

Addressing Proliferation Concerns Within the Existing NRC Regulatory Framework

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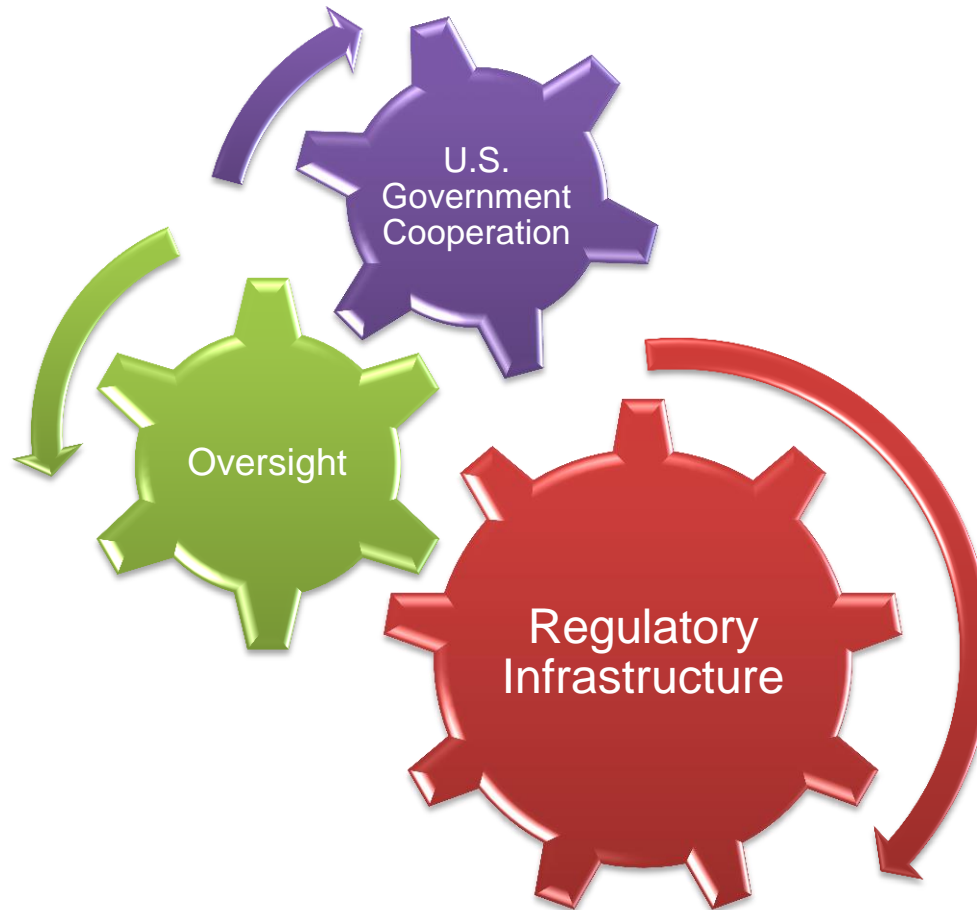
Background

- American Physical Society Petition for Rulemaking (November 10, 2010)
- Staff Requirements: SECY-12-0145 (May 22, 2013)
 - Approval to publish denial in Federal Register
 - The Commission directed staff to explain to the public how the NRC addresses proliferation concerns by highlighting all NRC activities that support nonproliferation objectives.

Nuclear Nonproliferation in the United States

1. The President and the Congress have the primary responsibility for **developing and promoting** the Federal Government's national nuclear nonproliferation goals and policies.
2. The Department of State, Department of Energy, Nuclear Regulatory Commission, and other Federal agencies have the primary responsibility for **implementing** these goals and policies.

NRC Support for Nuclear Nonproliferation



Legal and Regulatory Infrastructure

AEA §123

- Includes requirements for a “nuclear proliferation assessment” for U.S. agreements for cooperation with foreign nations

10 CFR 25

- Access Authorization

10 CFR 70

- Domestic licensing of special nuclear material (including inimicality determination)

10 CFR 73

- Physical Protection of plants and materials

10 CFR 74

- Material Control and Accounting

10 CFR 75

- Implementation of the U.S. – IAEA Safeguards Agreement

10 CFR 95

- Facility security clearance and safeguarding national security information and restricted data

10 CFR 110

- Export and import of nuclear equipment and material

Legal and Regulatory Infrastructure

- Some additional measures include:
 - NRC Orders imposing Additional Security Measures
 - Nuclear Energy Institute (NEI) 08-11, “Information Security Program Guidelines for Protection of Classified Material at Uranium Enrichment Facilities,”
 - NEI 13-04, “Counterintelligence Program for Uranium Enrichment Facilities”

NRC Oversight Program

- Inspection program
 - Routine inspections
 - Reactive inspections
 - Licensee performance reviews
- Enforcement Program
 - Notices of violations
 - Civil or criminal sanctions
 - Orders to modify, suspend, or revoke licenses

U.S. Government Cooperation

The NRC actively cooperates with:

- Department of State
- Department of Energy
- Department of Commerce
- Department of Defense
- Department of Homeland Security
- Federal Bureau of Investigation
- Intelligence community

U.S. Government Cooperation

- The NRC has frequent communications with other federal agencies covering proactive, routine, and reactive programs, including ongoing involvement with the Intelligence community on topics of interest.
- Interactions and cooperation between agencies have covered the following areas:
Nonproliferation assessments, international safeguards implementation, evaluations of technology and threats, investigations, counter intelligence programs, and cyber security reviews.

Summary

The NRC addresses proliferation through:

- Regulations for physical security, information security, material control and accounting, cyber security, and export control
- Additional controls for the protection of proliferation sensitive information
- Detailed licensing process
- Robust oversight program
- Active engagement with other federal agencies