

June 24, 2011

MEMORANDUM TO: Shana R. Helton, Chief
Rulemaking Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

FROM: Margaret Stambaugh, Project Manager **/RA/**
Rulemaking Branch
Division of Policy and Rulemaking
Office of Nuclear Reactor Regulation

SUBJECT: SUMMARY OF THE JUNE 1, 2011 PUBLIC MEETING TO
DISCUSS THE PROPOSED ENHANCED WEAPONS,
FIREARMS BACKGROUND CHECKS AND SECURITY
EVENT NOTIFICATIONS RULEMAKING

The Nuclear Regulatory Commission (NRC) held a Category 3 public meeting on June 1, 2011, to discuss the proposed Enhanced Weapons, Firearms Background Checks and Security Event Notifications Rulemaking. The workshop was held at NRC Headquarters in Rockville, Maryland, and it was attended by more than 50 people. Additional individuals remotely participated in the meeting through audio teleconferencing and webinar. Since the NRC was not accepting public comments, a transcript of the meeting was not obtained.

The agenda for the meeting can be found in the NRC Agencywide Document Management System (ADAMS) under Accession No. ML111300017. Presenters at the meeting include NRC staff, the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) and the Federal Bureau of Investigations (FBI).

NRC Staff Presentations

At the meeting, the NRC staff presented material related to the review and status of the proposed rulemaking which is available to view on www.regulations.gov under docket number NRC-2011-0018. The NRC staff also presented material related to the following guidance documents which are associated with the proposed rule: Draft Guide 5019 "Reporting of Safeguards Events," docket number NRC-2011-0014; Draft Guide 5020 "Applying for Enhanced Weapons Authority and Accomplishing Firearms Background Check," docket number NRC-2011-0015; and USACE, PDC NRC Technical Report 06-10 "Weapons Safety Assessment," docket number NRC-2011-0017.

The NRC staff presented an overview of the proposed rule, the associated guidance documents, security event notifications, firearms background checks, enhanced weapons authority, and preemption authority. The NRC staff noted that public comment is sought in

CONTACT: Margaret Stambaugh, NRR/DPR
301-415-7069

particular for three options related to the structure of Part 73 "Physical Protection of Plants and Materials," to Title 10 of the *Code of Federal Regulations*. The first option is that Section 73.71 and Appendix G can remain separate regulations. The second option is that security notifications and reports can be combined into one section. The third option is that three adjacent sections can be created for telephone reports, written follow-up reports, and logged events. NRC staff also seeks input on the periodic inventory requirements for enhanced weapons in the proposed rule.

Presentations By Other Government Agencies

The presentations by ATF are available in ADAMS under ML111720019 and ML111720021. The ATF's presentations described the Federal Firearms License application process, recordkeeping requirements of Federal Firearms Licensees, Firearms Compliance Inspections and inspection authority. In particular, ATF discussed the enforcement activities related to the Gun Control Act (Title 18, United States Code, Chapter 44) and the National Firearms Act (NFA)(Title 26, United States Code, Chapter 53). NRC licensees may become qualified to import, manufacture, or deal in NFA firearms given that the licensee receives the appropriate firearms license and pays the appropriate special (occupational tax). Finally, ATF described the process and forms NRC licensees can use to transfer firearms, providing four such forms as handouts for the meeting as follows:

- i. Application for Tax Exempt transfer of Firearm and Registration to Special Occupational Taxpayer, OMB No. 1140-0013 (ML111720024)
- ii. An approved Application for Tax Exempt transfer of Firearm and Registration to Special Occupational Taxpayer, OMB No. 1140-0013 (ML111720028)
- iii. Application for Tax Paid Transfer and Registration of Firearm, OMB No. 1140-0014 (ML111720030)
- iv. An approved Application for Tax Paid Transfer and Registration of Firearm, OMB No. 1140-0014 (ML111720032)

The overview of the National Instant Criminal Background Check System (NICS) provided by the FBI can be found in ADAMS under ML111720022. The FBI presentation covered the history of NICS, federal firearms prohibitors, the background check process for NRC licensees, background check appeals, and appeals contacts.

Public Comment on the Proposed Rule and Associated Guidance

The proposed rule and draft guidance documents are currently available for public comment. The public comment period ends on August 2, 2011. The NRC staff was not accepting public comments at the subject meeting, and encouraged the public to submit comments through official channels as described in the *Federal Register* Notice (76 FR 6200) for the proposed rule.

