RULEMAKING ISSUE
(Notation Vote)

August 2, 2022 SECY-22-0072

FOR: The Commissioners

FROM: Daniel H. Dorman
Executive Director for Operations

SUBJECT: PROPOSED RULE: ALTERNATIVE PHYSICAL SECURITY REQUIREMENTS FOR ADVANCED REACTORS (RIN 3150-AK19)

PURPOSE:

The purpose of this paper is to obtain Commission approval to publish in the *Federal Register* for public comment the enclosed draft proposed rule (Enclosure 1) to establish voluntary alternative physical security requirements for advanced reactors.

SUMMARY:

The U.S. Nuclear Regulatory Commission (NRC) staff is proposing amendments to Part 73 of Title 10 of the *Code of Federal Regulations* (10 CFR), "Physical Protection of Plants and Materials," and 10 CFR Part 50, "Domestic Licensing of Production and Utilization Facilities." This paper provides the staff's recommended draft proposed rule for revising the regulations, primarily 10 CFR 73.55, "Requirements for physical protection of licensed activities in nuclear power reactors against radiological sabotage," to offer voluntary performance-based alternatives for meeting certain physical security requirements for advanced reactors. In the context of this proposed rulemaking, advanced reactors include non-light-water reactors (non-LWRs) and light-water small modular reactors (SMRs) to be licensed under 10 CFR Part 50 or 10 CFR Part 52, "Licenses, Certifications, and Approvals for Nuclear Power Plants." Applicants and licensees for these facilities that meet the proposed radiological consequence-based eligibility

CONTACTS: Dennis Andrukat, NMSS/REFS/RRPB
301-415-3561

Beth Reed, NRR/DANU/UARP
301-415-2130

Enclosures 5 and 8 transmitted herewith contain Official Use Only – Security-Related Information and Official Use Only – Sensitive Internal Information, respectively. When separated from Enclosures 5 and 8, this transmittal document is decontrolled.

criterion would have the option to consider implementing one or more of these alternatives rather than complying with certain existing prescriptive physical security requirements under 10 CFR 73.55.

BACKGROUND:

The physical security framework applicable to operating large LWRs is designed to protect against the design basis threat (DBT) of radiological sabotage. This is achieved by preventing significant core damage and spent fuel sabotage. The NRC has established two DBTs in 10 CFR 73.1, "Purpose and scope": the DBT for radiological sabotage and the DBT of theft or diversion of formula quantities of strategic special nuclear material. The Commission-approved DBTs are based on realistic assessments of the tactics, techniques, and procedures used by international and domestic terrorist groups and organizations. They describe the threat and adversary force that licensees can reasonably be expected to protect against. Commercial nuclear power reactors subject to the existing physical security requirements under 10 CFR 73.55 are only required to protect against the DBT for radiological sabotage. Advanced reactors licensed under 10 CFR Part 50 or 10 CFR Part 52 would also only be subject to the DBT for radiological sabotage and the security requirements in 10 CFR 73.55.

The staff drafted the proposed rule with the understanding that advanced reactors licensed under 10 CFR Part 50 or 10 CFR Part 52 would be subject to the triennial, graded force-on-force exercises that the NRC conducts pursuant to Section 170D of the Atomic Energy Act of 1954, as amended. Force-on-force exercises are a critical, performance-based tool that the NRC uses to assess the ability of licensed power reactor facilities to defend against the DBT. In addition, the proposed rule specifies, under proposed 10 CFR 73.55(s)(2)(ii)(B)(*2*), that licensees would not be exempt from Appendix B to 10 CFR Part 73, Section VI.C.3, regarding Performance Evaluation Programs. The staff recognizes that, if approved, the proposed alternative physical security requirements that would allow a licensee to reduce or eliminate its number of onsite armed responders would have implications for the conduct of force-on-force exercises. The staff anticipates that if the proposed rule is approved, some modifications to the NRC's force-on-force inspection program may be necessary to facilitate a licensee conducting such an exercise. A modified force-on-force exercise would enable the NRC to evaluate the effectiveness of plant security programs that are designed to rely upon offsite armed responders, particularly law enforcement responders, to carry out the interdiction and neutralization functions under the licensees' safeguards contingency plans.

