

NUCLEAR REGULATORY COMMISSION

10 CFR Part 73

**[RIN XXXX-XXX]
[NRC-2010-0340]**

NUREG-0561 Revision 2

Physical Protection of Shipments of Irradiated Reactor Fuel

AGENCY: Nuclear Regulatory Commission.

ACTION: Notice of issuance; availability.

SUMMARY: The U.S. Nuclear Regulatory Commission (NRC) is issuing the revised NUREG-0561, "Physical Protection of Shipments of Irradiated Reactor Fuel." This revised document provides guidance to a licensee or applicant for implementation of Title 10 of the *Code of Federal Regulations* (10 CFR) Part 73.37, "Requirements for Physical Protection of Irradiated Reactor Fuel in Transit," and 10 CFR Part 73.38, "Personnel Access Authorization Requirements for Irradiated Reactor Fuel in Transit."

ADDRESSES: Please refer to Docket ID NRC-XXXX-XXXX when contacting the NRC about the availability of information regarding this document. You may access information related to this document, which the NRC possesses and are publicly available, using the following methods:

Federal Rulemaking Web site: Go to <http://www.regulations.gov> and search for Docket ID NRC-XXXX-XXXX. Address questions about NRC dockets to Carol Gallagher; telephone: 301-492-3668; email: Carol.Gallagher@nrc.gov.

NRC's Agencywide Documents Access and Management System (ADAMS): You may access publicly-available documents online in the NRC Library at <http://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "ADAMS Public Documents" and then select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to pdr.resource@nrc.gov. The ADAMS accession number for each document referenced in this notice (if that document is available in ADAMS) is provided the first time that a document is referenced.

FOR FURTHER INFORMATION CONTACT: R. Clyde Ragland, Fuel Cycle and Transportation Security Branch, Division of Security Policy, Office of Nuclear Security and Incident Response, U.S. Nuclear Regulatory Commission (NRC), Washington, DC 20555-0001; telephone: (301) 415-7008; or e-mail to Clyde.Ragland@nrc.gov.

SUPPLEMENTARY INFORMATION:

I. Introduction

The NRC recently published a final rule that revised and amended the security regulations pertaining to the transport of spent nuclear fuel. The final rule was published on **December XX, 2012 (77 FR XXXXX)**. Documents related to the final rule can be found at <http://www.regulations.gov> by searching on Docket ID: **NRC-XXXX-XXXX**.

Revision 2 of NUREG-0561, "Physical Protection of Shipments of Irradiated Reactor Fuel" was made available in draft form for public comment on November 3, 2010 (75 FR 67636). This NUREG provides guidance to a licensee or applicant for implementation of 10 CFR Part 73.37, "Requirements for Physical Protection of Irradiated Reactor Fuel in Transit," and 10 CFR Part 73.38, "Personnel Access Authorization Requirements for Irradiated Reactor Fuel in Transit." It is intended for use by applicants, licensees, and NRC staff. The revised NUREG-0561 describes methods acceptable to the NRC staff for implementing 10 CFR Parts 73.37 and 73.38. Methods and solutions different from those described in the document are acceptable if they meet the requirements in 10 CFR Part 73.37 and 10 CFR Part 73.38 as applicable.

II. Further Information

Electronic copies of NUREG-0561, Revision 2 are available through the NRC's public Web site under "NUREG-Series Publications" at <http://www.nrc.gov/reading-rm/doc-collections/> and through the NRC's ADAMS at <http://www.nrc.gov/reading-rm/adams.html>, under Accession No. MLXXXXXXXXX. In addition, NUREG-series publications are available for inspection at the NRC's PDR located at Room O-1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852-2738. The PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4209, by fax at (301) 415-3548, and by email to pdr@nrc.gov. NUREGs are not copyrighted, and NRC approval is not required to reproduce them.

At this time, the NRC is announcing the availability of NUREG-0561, Revision 2, "Physical Protection of Shipments of Irradiated Reactor Fuel." The document provides guidance on implementing the provisions of 10 CFR Part 73.37, "Requirements for Physical Protection of

Byproduct Material” and 10 CFR 73.38, “Personnel Access Authorization Requirements for Irradiated Reactor Fuel in Transit.”

Dated at Rockville, Maryland, this XX day of December 2012.

For the Nuclear Regulatory Commission.

Robert K. Caldwell
Chief, Fuel Cycle and Transportation Security
Branch
Division of Security Policy
Office of Nuclear Security and Incident Response

on implementing the provisions of 10 CFR Part 73.37, “Requirements for Physical Protection of Byproduct Material” and 10 CFR 73.38, “Personnel Access Authorization Requirements for Irradiated Reactor Fuel in Transit.”

Dated at Rockville, Maryland, this XX day of December 2012.

For the Nuclear Regulatory Commission.

Robert K. Caldwell
 Chief, Fuel Cycle and Transportation Security
 Branch
 Division of Security Policy
 Office of Nuclear Security and Incident Response

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OFFICE	NSIR/DSP/ FCTSB	NSIR/DSP/ FCTSB:BC	OGC	NSIR/DDSP	NSIR/DSP
NAME	RRagland	RCaldwell	EBowdenBerry	MLayton	CLui
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