



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

(FSME-11-034, May, Program, Portable Gauges)

May 3, 2011

ALL AGREEMENT STATES, MICHIGAN

**NRC NOTIFICATION OF ISSUANCE OF ENFORCEMENT GUIDANCE
MEMORANDUM-11-004, INTERIM GUIDANCE FOR DISPOSITIONING
VIOLATIONS OF SECURITY REQUIREMENTS FOR PORTABLE GAUGES (FSME-11-034)**

Purpose: On April 28, 2011, the U.S. Nuclear Regulatory Commission (NRC) issued the above referenced enforcement guidance memorandum (EGM) for use as interim guidance in dispositioning violations of security requirements for portable gauges. The EGM can be found on NRC's public website at <http://www.nrc.gov/reading-rm/basic-ref/enf-man/app-a.html>, or in NRC's Agencywide Documents Access and Management System (ADAMS) <http://www.nrc.gov/reading-rm/adams.html>, at Accession Number ML111170601. This letter is intended to inform all Agreement States of NRC's action. No action or response on the part of the Agreement States is requested or required. The Agreement States may choose to take similar actions.

Background: On July 11, 2005, a new NRC security requirement for portable gauges, 10 CFR 30.34(i), became effective. The primary intent of this rule was to increase licensee's control of portable gauges to reduce the opportunity for unauthorized removal or theft. In the NRC Enforcement Policy that became effective September 30, 2010, a violation of this requirement constitutes a severity level (SL) III violation for gauges having either no security or one level of security. Considering the reduced risk associated with having one barrier instead of no barrier, a graded approach is considered in allowing violations of lower significance as described in the EGM to be cited as a SL IV.

This EGM is in effect until further notice. The effectiveness of the EGM will be monitored for at least two years, and then evaluated to determine further action.

If you have any questions regarding this correspondence, please contact me at (301) 415-3340 or the individual named below.

POINT OF CONTACT: Michele Burgess
TELEPHONE: (301) 415-5868

INTERNET: Michele.Burgess@nrc.gov
FAX: (301) 415-3502

/RA/

Terrence Reis, Acting Director **JLuehman for**
Division of Materials Safety
and State Agreements
Office of Federal and State Materials
and Environmental Management Programs