The staff gained insights about physical security requirements for advanced reactors from various interactions with stakeholders, as discussed in several papers to the Commission between 2010 and 2018 and in the enclosed *Federal Register* notice. In December 2016, the Nuclear Energy Institute (NEI) submitted a white paper to the NRC, "Proposed Physical Security Requirements for Advanced Reactor Technologies" (Agencywide Documents Access and Management System (ADAMS) Accession No. ML17026A474), proposing alternative physical security requirements for advanced reactors. The NEI white paper suggested consequence-oriented criteria for determining when an advanced reactor design would be a candidate for these alternative requirements.

These interactions highlighted that the designs and behavior in response to transients and accidents of many advanced reactors are anticipated to differ significantly from those of large LWRs. Based on interactions with advanced reactor developers, the staff understands that

some advanced reactor designs will include attributes that could result in smaller and slower releases of fission products following the loss of certain safety functions when compared to operating large LWRs. This can be attributed to having smaller power outputs and a correspondingly smaller inventory of fission products available for potential release, and broader incorporation of simplified, inherent, and/or passive design features. Accordingly, these advanced reactor designs may warrant alternatives for meeting the existing physical security requirements in 10 CFR 73.55 to reflect the differences in their designs. These alternative requirements should be commensurate with the risks posed by the advanced reactor technology.

Based in part on these interactions, in November 2017 the NRC staff developed a "Draft White Paper on Potential Changes to Physical Security Requirements for Small Modular and Advanced Reactors" (ADAMS Accession No. ML17333A524). The staff discussed this paper during a public meeting on December 13, 2017 (ADAMS Accession No. ML17354B266). The staff's paper described the possibility of developing alternatives to the existing physical security requirements that would be applicable to advanced reactors licensed under 10 CFR Part 50 or 10 CFR Part 52. The paper set forth four options with the pros and cons of each.

Under one of the options, the paper noted that staff would interact with stakeholders to identify specific requirements within existing regulations that contribute significantly to capital or operating costs but may play a diminished role in providing physical security for SMRs and non-LWRs. The paper provided a possible example of this option described in the 2016 NEI white paper, which suggested an assessment and associated criteria for an alternative to the prescribed minimum number of armed responders currently defined in 10 CFR 73.55(k), "Response requirements." The paper estimated the current requirement adds approximately $5 million per year to the operating costs of a commercial nuclear power reactor. Design attributes of SMRs and non-LWRs may justify less reliance on human actions such as those provided by armed responders during attempts to steal special nuclear material or sabotage a plant.

Commission Direction

On August 1, 2018, the staff submitted SECY-18-0076, "Options and Recommendation for Physical Security for Advanced Reactors" (ADAMS Accession No. ML18170A051) to the Commission. SECY-18-0076 provided the Commission with the four options from the draft staff white paper and recommended that the Commission proceed with a limited-scope rulemaking.

In a staff requirements memorandum (SRM) dated November 19, 2018 (ADAMS Accession No. ML18324A478), the Commission approved the staff's recommendation to proceed with a limited-scope revision of regulations and guidance while retaining the current overall physical security framework in 10 CFR 73.55. These revisions would provide specific alternative physical security requirements and guidance that could be used by applicable advanced reactor applicants and licensees. The Commission also approved the staff's plan to interact with stakeholders to identify specific requirements within existing regulations that would play a diminished role in providing physical security for advanced reactors while at the same time contributing significantly to capital and operating costs. Finally, the Commission directed the staff to employ the use of exemptions, as needed, until the final rule is implemented.

