

Nuclear Regulatory Commission

§ 76.113

(o) *Changes to emergency plan.* The Corporation may make changes to the emergency plan without prior Commission approval if the changes do not decrease the effectiveness of the plan. The Corporation shall furnish these changes to the NRC in accordance with § 76.5 and to affected offsite response organizations within 6 months after the change is made.

[59 FR 48960, Sept. 23, 1994, as amended at 64 FR 44650, Aug. 17, 1999]

§ 76.93 Quality assurance.

The Corporation shall establish, maintain, and execute a quality assurance program satisfying each of the applicable requirements of ASME NQA-1-1989, "Quality Assurance Program Requirements for Nuclear Facilities," or satisfying acceptable alternatives to the applicable requirements. The Corporation shall execute the criteria in a graded approach to an extent that is commensurate with the importance to safety.

§ 76.95 Training.

A training program must be established, implemented, and maintained for individuals relied upon to operate, maintain, or modify the GDPs in a safe manner. The training program shall be based on a systems approach to training that includes the following:

(a) Systematic analysis of the jobs to be performed.

(b) Learning objectives derived from the analysis which describe desired performance after training.

(c) Training design and implementation based on the learning objectives.

(d) Evaluation of trainee mastery of the objectives during training.

(e) Evaluation and revision of the training based on the performance of trained personnel in the job setting.

Subpart E—Safeguards and Security

§ 76.111 Physical security, material control and accounting, and protection of certain information.

Nuclear Regulatory Commission regulations that will be used for certifi-

cation of the Corporation² for physical security and material control and accounting are contained in title 10 of the Code of Federal Regulations as described in this subpart. The regulations referenced in this subpart contain requirements for physical security and material control and accounting for formula quantities of strategic special nuclear material (Category I), special nuclear material of moderate strategic significance (Category II), and special nuclear material of low strategic significance (Category III), and for protection of Restricted Data, National Security Information, Safeguards Information, and information designated by the U.S. Department of Energy as Unclassified Controlled Nuclear Information.

[62 FR 6671, Feb. 12, 1997]

§ 76.113 Formula quantities of strategic special nuclear material—Category I.

(a) The requirements for material control and accounting for formula quantities of strategic special nuclear material (Category I) are contained in §§ 74.11, 74.13, 74.15, 74.17, 74.19, 74.51, 74.53, 74.55, 74.57, 74.59, 74.81, and 74.82 of this chapter.

(b) The requirements for physical security for formula quantities of strategic special nuclear material (Category I) are contained in §§ 70.22(h), 73.20, 73.40, 73.45, 73.46, 73.70, and 73.71.

(c) The requirements for the protection of Safeguards Information pertaining to formula quantities of strategic special nuclear material (Category I) are contained in §§ 73.21 and 73.22 of this chapter. Information designated by the U.S. Department of Energy (DOE) as Unclassified Controlled Nuclear Information must be protected in accordance with DOE requirements.

(d) The Corporation may neither transport Category I material offsite

²For the purpose of this subpart, the terms "licensee" or "license" used in parts 70, 73, and 74 of this chapter, mean, respectively, the Corporation, or the certificate of compliance or approved compliance plan.

§ 76.115

nor deliver Category I material to a carrier for transport offsite.

[59 FR 48960, Sept. 23, 1994, as amended at 62 FR 6671, Feb. 12, 1997; 67 FR 78149, Dec. 23, 2002; 73 FR 63581, Oct. 24, 2008]

§ 76.115 Special nuclear material of moderate strategic significance—Category II.

(a) The requirements for material control and accounting for special nuclear material of moderate strategic significance (Category II) are contained in §§ 74.11, 74.13, 74.15, 74.17, 74.19, 74.41, 74.43, 74.45, 74.81, and 74.82 of this chapter.

(b) The requirements for physical security for special nuclear material of moderate strategic significance (Category II) are contained in §§ 73.67, and 73.71 of this chapter.

(c) The Corporation may neither transport Category II material offsite nor deliver Category II material to a carrier for transport offsite.

(d) The requirements for the protection of Safeguards Information pertaining to special nuclear material of moderate strategic significance—Category II are contained in §§ 73.21 and 73.22 of this chapter. Information designated by the U.S. Department of Energy (DOE) as Unclassified Controlled Nuclear Information must be protected in accordance with DOE requirements.

[59 FR 48960, Sept. 23, 1994, as amended at 67 FR 78149, Dec. 23, 2002; 73 FR 63581, Oct. 24, 2008]

§ 76.117 Special nuclear material of low strategic significance—Category III.

(a) The requirements for material control and accounting for special nuclear material of low strategic significance (Category III) are contained in §§ 74.11, 74.13, 74.15, 74.17, 74.19, 74.33, 74.81, and 74.82 of this chapter. However, inventories of uranium outside of the enrichment processing equipment conducted at least every 370 days are deemed to satisfy the requirements of § 74.19(c).

(b) The requirements for physical security for special nuclear material of low strategic significance (Category III) are contained in §§ 73.67, 73.71, and 73.74 of this chapter.

10 CFR Ch. I (1–1–10 Edition)

(c) The requirements for the protection of Safeguards Information pertaining to special nuclear material of low strategic significance—Category III are contained in §§ 73.21 and 73.22 of this chapter. Information designated by the U.S. Department of Energy (DOE) as Unclassified Controlled Nuclear Information must be protected in accordance with DOE requirements.

[59 FR 48960, Sept. 23, 1994, as amended at 67 FR 78149, Dec. 23, 2002; 73 FR 63581, Oct. 24, 2008]

§ 76.119 Security facility approval and safeguarding of National Security Information and Restricted Data.

The requirements for security facility approval and for safeguarding of classified matter are contained in part 95 of this chapter. For the purpose of this subpart, the term “licensee” or “license” used in part 95 of this chapter means, respectively, the corporation, or the certificate of compliance or approved compliance plan.

Subpart F—Reports and Inspections

§ 76.120 Reporting requirements.

(a) *Immediate report.* The Corporation shall notify the NRC Operations Center³ within 1 hour after discovery of:

(1) A criticality event;

(2) Any loss, other than normal operating loss, of special nuclear material;

(3) Any theft or unlawful diversion of special nuclear material which the Corporation is authorized to possess or any incident in which an attempt has been made or is believed to have been made to commit a theft or unlawful diversion of special nuclear material; or

(4) An emergency condition that has been declared an alert or site area emergency.

(b) *Four-hour report.* The Corporation shall notify the NRC Operations Center as soon as possible but not later than 4 hours after discovery of an event⁴ that prevents immediate protective actions

³The commercial telephone number for the NRC Operations Center is (301) 816-5100 or (301) 951-0550, FAX (301) 816-5151.

⁴Events may include fires, explosions, radiological releases, etc.