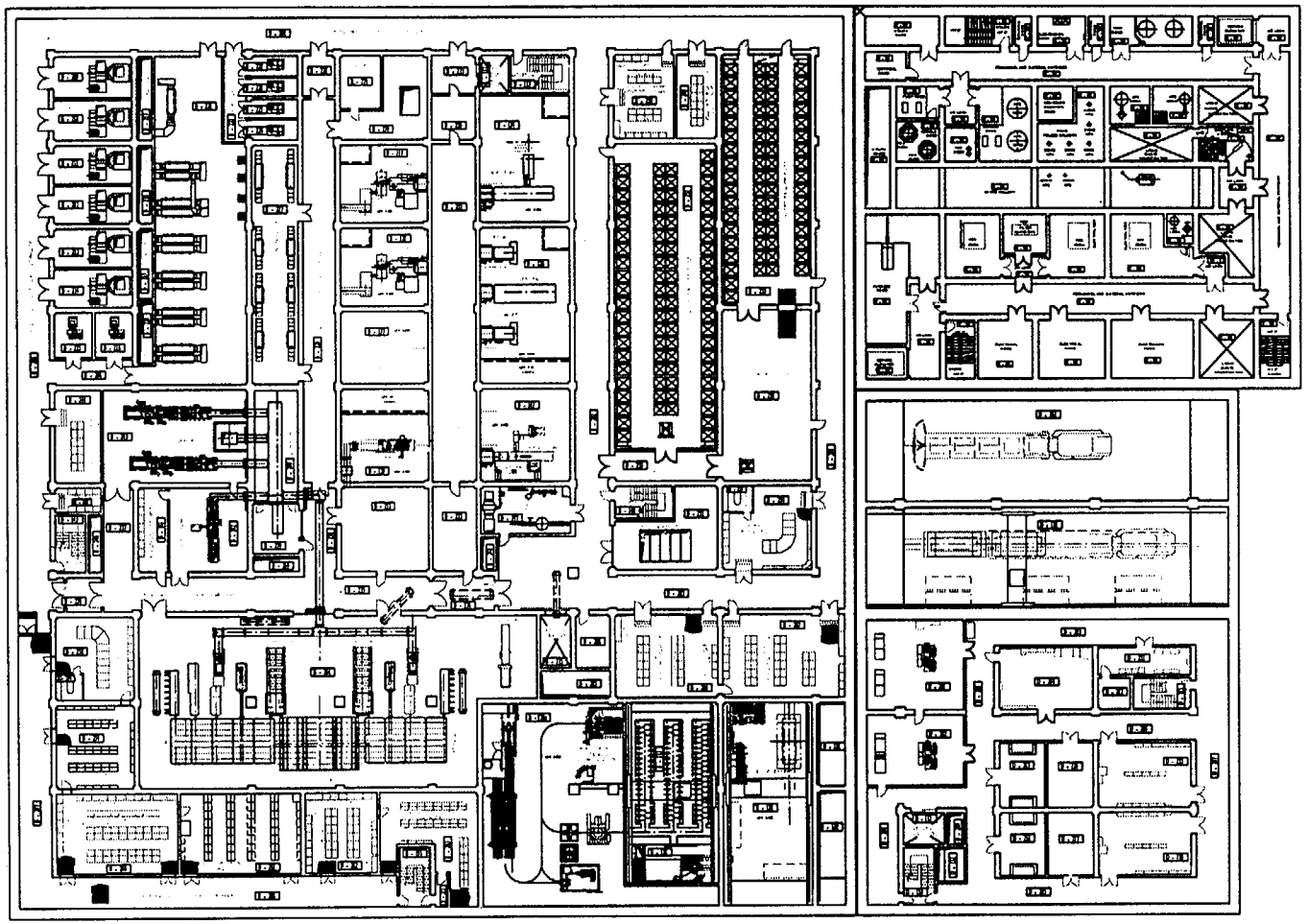
