

NOTATION VOTE

RESPONSE SHEET

TO: Annette Vietti-Cook, Secretary

FROM: Commissioner Baran

SUBJECT: SECY-17-0095: REVIEW AND APPROVAL OF
PROPOSED REVISION TO REGULATION GUIDE 5.77
"INSIDER MITIGATION PROGRAM"

Approved Disapproved Abstain Not Participating

COMMENTS: Below Attached None

Entered in "STARS"

Yes

No



SIGNATURE

11/29/17

DATE

**Commissioner Baran's Comments on SECY-17-0095,
"Review and Approval of Proposed Revision to Regulatory Guide 5.77,
'Insider Mitigation Program'"**

In this paper, the NRC staff seeks Commission approval to issue Revision 1 to Regulatory Guide 5.77, which describes an approach that the NRC considers acceptable for use by licensees in implementing an insider mitigation program. This update to the current version of the Reg Guide is based on lessons learned from several years of inspections and operating experience, as well as the staff's determination that clarifications to this guidance would be beneficial. The new version of the Reg Guide provides additional detail on elements of fitness for duty and cybersecurity programs that could be incorporated into a licensee's insider mitigation program. Like all regulatory guidance, Revision 1 does not establish any new regulatory requirements. Furthermore, the staff is not withdrawing Revision 0, which will continue to represent an acceptable approach to implementing NRC's regulatory requirements. The Committee to Review Generic Requirements reviewed the Reg Guide at the Commission's direction and endorsed its issuance. In addition, the NRC staff vetted the new version of the Reg Guide with industry stakeholders and the Union of Concerned Scientists during several closed meetings. For these reasons, I approve issuance of Revision 1 to Regulatory Guide 5.77.