

DAVID YOUNG

Senior Technical Advisor, Nuclear Security and Incident Preparedness

1201 F Street, NW, Suite 1100
Washington, DC 20004
P: 202.739.8127
dly@nei.org
nei.org



October 29, 2021

Ms. Sabrina Atack
Director (Acting), Division of Physical and Cyber Security Policy
Office of Nuclear Security and Incident Response
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Draft D of NEI 20-05, "Methodological Approach and Considerations for a Technical Analysis to Demonstrate Compliance with the Eligibility Criteria of 10 CFR 73.55(a)(7)"

Dear Ms. Atack:

On October 19, 2021, the Nuclear Energy Institute (NEI)¹ and several of our members participated in a U.S. Nuclear Regulatory Commission (NRC) public meeting to discuss the latest preliminary proposed language for the Alternative Physical Security Requirements for Advanced Reactors (APSRAR) Rule. During that meeting, discussions also took place concerning the subject document that NEI was developing to provide guidance to applicants performing an analysis to demonstrate compliance with the eligibility criteria related to the alternative physical security requirements. As outlined in previous public meetings, NEI was preparing NEI 20-05 to support the development, publication, and implementation of the APSRAR Rule. Revision D of the document has been under review by the NRC staff since May of this year.

As a result of the public discussion on October 19, 2021, NEI believes that since the rule language continues to evolve, it is likely more efficient for the NRC staff to write the guidance, and request comment from the public and the industry during its development. Therefore, NEI requests the NRC staff to cease its review of Draft D of NEI 20-05. NEI and the industry stand ready to participate in future public meetings on the guidance and will provide comments on the completed draft guidance during the public comment period for the proposed APSRAR Rule.

¹ The Nuclear Energy Institute (NEI) is the organization responsible for establishing unified industry policy on matters affecting its members, including the regulatory aspects of generic operational and technical issues. NEI's members include entities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel cycle facilities, suppliers and nuclear materials licensees, nuclear medicine and radiopharmaceutical companies, companies using nuclear technologies in the agricultural, food, and industrial sectors, universities and research laboratories, law firms, labor unions, and international electric utilities.

Ms. Sabrina Atack
October 29, 2021
Page 2

Should you require additional information, please contact me at (202) 739-8127 or dly@nei.org.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Young", with a long horizontal flourish extending to the right.

David L. Young

c: Mr. Dennis Andrukat, NMSS/REFS/RRPB, NRC