

August 29, 2016

Mr. David R. Kline
Director, Nuclear Security
Nuclear Energy Institute
1201 F Street, NW, Suite 1100
Washington, DC 20004

SUBJECT: REQUEST FOR ENDORSEMENT OF NEI 16-01, "INDEPENDENT SPENT FUEL STORAGE INSTALLATION SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, AND SAFEGUARDS CONTINGENCY PLAN" TEMPLATE

Dear Mr. Kline:

On February 25, 2016, the Nuclear Energy Institute (NEI) submitted a letter to the U.S. Nuclear Regulatory Commission (NRC) on behalf of the nuclear energy industry containing a security plan template NEI 16-01, "Independent Spent Fuel Storage Installation Security Plan, Training and Qualification Plan, and Safeguards Contingency Plan, Revision 0" (Agencywide Documents Access and Management System Accession No. ML16061A175) that is consistent with the power reactor document, NEI 03-12, "Template for the Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, [and Independent Spent Fuel Storage Installation Security Program]. Your letter requested endorsement for the use of the security plan template NEI 16-01 for stand-alone Independent Spent Fuel Storage Installations (ISFSI).

The staff has completed a preliminary review of the document and determined it appears to use the current version of the NEI 03-12 security plan template for power reactors with certain deletions and additions to address a stand-alone ISFSI. Staff has identified a number of quality and content issues in the template that has led the staff to conclude that continued review is not a responsible use of staff resources. For instance, in several locations, NEI 16-01 attempts to establish policy for ISFSIs, which is beyond the purview for a document of this nature. The document also references sections that are not found in the template, as well as commits the licensees using the template to certain security measures that are not consistently implemented at ISFSI facilities.

Staff review of ISFSI security licensing actions is still focused on the applicable security regulations and orders. A general licensed stand-alone ISFSI licensee submitting an ISFSI physical security plan (PSP) must describe how its security program meets the requirements of Title 10 of the *Code of Federal Regulations* (10 CFR) 73.55 with conditions and exceptions pursuant to 10 CFR 72.212(b), and the ISFSI additional security measures (ASMs) imposed by NRC order. A specific licensed stand-alone licensee submitting an ISFSI PSP must describe how its security program meets the requirements of 10 CFR 73.51 and the ISFSI ASMs imposed by NRC order.

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The NRC encourages licensees to use consistent formats when developing PSPs to promote efficiency for both industry and staff in this era of constrained resources; however, staff has terminated its review of NEI 16-01 due to quality and content issues discussed above.

Should you wish to address these issues identified above, feel free to resubmit this document, NEI 16-01. If you choose to resubmit this document, please address the NRC fees required for this type of review as included in 10 CFR 170.11.

Should you or your staff have any questions, please contact Vince Williams at 301-287-3694 or email Vince.Williams@nrc.gov.

Sincerely,

/RA/

Melanie A. Galloway, Director
Division of Security Policy
Office of Nuclear Security and Incident Response

D. Kline

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The NRC encourages licensees to use consistent formats when developing PSPs to promote efficiency for both industry and staff in this era of constrained resources; however, staff has terminated its review of NEI 16-01 due to quality and content issues discussed above.

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/RA/

Melanie A. Galloway, Director
Division of Security Policy
Office of Nuclear Security and Incident Response

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