

NRC INSPECTION MANUAL

IMNS/MSIB

TEMPORARY INSTRUCTION 2800/032

FOLLOWUP - MATERIALS SAFEGUARD ADVISORY

APPLICABILITY: This temporary instruction (TI) will be used for telephone inspections within 30 days of the effective date for the high priority classes of licensees. High priority licensees are: large irradiators, facilities requiring an emergency plan, facilities having irradiators or teletherapy units with a sealed source greater than 1000 curies, well loggers and radiographers. Regions may add licensees (by class or individually) based on regional experience. Basis for addition should be provided to IMNS. This TI will also be used for any special inspections resulting from unsatisfactory telephone inspections and as a supplement to routine inspections for all classes of licensees.

2800/032-01 OBJECTIVES

01.01 To ensure licensees have received the October 16, 2001, "Safeguards Advisory for Materials Licensees on Security of Licensed Materials" (Advisory), and to determine how the licensees implemented the Advisory's recommendations to protect licensed material.

01.02 To provide assurance that licensees continue to implement effective physical security protection for licensed materials as required under 10 CFR 20.1801 and 20.1802.

2800/032-02 BACKGROUND

The NRC issued an Advisory on October 16, 2001, to all material licensees to heighten licensees' sensitivity to ensuring their licensed material is protected from unauthorized access, theft, or diversion. The Advisory reminded licensees' of their responsibility under 10 CFR 20.1801 and 20.1802 to ensure that licensed material is adequately secured from unauthorized removal or access. The Advisory included recommended precautions that licensees should take, and encouraged licensees to report suspicious or unusual activities.

2800/032-03 INSPECTION REQUIREMENTS

Telephone inspections for high priority licensees are to be completed within 30 days from the issue date of this TI. High priority licensees are: large irradiators, facilities requiring an emergency plan, facilities having irradiators or teletherapy units with a sealed source greater than 1000 curies, well loggers and radiographers. Regions may add licensees (by

class or individually) based on regional experience. To maintain consistency, the basis for addition should be provided to IMNS. For the high priority licensees, inspectors should use Appendix A "Telephone Inspection Record," for the telephone inspections. Appendix A provides questions for the inspector to use in determining whether the licensee received the Advisory, and to determine what actions the licensee has taken in response to the Advisory.

The TI will also be used for routine inspections at all licensees (until the TI expiration date) and for any special inspection. Special inspections will be conducted at licensees who have unsatisfactory telephone inspections. A determination of unsatisfactory will be made in consultation with regional and IMNS management.

03.01 Safeguards Advisory. Determine if the licensee received the October 16, 2001, Advisory.

03.02 Physical Control of Licensed Material. Conduct an inspection of the facility to determine how the licensed material is stored and how it is controlled when in use or transit.

03.03 Control of Personnel Access. Conduct an inspection of the facility to determine how the access controls are implemented at the facility.

03.04 Control of Vehicle Access. Conduct an inspection of facility to determine how the vehicle access controls are implemented at the facility.

03.05 Precautions for Suspicious Packages. Conduct an inspection of facility's process for receipt of packages, bomb threat response, and security tours around the facility.

03.06 Precautions for Identifying Suspicious or Unusual Activities Involving Licensed Material. Conduct an inspection of facility to determine if personnel are sensitized to identifying suspicious or unusual activities and aware of what to do if they identify such activity.

2800/032-04 INSPECTION GUIDANCE

General Guidance

The basic regulatory requirements for storage and control of licensed materials is in 10 CFR 20.1801 and 20.1802. Sections in the Part 30 series for by-product materials include more prescriptive requirements. Routine inspections verify that the licensee provides adequate controls to ensure those requirements are met. The Advisory issued to materials licensees recommended several readily implementable actions. The degree of control used to ensure protection of licensed material from theft or diversion should be commensurate with the risks from malevolent use (quantity, dispersibility, and specific activity). For this TI, the inspector should note what controls are in place and how well the licensee is implementing those controls. Because of the diverse nature of materials licensees, the guidance in this TI is very general and relies on the experience of the inspector.

Specific Guidance

Telephone Inspections - Use Appendix A

Routine/Special Inspection - Use the following:

04.01 Safeguards Advisory. Verify that the licensee has received the October 16, 2001, Advisory. If the Advisory was not received, provide a copy and discuss the contents with the licensee.

04.02 Control of Personnel Access. Conduct an inspection of facility to determine how the access controls are implemented at the facility. Note any changes in the program in response to the Advisory.

1. Identify any access control points at the facility.
2. Identify means used to verify the identity of personnel with access to licensed materials.
3. Review any authorized access list and select a representative sample of personnel on the list and determine the basis for placing the personnel on the authorized access list.
4. Determine how the authorized access list is maintained, focusing on the timeliness of updating by addition or deletion of authorized personnel.

04.03 Physical Control of Licensed Material. Conduct an inspection of the facility to determine how the licensed material is stored and how it is controlled when in use or transit. Note any changes in the program in response to the Advisory.

1. Identify physical controls for stored materials. Have the licensee demonstrate the effectiveness of the controls.
2. Identify physical controls in place for the licensed material while in use. Have the licensee demonstrate the effectiveness of the controls.
3. Identify physical controls in place for the licensed material while in transit. Have the licensee demonstrate the effectiveness of the control (example, is an unoccupied vehicle containing license material locked?).

