



CHIEF FINANCIAL
OFFICER

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

November 24, 2025

Michael Whitlock, Director
Security & Incident Preparedness
Nuclear Energy Institute
1201 F Street NW, Suite 1100
Washington, DC 20004

SUBJECT: RESPONSE TO THE NUCLEAR ENERGY INSTITUTE'S REQUEST FOR A
FEE EXEMPTION FOR NRC REVIEW OF NEI 11-02, "RESOLVING FORCE-
ON-FORCE EXERCISE SCENARIO ISSUES," REVISION 1

Dear Mr. Whitlock:

On behalf of the U.S. Nuclear Regulatory Commission (NRC), I am responding to your letter dated May 21, 2025, (Agencywide Documents Access and Management System (ADAMS) Accession No. ML25141A232), requesting a fee exemption under Title 10 of the *Code of Federal Regulations* (10 CFR) 170.11(a)(1)(ii) for the NRC's review and endorsement of Nuclear Energy Institute (NEI) 11-02, "Resolving Force-on-Force Exercise Scenario Issues," Revision 1. Based on the following analysis, I am granting your request. This fee exemption is only applicable to Revision 1 and does not apply to the NRC's review of future revisions of NEI 11-02.

The NRC has established regulations for the granting of fee exemptions under 10 CFR 170.11, "Exemptions." An interested person may apply for an exemption under 10 CFR 170.11 in accordance with 10 CFR 170.5, "Communications."¹ The NRC staff reviewed your request based on the regulations in 10 CFR 170.11(a)(1)(ii) and 10 CFR 170.11(d).

Section 170.11(a)(1)(ii) states:

No application fees, license fees, renewal fees, inspection fees, or special project fees shall be required for: (1) A special project that is a request/report submitted to the NRC— . . . (ii) When the NRC, at the time the request/report is submitted, plans to use the information to assist the NRC in generic regulatory improvements or efforts (e.g., rules, regulatory guides, regulations, policy statements, generic letters, or bulletins).

¹ 10 CFR 170.5 provides that "All communications concerning the regulations in this part should be addressed to the NRC's Chief Financial Officer, either by mail to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001; by hand delivery to the NRC's offices at 11555 Rockville Pike, Rockville, Maryland; or, where practicable, by electronic submission, for example, via Electronic Information Exchange, or CD-ROM."

Section 170.11(d) states:

All fee exemption requests must be submitted in writing to the Chief Financial Officer in accordance with § 170.5, and the Chief Financial Officer will grant or deny such requests in writing.

In your letter, you state that NEI 11-02, Revision 1, provides a standardized process for resolving scenario issues that arise during Force-on-Force (FOF) exercises, as well as for addressing potential issues outside of FOF inspections. In addition, you state that NEI 11-02, Revision 1 will enhance regulatory consistency, clarity in inspection practices, and efficiency. Finally, you state that the endorsement of NEI 11-02 will directly assist the NRC in achieving generic regulatory improvements by providing a uniform framework for resolving FOF scenario issues, facilitating consistent exercise execution across licensees, reducing regulatory uncertainty, and enhancing the overall effectiveness and efficiency of the NRC's security inspection program.

On May 21, 2025, NEI submitted NEI 11-02, Revision 1, for NRC review and endorsement (ML25141A229). Previously the NRC determined that NEI 11-02, Revision 0, dated January 5, 2012 (ML120060312), was acceptable for use by licensees. Revision 1 incorporates recommendations and additional clarifications to enhance the transparency and consistency of the FOF exercise processes. The title was also changed from "Change Management Plan – Evaluated Force-on-Force Exercises" to "Resolving Force-on-Force Exercise Scenario Issues" to better reflect the document's focus on issue resolution processes. Further, Revision 1 was developed collaboratively with extensive engagement between NEI, industry stakeholders, and the NRC staff.

Therefore, I am granting your request for a fee exemption under 10 CFR 170.11(a)(1)(ii) for the NRC's review of NEI 11-02, Revision 1, because this revision will assist the NRC with generic regulatory improvements or efforts related to FOF exercises. As previously stated, this approval is not applicable to any future revisions of NEI 11-02. If NEI submits future revisions for review, NEI may submit a fee exemption request for the endorsement review at that time. Consistent with its regulations, the NRC will evaluate a fee exemption request for NRC review of a document at the time such document is submitted to the NRC for review.

If you have any technical questions regarding this matter, please contact Becca Lagios at 301-415-3301. Please contact Billy Blaney, of my staff, at 301-415-5092 for any fee-related questions.

Sincerely,



Signed by Carroll, Christopher
on 11/24/25

Christopher D. Carroll
Acting Chief Financial Officer

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