



FUEL RECOVERY OPERATION/WOOD RIVER JUNCTION, R. I. 02894

TELEPHONE 401-364-7701

DOCKET NUMBER PR-70,73(43FR35321)  
PROPOSED RULE

(13)

September 25, 1978  
DMS 78-179



U.S. Nuclear Regulatory Commission  
Samuel J. Chilk, Secretary  
Att: Docketing and Service Branch  
Washington, D.C. 20555

Dear Mr. Chilk:

The attachment to this letter constitutes the formal comments of Fuel Recovery Operation concerning the proposed performance oriented physical security upgrade rule published in the August 9, 1978 "Federal Register". These comments are the result of a great deal of thought and consideration. It is felt each one of the comments is cogent and should be incorporated into the upcoming rule.

Thank you for your consideration in this matter.

Sincerely,

UNITED NUCLEAR CORPORATION

A handwritten signature in dark ink, appearing to read "D. M. Schultz".  
D. M. Schultz  
Manager, Compliance

DMS/ljd

Attachment

Acknowledged by card... 10/4

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ATTACHMENT

FORMAL COMMENTS CONCERNING  
PROPOSED AMENDMENTS  
TO  
10 CFR PART 73

Paragraph

Comment

73.2(n)

The definition of "Vault" proposed in this paragraph causes the design and construction characteristics to be based entirely upon the response time capability of the local law enforcement authority. The small group described in paragraph 73.20(a)(1) could easily penetrate a vault with explosives in less time than most police departments could respond; however, they would either destroy the contents of the vault or initiate a criticality. The contents of the vault and storage method within the vault should count toward its penetration resistance and should be mentioned in the definition.

73.26(f)

This paragraph appears to require clarification. The paragraph seems to apply to transfers occurring at truck terminals, airports, and other similar transportation facilities; however, it could be understood to apply to the origin and destination facilities. Are the origin and destination "transfer points"?

73.46(a)(5)

This paragraph implies that some redundant systems must terminate and be controlled at locations other than in the alarm stations. In some cases, this would mean terminating subsystems in as many as four or five different locations. I do not believe this is the intent of the paragraph. If this is the intent of the paragraph, however, the paragraph provides for overkill by causing subsystems to terminate in more than two or three locations. If that occurs, management will find it extremely difficult to control the system.

73.46(c)(4)

The requirement to illuminate the protected area is not prudent. Such illumination outlines patrolling security persons and provides adversaries with simple targets at long ranges. Security persons, familiar with the protected area, should have the advantage during skirmishes in the darkness. This is especially true, if the prowler (adversary) has to use lights to accomplish tasks necessary to accomplish the

Paragraph

Comment

penetration. It would appear the Test and Evaluation Branch, U.S. Nuclear Regulatory Commission, should have data which it collected during the Comprehensive Safeguards Evaluation concerning this requirement.

73.46(c)(5)(ii) Does this preclude glass and plastic containers? Certain solutions at this facility can not be stored in metallic containers. The degree of the resistance requires qualification.

73.46(d)(4) This comment refers to the last sentence. Almost all vehicle gates are last controlled by a guard with a key who must go to the gate and unlock it. The requirement, as presently written, seems to require electrical or mechanical gates which are extremely expensive to install and maintain. In addition, they would be extremely difficult to keep operational from the month of November through the month of March at this facility. This requirement is unrealistic for vehicle gates. Request vehicle gate controls be specifically addressed in an additional subparagraph.

73.46(d)(6) There should be no exceptions to the random search.

73.46(d)(7) Explosives, incendiaries, and firearms hidden on a vehicle by the threat described in paragraph 73.20(a)(1) would not be found in a vehicle search unless the vehicle was unloaded and dismantled. A search of the vehicle for hidden personnel and escort of the driver while within the protected area should suffice for this requirement.

73.46(d)(8) The requirement for a search to be conducted by a team of two individuals without access to the material access area seems unrealistically stringent because a search by two individuals other than the person carrying the object out of the material access automatically involves three persons in most cases. In addition, causing small facilities to hire persons without access to material access areas to conduct sporadic searches is highly uneconomical. It would also seem that the duplication of searches of individuals departing the material access area could be eliminated by requiring the search instrument to alarm in more than one location and meet certain minimum search specifications.

Paragraph

Comment

73.46(d)(10)  
and (11)

These requirements may result in undesirable vulnerabilities which are not presently exploitable at this facility. By requiring these functions to occur outside the present process area, additional opportunities for diversion of material will present themselves to the individuals packaging and moving materials. This will be the result of the task becoming overly decentralized and much more difficult to supervise and monitor. Additionally, these functions will be extremely labor intensive and the additional labor costs do not seem justified by the additional safeguard checks provided.

73.46(g)(5)

Suggest the word "trained" in the third sentence be changed to the word "skilled". "Trained" will cause the licensee to either design and administer a training program with its documentation or send its repairmen to schools which may be impractical as a result of the brand mix of components in a security hardware system.