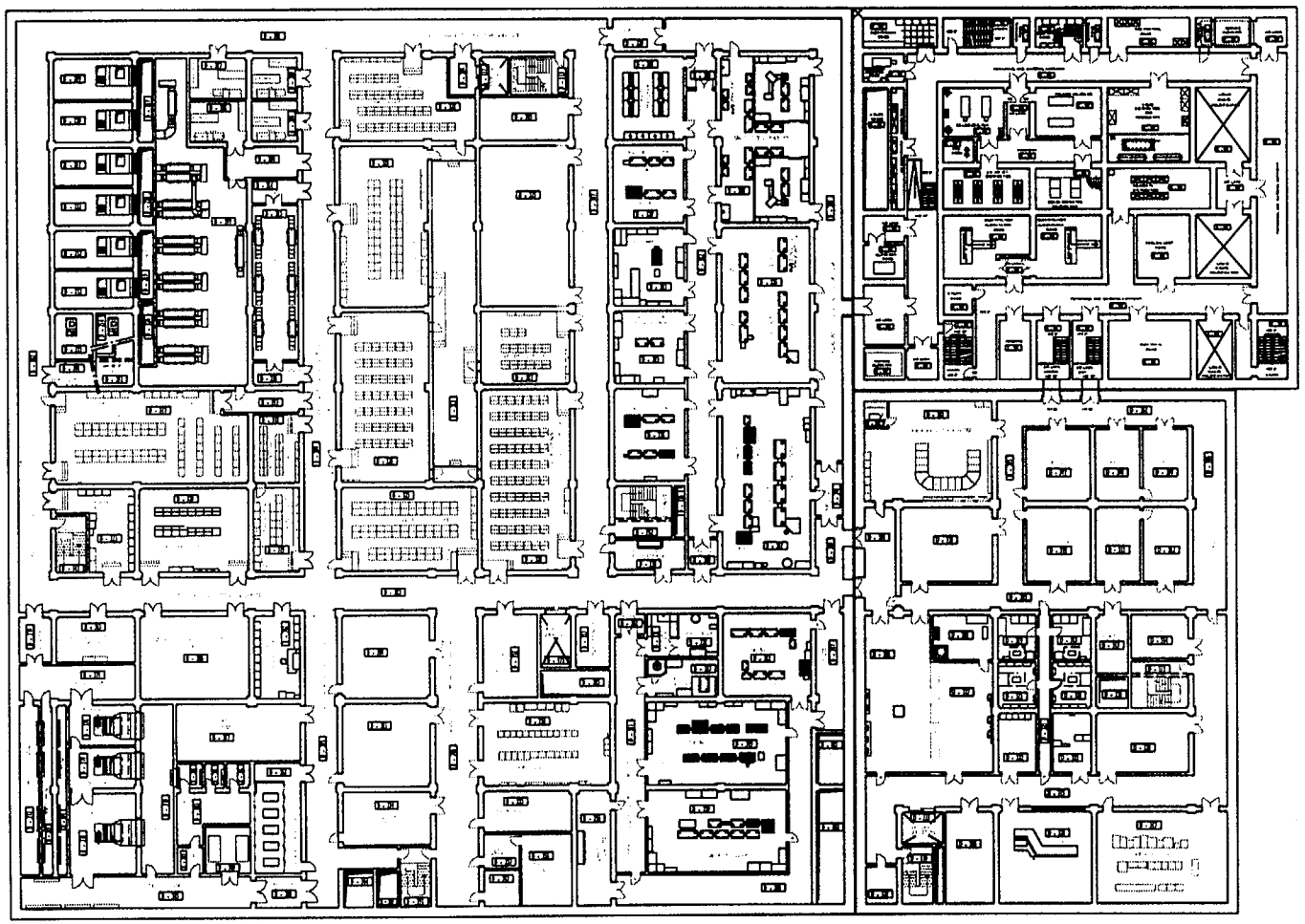