Enclosure:
Attendee List

particular for three options related to the structure of Part 73 “Physical Protection of Plants and Materials,” to Title 10 of the *Code of Federal Regulations*. The first option is that Section 73.71 and Appendix G can remain separate regulations. The second option is that security notifications and reports can be combined into one section. The third option is that three adjacent sections can be created for telephone reports, written follow-up reports, and logged events. NRC staff also seeks input on the periodic inventory requirements for enhanced weapons in the proposed rule.

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DISTRIBUTION:

PUBLIC RidsOgcMailCenter RidsNrrDpr RidsNsirMailCenter RidsNsirDsp

ADAMS Accession No: ML111720007 (Pkg.); ML111720009 (Summary); ML111720014, ML111720015 (Slides)

OFFICE	DPR:PM	NSIR/DSP/DDMS/MW	NRR/DPRPRMB:BC
NAME	MStambaugh	SWastler	SHelton
DATE	6/23/2011	6/23/2011	6/24/2011

OFFICIAL RECORD COPY

LIST OF MEETING ATTENDEES, June 1, 2011

Name	Organization
Dennis Gordon	NRC
Margaret Cervera	NRC
Philip Brochman	NRC
Shana Helton	NRC
Kris Jamgochian	NRC
Sandra Wastler	NRC
Gary Simpler	NRC
Alison Rivera	NRC
Doreen Turner	NRC
Albert Tardiff	NRC
Robert Beal	NRC
Margaret Stambaugh	NRC
John Tomlinson	NRC
Cory Lasseigne	Virgil C. Summer Nuclear Station
Doug Evans	Southern California Edison
Daniel Bracken	Southern Company
Patricia Campbell	GE Hitachi
Dave Kline	NEI
Greg Davis	B&W
Mike Jackson	B&W
Lisa Hogg	SNC
Bryan Lovin	Entergy
Barry Doering	Dominion
Larry Anthony	B&W
Jamie Grassano	B&W
William H. Davis Jr.	B&W
Alexander G. Ellis	First Energy Corporation
William L. Finch	FBI
Giget M. Stover	FBI
Sherry C. Kuneff	FBI
Monica Hamner	FBI
Eric Moore	FBI
Bruce Pease	Energy Northwest
Michael Karney	Exelon
Nelson Martin	Dominion
Pat Asendorf	TVA
Clarence Jackson	SCE&G
John Schwertfeger	Next Era Energy
Robyn D. Savage	STPNOC
Jim Lenois	Connecticut Yankee

ENCLOSURE

Name	Organization
Charles Cabaniss	Duke
Charles Rival	Securitas Energy Services
Robert Mitchell	Yankee Atomic Electric Co.
Jerud Hanson	NEI
Andrew Mauer	NEI
Elizabeth Sandy	DTE Energy
Keith Wooten	SNC
Jennifer Polen	FBI
Rhonda Helmick	FBI
William Gross	NEI
Don Parker	Areva
Rebekah Holman	ATF
James Connell	Maine Yankee
Gene Gwiazdowski	NEI
Stephen Albro	ATF
Robert Kidwell*	Luminant Power
Michael Fronczak	ATF

*Participated via webinar and teleconference

Enhanced Weapons, Firearms Background Checks
And Security Event Proposed Rulemaking
6/1/2011 Public Meeting Presentation Slides
NRC
Dated: June 24, 2011

Weapons Safety Assessment
6/1/2011 Public Meeting Presentation Slides
NRC
Dated: June 24, 2011

Bureau of Alcohol, Tobacco and Firearms
6/1/2011 Public Meeting Presentation Slides
NRC/ATF
Dated: June 24, 2011

Bureau of Alcohol, Tobacco and Firearms
6/1/2011 Public Meeting **Overview** Presentation Slides
NRC/ATF
Dated: June 24, 2011

Federal Bureau of Investigation
6/1/2011 Public Meeting Presentation Slides
NRC/FBI
Dated: June 24, 2011

Bureau of Alcohol, Tobacco and Firearms
6/1/2011 Public Meeting
Application Form F3 Handout
Dated: June 24, 2011

Bureau of Alcohol, Tobacco and Firearms
6/1/2011 Public Meeting
Approved Application Form F3 Handout
Dated: June 24, 2011

Bureau of Alcohol, Tobacco and Firearms
6/1/2011 Public Meeting
Application Form F4 Handout
Dated: June 24, 2011

Bureau of Alcohol, Tobacco and Firearms
6/1/2011 Public Meeting
Approved Application Form F4 Handout
Dated: June 24, 2011