protect a protective force officer who reasonably believes himself or herself to be in imminent danger of death or serious bodily harm.

(2) **Serious offenses against persons.** When deadly force reasonably appears to be necessary to prevent the commission of a serious offense against a person(s) in circumstances presenting an imminent danger of death or serious bodily harm (e.g., sabotage of an occupied facility by explosives).

(3) **Nuclear weapons or nuclear explosive devices.** When deadly force reasonably appears to be necessary to prevent the theft, sabotage, or unauthorized control of a nuclear weapon or nuclear explosive device.

(4) **Special nuclear material.** When deadly force reasonably appears to be necessary to prevent the theft, sabotage, or unauthorized control of special nuclear material from an area of a fixed site or from a shipment where Category II or greater quantities are known or reasonably believed to be present.

(5) **Apprehension.** When deadly force reasonably appears to be necessary to apprehend or prevent the escape of a person reasonably believed to: (i) have committed an offense of the nature specified in paragraphs (a)(1) through (a)(4) of this section; or (ii) be escaping by use of a weapon or explosive or who otherwise indicates that he or she poses a significant threat of death or serious bodily harm to the protective force officer or others unless apprehended without delay.

(b) **Additional Considerations Involving Firearms.** If it becomes necessary to use a firearm, the following precautions shall be observed:

(1) A warning, e.g., an order to halt, shall be given, if feasible, before a shot is fired.

(2) Warning shots shall not be fired.

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1. These offenses are considered by the Department of Energy to pose a significant threat of death or serious bodily harm.