Facility - Level 2

MOX Facility Summary Presentation



Facility - Level 3

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Item Monitoring

Issue

- Interim storage is provided for items in various stages of the process.
- Storage Containers are not individually tamper-safe.
- 30 or 60 day item monitoring tests will be performed for interim storage containers pursuant to §74.55(b)(1),

Item Monitoring

Position

- Containers are always in glove boxes
- Containers are inaccessible
  - Glove boxes provide the equivalent item protection to tamper-safe.
  - Storage glove boxes are located within rooms that meet the requirements for controlled access area(s) (CAA).
- Presence of items will be verified.

Item Monitoring

Basis

- Material is contained within glove boxes.
- Access to the storage glove box rooms will be controlled via the security system. Surveillance cameras or the "two person" rule will be used to detect diversion of material.
- Storage containers are uniquely identified and controlled.
- 30/60 monitoring test will be performed using automated equipment.

Feed Material Receipt Measurement

MOX/PDCF Interface Option Under Consideration

- MOX NDA vs Source Sampling
  - Feed material delivered from PDCF in tamper-safe (probably welded) container.
  - Store at MOX w/o violating container integrity
  - Isotopic & elemental content for receipt would require non-destructive analytical equipment.
  - The material is available for inspection and sampling, prior to container filling, at the PDCF

Feed Material Receipt Measurement

Option under consideration

- Sample material prior to container loading at source (PDCF).
- MOX Facility inspector would observe mixing, sampling, loading and tamper-safe of containers.
- Verify can integrity and accounting data prior to shipment.
- Identification, weight, and integrity of the container would be verified upon receipt at the MOX Facility.
- Underground Conveyance of containers is under study.

Feed Material Receipt Measurement

Basis

- Chemical analysis of the sample is more accurate than non-destructive examination of the container.
- MOX licensed quality assurance of the measurement equipment and sampling procedures would be extended to the PDCF sample equipment.
- Receipt measurements of weight and inspection of the container integrity will ensure the validity of the initial material measurement.

Feed Material Receipt Measurement

Basis (cont'd)

- The PDCF will be built adjacent to the MOX facility allowing for easy access for MOX MC&A personnel.
- Other Factors that must be considered:
  - Design of PDCF Package equipment
  - IAEA standards

Submittal of FNMCP

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Issue

- The FNMCP could be submitted upon completion for review or could be submitted in pieces as they are completed. Scheduled submittal in April 2001

Position

- If acceptable to the NRC, DCS prefers to submit the document in sections as they are completed.

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Submittal of FNMCP

Basis

- Partial submittals would allow interim technical presentation and discussions.
- Any concerns could be addressed prior to submittal of the plan for final review.
- Should expedite review of the final plan.

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Conclusion

- Feedback on
  - Item Monitoring
  - Feed Material Receipt
  - FNMCP Submittal

- Future Interaction between NRC and DCS.

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NRC Technical Exchange

10 CFR Part 75 - IAEA

Gary Bell
December 10, 1999

International Atomic Energy Agency

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- Objectives
  - Confirm regulatory requirements
  - Discuss interactions involving the IAEA
  - Outline a path forward

- Basis of MOX IAEA program
  - 10 CFR 75
  - NUREG 2427
  - MELOX design features provided for EURATOM

International Atomic Energy Agency

Issues For Discussion

- Has IAEA selected MOX for inspection?
- Formal submittals under 10 CFR Part 75 to IAEA.
  - IAEA Provisions and Use of Design Information (GOV/2554/Attachment 2/Rev 2, dated 1 Apr 92)
- DOE role in MOX/IAEA interactions and agreements
  - Current host site agreements with IAEA
  - Responsible authority for the PDCF

International Atomic Energy Agency

- Successful design of the MC&A features will require coordination between all parties:
  - Shared Data
  - Authentication of shared instrument systems
  - Independent agency instrument systems
  - Surveillance and containment measures
  - Facilities
- Path Forward

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NRC Technical Exchange

Security

Gary Bell
Scott Johnson
December 10, 1999

DUKE COGEMA
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Security - Introduction

- Objectives
  - Discuss classification of information for MOX
  - Describe the DCS project security infrastructure
  - Confirm regulatory compliance
  - Discuss items associated with the design basis threat[1]
  - Present MOX facility security design concepts
  - DOE Host Site Interface

[1] Classified discussion

Classification of Information

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- Categories of Information:
  - Unclassified
  - Unclassified Controlled Nuclear Information (UCNI)-DOE O 471.1
  - Safeguards-10 CFR Part 73
  - National Security Information (NSI)-DOE M 475.1-1

- **Unclassified**, information that is not UCNI, safeguards, or NSI

Classification of Information

- **UCNI,** unclassified information whose unauthorized dissemination could reasonably be expected to have a significant adverse effect on the health and safety of the public or the common defense and security by significantly increasing the likelihood of:
  - the illegal production of nuclear weapons; or
  - the theft, diversion, or sabotage of nuclear material, equipment, or facilities.
  - DOE General Guideline GG-4 used for determination

Classification of Information

- **UCNI (cont'd)**
  - Examples
    - Arrangement Drawings Showing Showing SNM Storage or location of vital equipment.
    - Wiring diagrams for vital equipment
    - Security System information that is not otherwise NSI or Safeguards.
  - UCNI can not be presented to the public.

