



NRC NEWS

U.S. NUCLEAR REGULATORY COMMISSION

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NRC CONSIDERS CHANGES TO REGULATIONS ON SAFEGUARDS INFORMATION

The Nuclear Regulatory Commission is considering putting into its regulations a variety of security-information-handling actions directed by the Commission since Sept. 11, 2001.

The information involved, known as "Safeguards Information," is a special category of sensitive unclassified information authorized to be protected under the Atomic Energy Act. In many ways it is handled like classified information. Individuals provided access to Safeguards Information must have a valid "need to know" such information and, for certain categories of information, must undergo a criminal history check, including fingerprinting.

The unauthorized release of this information could result in harm to public health and safety and the nation's common defense and security. Release could also effect damage to the country's critical infrastructure, including nuclear power plants and other facilities and materials licensed and regulated by the NRC.

Information designated as Safeguards Information must be protected from unauthorized disclosure and must be physically controlled and protected. Physical protection requirements include secure storage, document marking, limited reproduction, protected transmission and controls for information processing on electronic systems.

As provided in the Atomic Energy Act, inadequate protection of Safeguards Information, including inadvertent release and unauthorized disclosure, may result in civil and/or criminal penalties; willful violation is a felony subject to fines or imprisonment.

Some types of NRC licensees, such as nuclear power reactors, are already required by NRC regulations to have a Safeguards Information protection program. NRC issued orders after September 11 that expanded the types of information to be protected by such licensees. Other orders were issued to licensees not previously explicitly subject to Safeguards Information protection requirements in the regulations, such as certain licensees authorized to manufacture or initially transfer items containing radioactive material.

Although new Safeguards Information requirements could continue to be imposed by issuance of orders, it has been Commission policy to codify requirements in the regulations and not rely indefinitely on orders to impose needed generic requirements.

Further details on the proposed changes to the regulations are described in a Federal Register notice to be published shortly. Interested persons are invited to submit written comments to the Secretary, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555-0001, Attention: Rulemakings and Adjudications Staff. Comments may also be submitted electronically by e-mail to SECY@nrc.gov ; or via the NRC's rulemaking website at <http://ruleforum.llnl.gov> . The comments should be submitted within 45 days after the publication of the Federal Register notice.

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