



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

PDR

December 19, 1985

The Honorable John S. Herrington
Secretary
U.S. Department of Energy
Washington, D. C. 20585

Dear Mr. Secretary:

As you know, the Department of Energy (DOE) has recently initiated an upgrade of physical protection measures at its facilities possessing special nuclear material. In this connection, our respective agencies have had a long standing goal of maintaining comparable levels of protection for facilities possessing weapons-usable special nuclear material. This coordination effort between DOE and the Nuclear Regulatory Commission (NRC) had its origins in working agreements developed in 1976 between DOE (then ERDA) and NRC. These agreements were formalized in several documents. For example, in a joint letter to the Chairman, Committee on Interior and Insular Affairs, U.S. House of Representatives, signed by the NRC Chairman and the Acting ERDA Administrator on February 16, 1977, it was stated that the NRC and ERDA would maintain close coordination of safeguards program requirements for mixed facilities and comparable government-owned facilities which possessed strategic quantities of special nuclear material.

The subject of comparability and the basis for it has been a matter of continuing interest. For example, in 1980 at the request of the National Security Council (NSC), the Departments of Defense and Energy, along with the NRC, conducted a joint review of threat guidelines used in the development of safeguards measures for nuclear weapons and weapons-usable material by each agency. This action was in response to a February 1980 recommendation of the U.S. Comptroller General that the NSC coordinate the nuclear threat definition policies of DOD, DOE and NRC to ensure that similar types of weapons-usable nuclear materials get comparable levels of protection regardless of which government agency controls them.

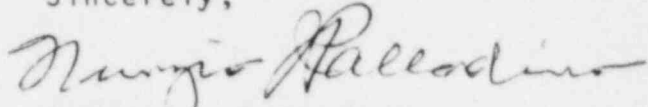
In view of the new DOE threat guidance and recent upgraded DOE security measures, the NRC believes it necessary to revisit the subject of comparability at this time to assure continued consistency in the level of protection. The Commission believes that this can best be accomplished through a joint DOE/NRC effort, similar to that conducted in 1977, to identify DOE facilities that possess strategic special nuclear material and that are comparable to NRC licensed facilities possessing such material. Once representative facilities have been identified, NRC will need the assistance of DOE in characterizing

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site-specific threat definitions and implemented security systems so that NRC staff may conduct a comparative analysis of design basis threats and protective measures employed at these facilities.

Your early response to this proposed joint effort would be very much appreciated.

Sincerely,

A handwritten signature in cursive script, reading "Nunzio J. Palladino". The signature is written in dark ink and is positioned above the printed name.

Nunzio J. Palladino