04.04 Control of Vehicle Access. Conduct an inspection of facility to determine how the vehicle access controls are implemented at the facility. Note any changes in the program in response to the Advisory.

1. Identify any vehicle access control points at the facility.
2. Identify means used to verify the identify of vehicles authorized to have access to the facility.

3. Review any authorized vehicle access list and select a representative sample of vehicles on list and determine the basis for placing that vehicle on the authorized access list.
4. Review any process used to patrol the facility boundaries to determine if any suspicious vehicle is parked in close proximity to the facility.

04.05 Precautions for Suspicious Packages. Conduct an inspection of the facility's process for receipt of packages, bomb threat response, and security tours around the facility. Note any changes in the program in response to the Advisory.

1. Observe how packages are received and query staff about what criteria they would use to identify any suspicious package and what actions they would take.
2. Discuss with staff what actions they would take in response to a bomb threat.
3. Discuss with staff and observe, if possible, any security patrols around the facility and determine what criteria is used to identify a suspicious package and what would be their response.

04.06 Precautions for Identifying Suspicious or Unusual Activities Involving Licensed Material. Conduct an inspection of the facility to determine if personnel are sensitized to identifying suspicious or unusual activities and aware of what to do if they identify such activity. Determine if the staff has any guidance on what to look for.

Such guidance would be:

1. Unusual requests for information
2. Unusual activities in area of material use
3. Any indications of irregularities in the delivery or receipt of material
4. Any signs of attempted theft or diversion of material
5. Any unusual orders or significant changes in patterns of ordering material

Determine if appropriate phone numbers or contact points(local police/FBI and NRC) are included. Note any changes in the program in response to the Advisory.

2800/032-05 REPORTING REQUIREMENTS

The regions should verbally report progress in completing high priority inspections weekly until the high priority telephone inspections are completed. Progress reports should include any concerns identified for that week. The inspector shall document the inspection findings in either a special or routine inspection report and control the report as sensitive information. Specific concerns shall be discussed with IMNS. IMNS will convey the concern to the Incident Assessment Team in the Headquarters Incident Response Center as needed.

2800/032-06 COMPLETION SCHEDULE

Telephone inspections for high priority licensees shall be completed in 30 days from issuance of this TI. Special inspections resulting from issues identified from the telephone inspections shall be completed as soon as possible. Use of this temporary instructions as a supplement for routine inspections should be continued until the expiration date of this temporary instruction.

2800/032-07 EXPIRATION

The TI will expire one year from the date of issuance.

2800/032-08 CONTACT

Questions regarding the technical aspects of the temporary instruction should be addressed to Charles Cox, (301) 415-6755.

2800/032-09 STATISTICAL DATA REPORTING

Record actual inspection effort to 2800/032 for the regulatory information tracking system (RITS) with an IPE code of SI.

2800/032-10 ORIGINATING ORGANIZATION INFORMATION

10.01 Organizational Responsibility. The Materials Safety and Inspection Branch (MSIB), IMNS, NMSS has responsibility for maintaining this TI. Regional Management will assign responsibility for completion of the inspection requirements, and provide supervision to ensure completion.

10.02 Resource Estimate. The direct inspection effort would depend on the number of licensees included in the scope of the safeguards follow up. On the average, the telephone inspections would be approximately ½ hour of direct inspection per telephone call. Special inspection resources are subject to the outcome of the telephone inspections and cannot be predicted. Use of the TI in routine inspections should add no more than ½ hour to total direct inspection effort for the routine inspection.

10.03 Training. There are no special training requirements associated with the performance of this TI.

END

Appendix A. "Telephone Inspection Record"

NOT FOR PUBLIC DISCLOSURE(When Completed)

APPENDIX A

TELEPHONE INSPECTION RECORD

Name: _____

Address: _____

License Number: _____

Phone Number: ()-

FAX Number: ()-

1. Name and Title of person responsible for radiation safety program: _____

2. Did you receive "Safeguards Advisory for Materials Licensees on Security of Licensed Materials," dated October 16, 2001? () Yes () No **(If no, offer to fax a copy)**

3. Describe how you safeguard the byproduct material (identifying changes made in response to Advisory) from:

(a) use by unauthorized personnel:

(b) loss or theft:

4. Describe any controls for personnel access (identifying changes made in response to Advisory) to the facility and/or the byproduct material:

5. Describe any control for vehicle access (identifying changes made in response to Advisory) to the facility:

6. What steps have you taken to heighten sensitivity to the presence of any suspicious packages transported by personnel or observed in the vicinity of the facility:

NOT FOR PUBLIC DISCLOSURE(When Completed)

NOT FOR PUBLIC DISCLOSURE(When Completed)

7. Do you emphasize that unoccupied vehicles containing by product materials are to be kept locked?
() Yes () No

8. Describe any unusual events involving the byproduct material such as:
Unusual questions form employees or members of the public,

Unusual activities in the area of material use,

Indications of irregularities in the delivery or receipt of licensed material for transport

Signs of attempted theft or dispersion of material, or

Unusual orders or significant changes in patterns of ordering for by product material.

Follow-up Onsite Inspection Determination (In consultation with IMNS)

Is a follow-up onsite inspection needed?
() Yes () No

If yes, reason for follow-up:_____

Name of person filling in questionnaire: _____
Date: __/__/__
Title: _____

NOT FOR PUBLIC DISCLOSURE(When Completed)