



**U.S. NRC**

UNITED STATES NUCLEAR REGULATORY COMMISSION

*Protecting People and the Environment*

# **Regulatory Basis – Overview for 10 CFR Parts 73 and 26**

Tim Harris, Senior Program Manager  
Office of Nuclear Security & Incident Response  
Division of Security Policy

February 6, 2014



## Three Rulemaking Efforts

- Enhanced Security at Fuel Cycle Facilities/10 CFR Part 73
  - SRM-SECY-05-0058
  - SRM-SECY-09-0123
- Special Nuclear Material Transportation Security
- Fitness-for-Duty – Security Force Fatigue at Nuclear Facilities/10 CFR Part 26
  - SRM-COMSECY-04-0037



# Regulatory Basis

- Explains why the existing regulations or policies are insufficient, outdated or need to be changed.
- Explains how a change in the regulations can resolve the issue and identifies a number of different approaches that could address the regulatory issue.
- Explains why alternatives to rulemaking cannot resolve the problem and addresses other options considered and why they were not pursued.
- Provides the scientific, policy, legal, or technical information that supports the decision to undertake rulemaking.
- Discusses back fit considerations, as appropriate.
- Discusses stakeholder interactions in developing the technical portion of the regulatory basis and stakeholder views, to the extent known.
- Explains how the recommended rulemaking will support the NRC's Strategic Plan goals.



## Objectives

- Improve consistency and clarity.
- Make generically applicable security requirements similar to those imposed on fuel cycle facilities by the security orders.
- Consider risk insights, operational oversight and inspection activities, and international guidance.
- Use a risk-informed and performance-based structure.



## **Risk Insights from New Studies**

- Material Attractiveness.
- Dose Limit Threshold.
- Sabotage.
- Fatigue.
- Safety-security-safeguards Interface.



## Timeline

- Early Stakeholder Engagement – Feb/March 2014.
- Federal Register Notice – May 2014.
- Public Meeting – June 2014.
- Finalize Regulatory Basis – Oct 2014.



## Stakeholder Input

- Is this the right approach?
- Are there other approaches we should consider?
- What would be the potential impacts?
- Other things we should consider?



# 10 CFR Parts 73 & 26 Rulemaking Effort

- To follow the progress on these rulemaking, please visit

<http://www.nrc.gov/security/domestic/phys-protect/reg-initiatives/10cfr73.html>





# Questions