

APPLICABILITY OF REVISED 73.55 POWER REACTOR SECURITY REGULATION (10 CFR 73.55)

**PUBLIC WEBINAR JULY 20, 2010
1:00 – 3:00 PM (Eastern)**

PURPOSE

- To convey the applicability of the revised 10 CFR 73.55 to Part 50 licensees with ISFSI facilities in a decommissioning or decommissioned status.

OBJECTIVE

- A mutual understanding of the applicability of the 10 CFR 73.55 requirements, as well as a path forward to ensure compliance by the affected licensees.

Revised 10 CFR 73.55

- Regulation effective May 26, 2009, with compliance required by March 31, 2010
- Some Part 50 licensees may not have recognized the applicability of the revised regulation to their facilities.
- 73.55 is applicable to ALL Part 50 licensees, including those in a decommissioned status.

Revised 72.212

- Conforming changes made to 72.212
- Licensees expected to implement current requirements in 73.55
- Requirements imposed by Order still apply

Current Facility Security

- Currently, there is no perceived gap in safety and security at facilities in a decommissioning or decommissioned status.
 1. In compliance with the previous version of 73.55
 2. In compliance with issued orders

Licensee Actions

- Exemptions granted for requirements in previous 73.55 remain in effect.
- Evaluate the current 10 CFR 73.55 to determine how it impacts their respective facility.
- Apply for exemptions as necessary.
- Make any administrative changes to security plans, as required.

ENFORCEMENT

- **Non-Compliance**
 - Violations of the current regulations will be assessed using the NRC Enforcement Policy.
 - The NRC will take into consideration a licensee's demonstration of 'good faith' attempt to interpret and implement the new rule and the licensee's prompt corrective actions. As appropriate, and on a case-by-case basis, the NRC will consider the use of enforcement discretion in accordance with Section VII.B.6 of the Enforcement Policy, "Violations Involving Special Circumstances" for a period of time until the exemption process is completed.

PATH FORWARD

- Formal notification letter 2 weeks after webinar
- Licensee responses (including exemption requests) due 120 days from receipt of letter

QUESTIONS