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Classification of Information

- **Safeguards**, information as described in 10 CFR Part 73
- **NSI**, information described in DOE M 475.1-1,
  - DOE General Guideline GG-3 used for classification
  - 10 CFR 95 requirements are satisfied via DOE M 475.1-1 and DOE 5632.1C

Project Security Infrastructure

DCS Facilities

- Charlotte, NC and Erwin, TN (Nuclear Fuel Services)
  - Limited areas per DOE 5632.1C approved for information up to S/NSI
  - Facilities provided for separate storage of Safeguards Information, comply with 10 CFR 73 & 95
  - Work areas have controlled access (UCNI)
- Other Facilities, Aiken, Bagnols, Bolton, Denver
  - UCNI only

Project Security Infrastructure

Expectations

- Portions of the license application will be UCNI
- Any arrangement drawings of the MAA, other vital equipment buildings, or Entrance/Exit Facilities will be UCNI.
- Information that is identified as safeguards will be safeguards or C/NSI.
- The Commission should expect to receive and protect DOE UCNI and S/NSI documents.

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Security - Regulatory Compliance

- DCS contract with DOE stipulates compliance with both DOE and NRC security regulations
- MOX design must comply with 10 CFR Part 73
- MOX design must comply with DOE Security Orders
- Use most conservative requirement
- Examples:
  - Radiological Sabotage
  - Exterior Intrusion Detection
  - Fitness for Duty vs Personnel Security Assurance Program

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Security - Design Basis Threat

- DBT used for MOX vulnerability assessment
- Radiological Sabotage
- Chemical and Biological Attack
- Containment vs Denial

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General Facility Design Concepts

- Exterior Wall
- Delay Barriers
- Safe Havens
- Fighting Positions

DOE Host Site Interface

Issue (offered for consideration and discussion)

Differences between DOE & NRC approach,

- NRC:
  - Five member Tactical Response Team on site.
  - Mission to interpose themselves between the adversary and the target.
- DOE:
  - Response required based on site specific protection or vulnerability assessment and to provide recapture capability

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DOE Host Site Interface

Proposal

- The DOE host site tactical response team plus the facility delay features provides protection equivalent to or better than the Part 73 On site tactical response team.

Basis

- Facility design with significant delay features
- Vulnerability Assessment validates design
- Consistent with DOE security approach for other plutonium facilities

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Conclusion

- Protocol for future discussions
- Final Comments

IMPLEMENTATION OF INTERNATIONAL ATOMIC ENERGY AGENCY (IAEA) SAFEGUARDS AT A U.S. MIXED OXIDE (MOX) PLANT

Current and Pending Verification Agreements

- U.S.-IAEA Safeguards Agreement and the Protocols to the Agreement
- U.S.-IAEA Verification Agreement (under development)
  - -- Agreement resulting from the Trilateral (US-Russia-IAEA) Verification Initiative Program
  - -- Agreement expected to contain different levels of verification for materials excess to national security needs depending on classified attributes of material
- Regulatory authority for implementing US-IAEA Agreements contained in 10 CFR Part 75

Safeguards/Verification Implementation Assumptions

- The MOX facility demonstrates the U.S. commitment to irreversibly remove weapons grade plutonium from nuclear weapons programs
- The MOX facility will not be operated as a commercial facility in competition with MOX facilities in other countries
- The U.S. Government will request that the IAEA conduct inspection and verification activities at the facility under either the Safeguards Agreement or the Verification Agreement
- The inspection and verification activities to be conducted under either the Safeguards Agreement or the Verification Agreement will be similar. (The plutonium will no longer have classified attributes.) Differences will be in the quantity goals which determine the number of samples taken and number of containers measured.
- The safeguards/verification approach implemented will be similar to that currently implemented at the MOX Plants in Europe and Japan.
- The cost of IAEA inspection and verification activities will be paid either directly by the United States Government or through an IAEA special fund into which all IAEA Member States contribute