Regulatory Basis

Following the Commission's direction on the rulemaking plan, the staff prepared a regulatory basis document to further frame the proposed rulemaking to develop specific physical security alternatives. On July 16, 2019, the NRC published a *Federal Register* notice (84 FR 33861) that made the regulatory basis document available for public comment. The NRC received nine comment submissions with a total of 40 comments. The staff considered the comments in development of this proposed rule.

DISCUSSION:

The staff has determined that it is reasonable to establish alternative physical security requirements for advanced reactors because some designs are likely to possess simplified, inherent, and passive design features and attributes that could result in smaller and slower releases of radionuclides following the loss of certain safety functions. In accordance with the rulemaking plan approved by the Commission in SRM-SECY-18-0076, this rulemaking would retain the current overall framework for security requirements in 10 CFR 73.55 while providing alternatives to specific regulations and guidance related to physical security for advanced reactors. The language in the rulemaking plan related to retaining the overall security framework guided the staff's thinking and focused the options pursued by the staff in the development of the alternative physical security requirements presented in this proposed rule, as discussed in more detail later in this paper.

This limited-scope rulemaking would provide a clear set of alternative performance-based requirements for physical security of advanced reactors that would reduce the need for requests for alternative measures from holders of licenses or for exemptions from current physical security requirements when entities apply for a license. This rulemaking would provide additional benefits for advanced reactor applicants by establishing greater regulatory stability, predictability, and clarity in the licensing process.

The NRC engaged with stakeholders throughout the development of the proposed rule by holding 11 public meetings, issuing 3 versions of preliminary proposed rule language, and requesting public feedback. These interactions also included discussions on the draft implementation guidance. Details of the staff's engagement with stakeholders can be found in the enclosed *Federal Register* notice.

The proposed rule would establish certain alternative physical security requirements available to those advanced reactor applicants and licensees who meet the proposed eligibility criterion. The proposed eligibility criterion would require that an applicant or licensee demonstrate that the consequences of a postulated radiological release that results from a postulated security-initiated event do not exceed the offsite dose reference values defined in 10 CFR 50.34(a)(1)(ii)(D) and 10 CFR 52.79(a)(1)(vi). These values are the radiological consequence evaluation factors currently used to evaluate the acceptability of a proposed commercial nuclear power reactor site. As such, applicants and licensees that can demonstrate through technical analysis that the consequences from a security event at their facility would be below these factors will have simultaneously demonstrated that such designs provide assurance of low risk of public exposure to radiation, in the event of a security event. Recognizing this inherent safety and security, this proposed rule would add a new technology-inclusive requirement for advanced reactors to protect against the DBT of radiological sabotage. This new provision

would require that an advanced reactor licensee's physical protection program be designed to prevent a significant release of radionuclides from any source. This proposed change is reflected in the proposed rule in several revised provisions within 10 CFR 73.55.

Based on the reduced radiological risk to public health and safety of facilities meeting these factors and interactions with stakeholders, the staff is also proposing that this limited-scope rulemaking include alternative security requirements specifically related to the:

(1) minimum number of onsite armed responders;
(2) reliance on law enforcement or offsite armed responders to fulfill interdiction and neutralization functions;
(3) use of means other than physical barriers to accomplish delay and access control functions;
(4) location of the secondary alarm station; and
(5) designation of vital areas for the secondary alarm station and its secondary power supply.

The first proposed alternative physical security requirement would permit a licensee to be relieved from the current requirement for the minimum number of armed responders in 10 CFR 73.55(k)(5)(ii). Under this proposal, a licensee would be permitted to design a physical protection program that could potentially have fewer than 10 onsite armed responders, including having no onsite armed responders, if appropriate.

