



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

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MEMORANDUM FOR: Clemens J. Heltemes, Jr., Director
Office for Analysis and Evaluation of Operational Data

FROM: John G. Davis, Director
Office of Nuclear Material Safety and Safeguards

SUBJECT: STUDY OF THE NEED FOR AN INDEPENDENT AGENCY TO
INVESTIGATE INCIDENTS AT NUCLEAR POWER PLANTS

We have reviewed the draft report forwarded by your memorandum of November 16, 1984.

Section 2.5, "Non-NPP Licensed Facility Events," does not accurately reflect the full range of NMSS events analysis efforts. The discussion (particularly page 42, paragraph 2) leads the reader to the incorrect conclusion that in the whole of NMSS, which is responsible for virtually all non-reactor licensed activity as well as reactor safeguards, the only event evaluation and analysis done is for physical security issues.

All fuel cycle, materials, and waste management licensee events are also systematically analyzed and evaluated, and safety information is promptly disseminated to licensees. The implication in paragraph 2 on page 43 that only AEOD reviews and evaluates non-reactor events, and that NMSS could help (but does not) is incorrect.

Section 2.5 should be rewritten to accurately depict the full range of licensee event evaluation in NMSS.

Specific comments and revisions are provided as follows:

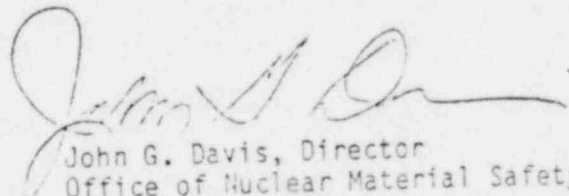
- o The Section 2.5 title, "Non-NPP Licensed Facility Events," does not accurately label the contents of the section. Many of the safeguards events referenced in this section occur at nuclear power plants.
- o On page 40, after the second sentence in the second paragraph, insert the following sentence: "It also includes the disposal of nuclear materials produced as wastes of these uses."
- o On page 40, in the last paragraph, the statement is made that strategic special nuclear material is regulated under 10 CFR 73.60. This citation should be changed to "10 CFR Parts 70 and 73."

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- o On page 41, the first paragraph, concerning materials incidents, is inaccurate and should be rewritten as provided in enclosure 1.
- o On page 41, the phrase "attempted theft" should be added to the first sentence of the last paragraph after the word "when."
- o The first paragraph on page 42 is inaccurate. There is a well-defined set of procedures to determine event severity. Further, all threats are reviewed by the Information Assessment Team which includes representatives from all relevant NRC program offices as well as the regional offices.
- o The second paragraph on page 42 is misleading. It should be revised as provided in enclosure 1.
- o On page 43, the second sentence of the second paragraph is misleading and should be stricken. It should be replaced by a discussion which indicates that NMSS independently reviews, analyzes and evaluates licensee operational data.


John G. Davis, Director
Office of Nuclear Material Safety
and Safeguards

Enclosure: As stated

Page 41, Revision to Paragraph 1

Revise to read as follows:

me "Responsibility for managing materials incidents that fall below the threshold envisioned by NRC Manual Chapter 0502 and coordinating at the Headquarters level rests with the Office of Nuclear Material Safety and Safeguards (NMSS). NMSS provides policy guidance and technical support related to the incident and coordinates NRC actions. After the initial report of the incident, NMSS becomes the point of contact for information flow at Headquarters and processes further information within the NRC. NMSS also maintains the records of the NRC actions and provides periodic updates for other offices and the Executive Director for Operations (EDO). The Office of Inspection and Enforcement (IE) is responsible for transmitting to NMSS initial reports of incidents received from the Regional Offices or through the NRC Operations Center. IE also coordinates enforcement action by Regional Offices and issues orders, when appropriate. Regional Offices are responsible for evaluating compliance with NRC regulations and for instituting enforcement actions if necessary. These and other levels of responsibility are described in "Modified Interim Plan for NRC Response to Materials Contamination Incidents," a memorandum to Office Directors and Regional Administrators from J. G. Davis dated October 18, 1984."

Page 42, Revision to Paragraph 2

Revise to read as follows:

me "NMSS staff members in all three divisions, Safeguards, Fuel Cycle and Material Safety, and Waste Management, review licensee operational event data in accordance with prescribed procedures in order to identify problems, significant trends and patterns. Safety information is promptly disseminated to licensees.

"Most of the safeguards events occur at nuclear power plants, primarily because there are many more nuclear power plants than other types of facilities subject to safeguards. NMSS also maintains a Safeguards Summary Event List (SSEL) that provides summaries of nuclear materials or facilities events. The total number of safeguards events recorded for the period of January 1980 to December 1983 was 420. These are sub-divided into nine categories:"

Enclosure 1