IAEA Safeguards/Verification Implementation Events

- Preliminary design information (information on the design, nuclear material throughput, and construction schedules) will be provided to the IAEA by way of the NRC soon after submittal of the license application.
- Preliminary discussions with IAEA to familiarize them with the facility design and to discuss the basic structure of the safeguards/verification approach. Factors that should be included in the facility design to facilitate IAEA inspection and verification activities should be identified.
- Placement of the MOX Plant on the U.S. Eligible Facilities List when construction is initiated
- Selection of the MOX Plant by the IAEA. The U.S. is to complete and submit a design information questionnaire (DIQ) to the IAEA within 45 days of selection. The design

information questionnaire provides the IAEA with safeguards relevant information on the facility design, throughputs, material accounting system, and other facility attributes that could impact inspections (e.g., physical protection and health and safety requirements)

- Final design and approval of the IAEA safeguards approach for the facility. The facility attachment will be negotiated by members of the U.S. Government (led by the NRC) with technical support from the plant operator. The IAEA safeguards approach will be documented by a Facility Attachment (FA) document approved by both the IAEA and U.S. Governments.
- Design information verification (DIV) inspections will be conducted by the IAEA throughout construction and commissioning of the facility.
- Accountancy verification inspections will be initiated by the IAEA upon notification by the U.S. of the first transfer of nuclear materials to the facility.

IAEA Safeguards Approach -- Probable Components

- Design information verification

- Materials accounting
  - -- One material balance area (MBA) with all flow and inventory key measurement points identified (receipts, shipments, scrap, samples, wastes, stored inventories, hold-up, etc.)
  - -- Evaluation of operating and accounting records and reports
  - -- Material balance closure and estimates of uncertainties associated with material balance
  - -- Bulk quantity measurements (weight and/or volume) on material-bearing containers
  - -- Sampling and destructive analysis (DA) to verify bulk material inventory and flows into and out from material balance area (statistically based sampling plans based on goal quantity)
  - -- Nondestructive analysis (NDA; e.g., neutron coincidence counting and gamma spectrometry) to verify nuclear material quantities of items and hold-up/in-process inventory
  - -- Near Real Time Accounting (NRTA) to be able to estimate plant material balance for each process and storage area on a daily basis
  - -- Independent IAEA samples and measurement systems
  - -- Automation of measurements where practical
  - -- On-site analytical laboratory to minimize shipments of samples
  - -- Monthly interim inventory verification (IIV) of declarations, receipts, and shipments
  - -- Annual physical inventory verification (PIV) of declared physical inventory and material balance

- Containment and surveillance (C/S)
  - -- Use of IAEA seals and cameras to maintain knowledge on materials in storage
  - -- Use of IAEA seals and radiation monitors on the process system
  - -- Dual containment and surveillance systems on item in long-term storage areas
  - -- Authentication and use of operator process monitoring equipment

- Remote monitoring of information recorded by IAEA equipment
- Daily declarations of nuclear material transfers and process activities (mail box declarations)

The following documents were provided to DCS at the December 10, 1999 meeting:

1. Design Information Questionnaire: Conversion and/or Fuel Fabrication Plants, IAEA Forms N-71 and N-73, June 1999.

2. Instructions for Completing International Atomic Energy Agency Design Information Questionnaire (Conversion and/or Fuel Fabrication Plants (June 1980).

3. "Safeguards in the MELOX Mixed Oxide (MOX) fuel fabrication plant. The first two years experience." Proceedings of the INMM Annual Meeting, 1996.

4. "Effective Safeguards by Design in the Commercial MOX Facility at Sellafield," Proceedings for the INMM Annual Meeting, 1996.

5. "The Safeguarding of MOX Fuel Facilities in Europe: A Reality," Proceedings of the INMM Annual Meeting, 1998.

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Docket: 70-3098

Attachments: 1. Attendance List
2. Slides
3. IAEA handout

Distribution:
Docket: 70-3098 **NRC File Center** **PUBLIC** **NMSS r/f** **FCSS r/f**
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NAME	*APersinko:al		*DHoadley		*CCox									
DATE	12/16 /99		12/20/99		12/ 20/99									

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MC&A

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IAEA

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Classification of Information/Physical Protection

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