The second proposed alternative physical security requirement involves a novel approach that would enable licensees to rely on law enforcement (local, State, or Federal) or other offsite armed responders (e.g., licensee proprietary or contract security personnel who are positioned offsite), rather than using armed onsite licensee security personnel, to fulfill the interdiction and neutralization capabilities required by 10 CFR 73.55(b)(3)(i). The existing regulatory framework requires that a licensee be able to detect, assess, interdict, and neutralize threats up to and including the DBT of radiological sabotage. Relieving a licensee of any of these responsibilities would be inconsistent with the existing regulatory framework in 10 CFR 73.55 and therefore outside the scope of this rulemaking. Under the proposed rule a licensee would retain the responsibility to detect, assess, interdict, and neutralize threats up to and including the DBT of radiological sabotage, but would be able to rely on law enforcement or other offsite armed responders as a method for fulfilling the required interdiction and neutralization capabilities. For licensees that choose to rely on law enforcement to fulfill these capabilities, the proposed rule would not create any NRC regulatory jurisdiction over, or requirements for, law enforcement.

This approach is an extension of the current Commission position regarding the role of law enforcement in a licensee's protective strategy and may create challenges that do not exist when licensee personnel perform the interdiction and neutralization capabilities. These challenges may include law enforcement's limited knowledge of the facility and its response procedures, law enforcement's limited knowledge of the characteristics and capabilities of the DBT adversary, and the licensee's limited ability to influence law enforcement's decisions. To address these challenges, the staff is proposing to establish requirements in 10 CFR 73.55(s)(2)(ii)(A)(*1*) through (*5*) that cover the entire spectrum of contingency response activities, from coordination and planning, to training and practicing, to fully facilitating a response by law enforcement to a real-world, security-initiated event. For example, licensees implementing this alternative would be required to make available appropriate and recurring

licensee-provided training for law enforcement responders in the environments in which law enforcement would be expected to provide assistance, including against a mock adversary with the characteristics and capabilities of the DBT.

The proposed requirements would also require that licensees develop suitable compensatory measures that take into consideration the potential for periods when law enforcement personnel may not be fully capable of interdicting and neutralizing the adversary. This application of compensatory measures for responders is also a novel approach, because the existing compensatory measures requirements in 10 CFR 73.55(o) apply only to degraded security equipment, systems, and components.[1] These provisions would also require licensees to provide adequate delay to enable law enforcement or other offsite armed responders to fulfill the interdiction and neutralization functions and to describe in the safeguards contingency plan the role that law enforcement or other offsite armed responders will play in the licensee's protective strategy.

The third proposed alternative physical security requirement would permit a licensee to apply means other than physical barriers as defined in 10 CFR 73.2, "Definitions," in the design of its physical protection system to achieve the intended delay functions for armed security responses and access denial. A licensee would be permitted to consider other methods that include the use of engineered systems and/or human actions, where reliable and available, to achieve delay functions necessary to facilitate security responses after the successful detection and assessment of threats up to and including the DBT of radiological sabotage.

The fourth proposed alternative physical security requirement would permit a licensee to locate a secondary alarm station offsite, where the required capabilities would be redundant and equivalent to that of the onsite central alarm station.

The fifth proposed alternative physical security requirement is related to the fourth alternative and would permit relief from the requirements to designate the offsite secondary alarm station as a vital area and to locate the secondary power supply systems for the offsite secondary alarm station in a vital area.

Environmental Assessment

The staff prepared a draft environmental assessment (Enclosure 2) to evaluate the environmental impacts of the proposed rule and document the staff's finding of no significant impact in accordance with the requirements of 10 CFR 51.21, "Criteria for and identification of licensing and regulatory actions requiring environmental assessments," and the National Environmental Policy Act of 1969, as amended. The draft environmental assessment focuses on those aspects of the proposed rulemaking for which there is a potential for the revised requirements to affect the environment. Based on the environmental assessment, the NRC

[1] Currently operating power reactor licensees must use onsite armed responders to defend against the DBT adversary. The licensees also cannot assign any duty or responsibility to those responders that could interfere with their security response duties, and consistent with the reasonable assurance of protection time in Regulatory Guide 5.76, