



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

October 6, 2022

Jeffery A. Geuther, PhD
Chairman
National Organization of Test
Research, and Training Reactors
104 Breazeal Nuclear Reactor
University Park, PA 16802

SUBJECT: RESPONSE TO TEST, RESEARCH AND TRAINING REACTORS LETTER, J. GEUTHER TO M. GAVRILAS, "FEEDBACK ON APRIL 19, MAY 24, AND JUNE 1, 2022, PUBLIC MEETINGS ON OPTIONS FOR POTENTIAL CODIFICATION OF POST-SEPTEMBER 11, 2001, SECURITY REQUIREMENTS ISSUED TO NRC LICENSEES"

Dear Dr. Geuther:

Thank you for your June 30, 2022, letter (Agencywide Documents Access and Management System Accession No. ML22245A041), regarding the U.S. Nuclear Regulatory Commission (NRC) staff's development of a notation vote paper as directed by the Commission in Staff Requirements Memorandum (SRM) SECY-21-0095, "Discontinuation of Rulemaking – Enhanced Security of Special Nuclear Material," dated August 4, 2021 (ML21217A065). In this SRM, the Commission directed the staff to provide a "full range of options" regarding "the scope of the rule and the potential regulatory, resource, and timing impacts of those options."

As we conveyed during public meetings on April 19, 2022, and June 1, 2022, the staff agrees that the existing regulatory framework currently provides reasonable assurance of adequate protection for all our licensees. The staff plans to present options to the Commission addressing topics that emerged since publication of the 2015 regulatory basis document "Rulemaking for Enhanced Security of Special Nuclear Material" (ML14321A007). Among those topics are the sufficiency of the existing framework for proposed advanced reactor fuels, specifically those using high assay low-enriched uranium, and the consideration of requirements for spent nuclear fuel.

The April and June public meetings were largely intended to identify additional information that the staff should consider in developing options in response to the Commission's SRM. The staff recognizes the importance of Section 104(c) of the Atomic Energy Act of 1954, as amended, and is exploring alternatives that minimize the regulatory impacts of any proposed options on the research and test reactor community.

We have benefitted from your and other external stakeholders' perspectives, including those raised in your 2014-2015 comments and your June 30, 2022, letter, and we welcome continuing dialogue regarding the options that the NRC staff will put forward to the Commission. If the

Commission directs the staff to proceed on a rulemaking path, the staff looks forward to working with you and other stakeholders more closely during that phase of the rulemaking process.

Sincerely,



Signed by Gavrilas, Mirela
on 10/06/22

Mirela Gavrilas, PhD
Director of the Office of Nuclear Security
and Incident Response

Response to TRTR letter, J. Guether to M. Gavrilas, Feedback on April 19, May 24, and June 1, 2022, Public Meetings on Options for Potential Codification of Post-September 11, 2001, Security Requirements Issued to NRC Licensees DATE October 6, 2022

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