

Regulatory Guide Number: 5.57, Revision 1

Title: Shipping and Receiving Control of Strategic Special Nuclear Material

Office/Division/Branch: NMSS/FCSE/MCAB

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SUBJECT: Basis for Withdrawal

(1) What regulation(s) did the Regulatory Guide support?

Revision 1 of Regulatory Guide (RG) 5.57 was published in June 1980 to provide guidance on meeting the requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) 73.20, 10 CFR 73.25, 10 CFR 73.45, 10 CFR 70.57, and 10 CFR 70.58 related to the shipment and receipt of strategic special nuclear material (SSNM). However, 10 CFR 70.57 and 10 CFR 70.58 have subsequently been deleted from 10 CFR Part 70. The material control and accounting (MC&A) requirements related to shipping and receiving SSNM are now found in 10 CFR 10 CFR 74.59.

(2) What was the purpose of the Regulatory Guide?

RG 5.57 provided guidance to licensees on procedures acceptable to the NRC staff for complying with the regulations regarding the control of SSNM during preparation for shipment and receipt by a licensee. RG 5.57 discussed physical protection of SSNM at the licensee's facilities and while in transit, and the timely, accurate and independent identification and measurement of the SSNM.

(3) How was the Regulatory Guide used?

RG 5.57 was used to assist licensees in establishing procedures for shipping and receiving SSNM. Adequate control of SSNM during receipt and shipment is necessary to detect diversion, theft, loss, or misstatements of the amount of SSNM transferred from one facility to another.

(4) Why is the Regulatory Guide no longer needed?

A new regulatory guide has been developed that combines and updates the guidance found in RG 5.57 and two other guides, RG 5.28, "Evaluation of Shipper-Receiver Differences in the Transfer of Special Nuclear Materials," and RG 5.49, "Internal Transfers of Special Nuclear Material." This new guide has been designated RG 5.41, "Shipping, Receiving, and Internal Transfer of Special Nuclear Material."

(5) What guidance is available once the Regulatory Guide is withdrawn?

The guidance in RG 5.57 has been updated and incorporated into RG 5.41. Additional guidance on shipping and receiving controls of SSNM can be found in NUREG-1280, "Standard Format and Content Acceptance Criteria for the Material Control and Accounting (MC&A) Reform Amendment."

(6) Is the Regulatory Guide referenced in other documents and what are the “ripple effects” on these documents if it is withdrawn?

RG 5.57 is not referenced in any inspection procedure or inspection manual chapter. RG 5.57 is not referenced in any other regulatory guide.

There is no current fuel cycle licensee or applicant that references RG 5.57 in its facility fundamental nuclear material control (FNMC) plan, which is the licensing basis for the licensee’s MC&A program. There are also no references to RG 5.57 in the NUREGs that provide licensees and applicants with a standard format and content for their FNMC plans.

RG 5.57 is referenced in NUREG/CR-2820, “Resolution of Shipper-Receiver Differences.” NUREG/CR-2820 was published in 1982 with the purpose of developing methods for resolving SRDs and to provide additional guidance to the NRC and licensees. The NUREG only refers to RG 5.57 in the bibliography. If NUREG/CR-2820 is revised in the future, the reference to RG 5.57 will be removed.

(7) What is the basis for believing that no guidance similar to that in the Regulatory Guide will ever be needed?

RG 5.57 is being withdrawn because it is outdated and refers to requirements in 10 CFR part 70 that have been moved to 10 CFR part 74. Similar guidance is still needed for the shipping and receiving requirements in 10 CFR part 74. The guidance in RG 5.57 has been updated and incorporated into RG 5.41. RG 5.41, along with NUREG-1280, provides the necessary guidance for licensees and NRC staff on shipping and receiving control of SSNM.

(8) Will generic guidance still be needed?

Guidance is still needed for the shipping and receiving requirements for SSNM in 10 CFR part 74. The guidance in RG 5.57 has been updated and incorporated into a new regulatory guide designated RG 5.41. RG 5.41, along with NUREG-1280, provides the necessary guidance for licensees and NRC staff on shipping and receiving control of SSNM.

(9) What is the rationale for withdrawing this Regulatory Guide instead of revising it?

RG 5.57 is being withdrawn because it is outdated and refers to requirements in 10 CFR part 70 that have been moved to 10 CFR part 74. Similar guidance is still needed for shipping and receiving controls for SSNM in 10 CFR part 74. The guidance in RG 5.57 has been updated and incorporated into a new regulatory guide designated RG 5.41.

(10) Do other agencies rely upon the Regulatory Guide, e.g., the Agreement States, National Aeronautical and Space Administration, Department of Energy?

The staff is not aware of any other agency that uses or relies on the guidance in RG 5.57.