



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

June 25, 2019

MEMORANDUM TO: Darryl Parsons, Chief
Information Security Branch
Division of Security Operations
Office of Nuclear Security and Incident Response

FROM: Todd Keene, Technical Assistant **/RA**
Division of Security Operations
Office of Nuclear Security and Incident Response

SUBJECT: PUBLIC MEETING SUMMARY – NRC COMMENTS ON NEI 18-11,
“MAINTAINING 10 CFR PART 95 FACILITY CLEARANCES FOR
VOLUNTARY PROGRAM PARTICIPANTS”

On May 29, 2019, a Category 2 public meeting was held between the U.S. Nuclear Regulatory Commission (NRC) staff, utility groups, and other stakeholders at NRC headquarters, One White Flint North, 11555 Rockville Pike, Rockville, MD 20852. The NRC staff discussed comments identified during the review of Nuclear Energy Institute (NEI) 18-11, "Maintaining 10 CFR Part 95 Facility Clearances for Voluntary Program Participants." The public meeting notice¹ was issued on May 10, 2019, and was posted on the NRC's external (public) web page.

There was one representative from NEI and three NRC staff members in attendance locally and 18 attendees on the teleconference bridge-line. The list of attendees that provided their names is included in the attached enclosure.

NRC staff members from the Office of Nuclear Security and Incident Response (NSIR) Division of Security Operations, Information Security Branch (DSO/ISB) provided a presentation² that summarized the staff's comments on the draft document, NEI 18-11.

The purpose of the meeting was to allow a question and answer discussion with industry representatives in a public forum to ensure: the NRC's comments were valid; industry representatives, including NEI, understood the comments; and to identify a path forward regarding NEI 18-11.

CONTACT: Douglas Hase, NSIR/DSO/ISB
(301) 287-0726

¹ ADAMS Accession No. ML19148A599

² ADAMS Accession No. ML19148A541

A summary of the NRC staff comments is provided below:

- NSIR staff recommended clarifying the scope of NEI 18-11. Operating reactors are the only anticipated class of licensees that will participate in the voluntary program.
- NSIR staff noted that Part 95.17 of Title 10 of the *Code of Federal Regulations* (10 CFR) lists the requirement for a licensee to notify the NRC (as the cognizant security agency (CSA)) if there are significant changes that may affect its status concerning foreign ownership, control, or influence. The staff reminded NEI that the NRC, as the CSA, has the responsibility to evaluate changes, and that there are variables, such which country is involved, that may influence the significance of the change.
- NRC staff provided some recommended changes to NEI 18-11 to reflect new policy and new NRC form (NRC form 405F) to identify key management personnel.

Attendees were reminded during the meeting that although their questions and comments were discussed with the staff, no policy decisions would be made at the meeting.

Enclosures:

1. Attendee List

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Bill Gross – wrg@nei.org

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OFFICE	NSIR/DSO/TA	NSIR/DSO/ISB
NAME	TKeene	DHase
DATE	06/20/2019	06/21/2019

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