

U.S. Nuclear Regulatory Commission Public Meeting Summary

July 10, 2019

Title: Meeting with Stakeholders to Discuss the Status of the Independent Spent Fuel Storage Installation (ISFSI) Security Requirements Rulemaking

Meeting Identifier: 20190692

Date: July 10, 2019

Location: U.S. Nuclear Regulatory Commission
Three White Flint North, 3WFN-1C03
11601 Landsdown Street
North Bethesda, MD 20852

Category: Category 3 meeting

Purpose of the Meeting: The purpose of this meeting was to discuss the status of the proposed rulemaking on ISFSI security requirements and consideration for potential discontinuation.

General Details: The meeting was attended by a total of 52 individuals, including industry representatives, members of the public, and NRC staff. Thirty-six individuals participated by Webinar or teleconference.

Summary of Presentations: The meeting slides are available in the Agencywide Document Access and Management System (ADAMS) package under Accession No. ML19190A076. The NRC staff provided background on the rulemaking, discussed potential options for implementing the most recent Commission direction, the preliminary cost analysis for the options, and planned next steps. Then the NRC staff opened the discussion for stakeholder input on the option of discontinuing the ISFSI security requirements rulemaking activity with the exclusive scope of codifying the post-9/11 ISFSI security orders. The NRC staff also solicited for stakeholder input on whether the NRC should issue guidance relating to ISFSI security requirements.

Summary of Public Feedback: The NRC received two comments during the meeting. One commenter questioned the reason why the NRC was not continuing the rulemaking as presented in the 2009 draft regulatory basis (74 *Federal Register* (FR) 66589) (ADAMS Accession No. ML093280743). This commenter also questioned if the NRC staff still support conclusions in the 2009 draft regulatory basis regarding overall facility vulnerability. The NRC staff indicated that assessments have generally concluded that current ISFSI security requirements provide adequate protection of public health and safety. The NRC staff did not provide further details of the assessments during this public meeting due to the sensitive nature of the information. In addition to the staff's response during the public meeting, the staff notes that it has previously concluded in COMSECY-15-0024, "Proposed Rulemaking on Security Requirements for Facilities Storing Spent Nuclear Fuel and High-Level Radioactive Waste," dated September 11, 2015 (ADAMS Accession No. ML15229A231) that the existing security requirements for ISFSIs and the additional post-9/11 security orders are adequate. That COMSECY also noted that triennial security inspections for ISFSIs ensure compliance with all

current requirements. The COMSECY identified several potential factors that would potentially highlight a need for further review of ISFSI security requirements. The staff has not observed a change in external factors that would warrant additional changes to the existing security requirements for ISFSIs.

Another commenter agreed with the option to discontinue this rulemaking activity, based on the costs involved for both the industry and the NRC. This commenter also indicated that, for efficiency, guidance on ISFSI security requirements could be considered as part of guidance development under the ongoing rulemaking associated with SECY-18-0055, "Proposed Rule: Regulatory Improvements for Production and Utilization Facilities Transitioning to Decommissioning," dated May 7, 2018 (ADAMS Accession No. ML18012A021), rather than as a standalone document.

Action Items/Next Steps: Staff will develop a SECY paper to the Commission with options and recommendation on the path forward for the ISFSI security requirements rulemaking, with consideration of public input.

Attachments:

- Meeting notice and agenda – ML19183A159
- NRC staff presentations – ML19190A076

Accession Nos.:

Package ML19167A001; Notice ML19183A159; Summary ML19198A014; NRC Presentations ML19190A076

OFFICE	NMSS/DRM/ MRPB/PM	NSIR/DPCP/ MWSB/PM	NMSS/DRM/ MRPB/RS	NMSS/DPCP/ MWSB/BC	NMSS/DRM/ MRPB/BC
NAME	ACarrera	DWhite	ALoveBlair	ARivera	JCai
DATE	7/16/19	7/17/19	7/19/19	7/26/19	7/25/19

OFFICIAL RECORD COPY

MEETING ATTENDANCE

PUBLIC MEETING TO DISCUSS THE STATUS OF THE PROPOSED RULEMAKING ON ISFSI SECURITY REQUIREMENTS AND CONSIDERATION FOR POTENTIAL DISCONTINUATION

U.S. NUCLEAR REGULATORY COMMISSION
THREE WHITE FLINT NORTH, 3WFN-01C03
11601 LANDSDOWN STREET
NORTH BETHESDA, MD 20852

July 10, 2019, 1:00 PM to 3:00 PM

Meeting Attendee	Affiliation
Andrew Carrera	Nuclear Regulatory Commission (NRC)
George Smith	NRC
Gary Purdy	NRC
Jim Maltese	NRC
Shana Helton	NRC
Ray Wharton	NRC
Mark Lombard	NRC
Russell Allwein	NRC
Fred Schofer	NRC
Tony Gomez	NRC
Cindy Bladey	NRC
June Cai	NRC
Patricia Holahan	NRC
Duane White	NRC
Angella Love Blair	NRC
Doug Gardner	NRC
Gene Bonano	NRC
Janelle Jessie	NRC
Thomas Hartman	NRC
Alan Anderson	NRC
Cynthia Jones	NRC
Jana Bergman	Curtiss-Wright Corporation
Rodney McCullum	Nuclear Energy Institute
Randall Granaas	San Onofre Nuclear Generating Station Fuel Southern California Edison
Trevor Marks	Pacific Gas and Electric Company

Walter Fulton	South Texas Project Electric Generating Station
Kevin Deyette	NuScale Power
Mike Wright	Pacific Gas and Electric Company
Tom Tramm	Certrec Corporation
Clay Channell	Southern Nuclear Company
Gus Zepda	Pacific Gas and Electric Company
Terri Sforza	South Carolina National Guard
Larry Nicholson	Certrec Corporation
Sam Durbin	Sandia National Laboratory
Jack Wheeler	Department of Energy
John Schwertfeger	NextEra Energy, Inc.
Edwin Lyman	Union of Concerned Scientists
Keith Waldrop	Electric Power Research Institute
Lucas Wessel	Southern Nuclear Company
Shawn Magaro	Exelon Corporation
Dave Berkenpas	Entergy Company
Dan Criswell	Dominion Energy
Veronica Cornell	Pacific Gas and Electric Company
Theresa Fredianelli	San Onofre Nuclear Generating Station Fuel Southern California Edison
Laura Schwartz	International Technology and Trade Associates, Inc.
Chris Scheidmiller	Exchange Monitor
Matthew Widener	Duke Energy Company
Carlyn Greene	UxC, LLC.
William Zipp	Dominion Energy
Steven Dolley	SP Global
Kenneth Weith	Wolf Creek Nuclear Operating Corporation
Robert Sweeney	IBEX Engineering Services, Inc.