

Update on Regulatory Activities Related to Security

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Introduction



- Activities
 - Generic Communications
 - Rulemaking Activities
 - Inspection Support
 - License Renewal Support
 - Cyber Security Activities
 - International Support

Generic Communications RIS 2014-14



- Information Security Requirements
 - Control of Safeguards and Sensitive Unclassified Information
 - Designation guidance
 - Marking and Storage Requirements
 - Need-to-know determinations

Generic Communications Upcoming RIS



- Emergency Plans
 - Recent Commission direction
SRM-SECY-15-0032 (ML15167A090)
 - Staff to no longer presumptively withhold
 - Review, release and withholding in accordance with 10 CFR 2.390
- Public comment period on draft RIS
 - Regulations.gov Docket ID: NRC-2015-0226

Generic Communications

RIS 2015-09



- Implementing Fingerprinting Requirements
 - Vital Areas
 - Outdated Security Plans
- Previous Orders
 - Will relax following documentation of compliance
 - Implementation still subject to future review

Rulemaking Activities

Part 73



- Previous Activities
 - Presentation on material attractiveness and Draft Regulatory Basis at the 2014 TRTR Annual Meeting
 - RTR specific public meeting September 2014
 - Final Regulatory Basis Issued (Jan 2015)
- Present Activities
 - Drafting rule language and Regulatory Guides
- Future Activities
 - Release of preliminary rule language
 - Public Meeting (March/April 2016)
 - Provide Propose Rule to Commission (Winter 2016/Spring 2017)
 - Public Outreach on Proposed Rule (TBD)
 - Issue Final Rule (TBD)

Rulemaking Activities

Part 74



- Regulations.gov Docket ID: NRC-2009-0096
- Proposed rule and guidance published (78 FR 67224 and 67225 , November 8, 2013)
- Two public meetings and webinar format conducted on January 9 and February 5, 2014
- 122-day public comment period ended March 10, 2014
- 25 comment letters received, posted on Regulations.gov regarding the draft rule and guidance documents
- Draft final rule package awaiting approvals
- Expect final rule to be published late 2015

Part 37 Activities

- Review
 - 10 CFR 37.11(b) exemption
 - Possible differences between Part 37 and Part 73
 - Access authorization for unescorted access
 - Verify trustworthy and reliability checks
 - Monitoring and detection capability for theft or attempted theft
- Inspections
 - Ongoing at other facilities
 - Lessons learned to be applied to RTRs
- Evaluating
 - Facilities impacted
 - Regulatory jurisdiction

Transportation Security



- 10 CFR 73.38, Irradiated Fuel in Transit
- Background check requirements are different from unescorted access
 - Credit check and 10-year reinvestigation
- Exception in 10 CFR 73.38(c)(2)(iv)
 - Comparable program (e.g. unescorted access)
 - Investigation in previous 5 years

Posting Requirements



- 10 CFR 73.81 Criminal Penalties
 - “No person without authorization may carry, transport, or otherwise introduce [...] any dangerous weapon [...] upon a protected facility or installation [...]”
- 10 CFR 73.75 Posting Requirements
 - The willful unauthorized introduction of any dangerous weapon, explosive, or other dangerous instrument or material likely to produce substantial injury or damage to persons or property into or upon these premises is a Federal crime. (42 U.S.C. 2278a.)

Posting Requirements



- 10 CFR 73.81 Criminal Penalties
 - “No person without authorization may carry, transport, or otherwise introduce [...] any dangerous weapon [...] upon a protected facility or installation [...]”
- 10 CFR 73.75 Posting Requirements
 - **Notwithstanding (State Govt. Code § ###),** the willful unauthorized introduction of any dangerous weapon, explosive, or other dangerous instrument or material likely to produce substantial injury or damage to persons or property into or upon these premises is a Federal crime. (42 U.S.C. 2278a.)

Questions??