

December 8, 2011

MEMORANDUM TO: Sandra Wastler, Chief  
Materials and Waste Security Branch  
Division of Security Policy  
Office of Nuclear Security and Incident Response

FROM: Susan Bagley, Senior Security Specialist /RA/  
Materials and Waste Security Branch  
Division of Security Policy  
Office of Nuclear Security and Incident Response

SUBJECT: PUBLIC MINUTES FROM CLOSED MEETING TO DISCUSS  
UNINTENDED CONSEQUENCES OF THE PROPOSED  
INDEPENDENT SPENT FUEL STORAGE INSTALLATIONS  
SECURITY RULEMAKING, NOVEMBER 16, 2011, 8:30-11 A.M.

Attendees:

Susan Bagley, NRC  
Sandra Wastler, NRC  
John Hickman, NRC  
Pat Asendorf, TVA  
Bart Starnes, Entergy  
Ron Teed, Constellation  
Monica Ray, APS  
Michael Priebe, DCP  
Felicia Duran, SNL  
Terry King, Duke  
Jana Bergman, public

Phil Brochman, NRC  
Ray Wharton, NRC  
Jerud Hanson, NEI  
Chris Kelley, Exelon  
Keith Wooten, Southern  
Nelson Martin, Dominion  
James Connell, MY  
Andy Black, Xel  
Dave Kline, NEI  
Ben Heshmatpour, DHS  
Brent Nielsen, DHS

The meeting began at 8:30 am with attendee introductions. Following introductions Ms. Bergman departed as this ended the open portion of the meeting.

The Nuclear Regulatory Commission (NRC) made comments about safeguards and classified information notes and emergency evacuation procedures. Jerud Hanson, Nuclear Energy Institute (NEI) made opening remarks and identified six areas of industry concern; threat related justification, vulnerability assessments, Emergency Preparedness impacts, financial impacts, long-term storage and Commission direction.

The minutes are not available because they are marked "Official Use Only – Security-Related Information" and are exempted from public disclosure in accordance with Title 10 of the *Code of Federal Regulations* (10 CFR) Section 2.390.

CONTACT: Susan Bagley, NSIR/DSP  
(301) 415-2240

Final remarks included a statement by Dave Kline, NEI. Speaking for the industry Dave stated that this is the wrong time and place for this effort. Work on this rulemaking is using resources detracting from the important security business going on daily within the industry. There is no need to go beyond what is already in place. Mr. Kline commented that the security requirements placed on the nuclear industry are beyond the scope of most law enforcement agencies and therefore should not be asked of a private industry. The nuclear industry is the best protected critical infrastructure sector in the United States.

Mr. James Connell, Maine Yankee raised the final issue asking NRC staff to resolve the issues of 10 CFR 73.51 and 10 CFR 73.55 as they apply to Part 50 licensees as part of or in lieu of this rulemaking.

We agreed the NEI working group would contact the NRC if they felt future meetings to clarify issues were needed.

The meeting concluded at 10:50 a.m.

cc:

S. Bagley, NSIR  
P. Brochman, NSIR  
H. Harrington, OPA  
R. Wharton NMSS  
J. Hickman, FSME  
J. Hanson, NEI

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- J. Hanson, NEI

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DATE	12/7/2011	12/08 /2011

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