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June 7, 1984

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The Honorable Nunzio J. Palladino
Chairman
U.S. Nuclear Regulatory Commission
Washington, D.C. 20555

Dear Mr. Chairman:

The protection of Nuclear Regulatory Commission (NRC) facilities from theft and sabotage is an important matter deserving of the Commission's full attention. As you know, I have expressed my concern about safeguards and security at commercial power plants to you on several occasions. I am similarly concerned about other NRC-licensed facilities.

According to the NRC's Annual Reports to Congress through 1981, protection against sabotage was required for research reactors (non-power reactors). For example, the 1980 Annual Report states:

All licensed non-power reactors have operative security plans as required by 10 CFR 73.40 ("Physical Protection: General Requirements at Fixed Sites") for protection against sabotage.

The 1982 Annual Report appears to be ambiguous on this matter.

It has recently come to my attention that the Commission has before it a proposed rule change, recommended by the NRC staff in SECY 83-500 (Proposed clarifying amendment to 10 CFR 73.40(a)). I am writing with respect to this proposal, which which appears to eliminate sabotage protection for the nation's research and other non-power reactors by specifying the application of 10 CFR 73.67 to such reactors.

The language of 10 CFR 73.67 does not deal with sabotage at all, even though the superseding language of 10 CFR 73.40 (a) mandates protection against radiological sabotage in all reactors, including non-power reactors:

Each licensee shall provide physical protection against radiological sabotage...

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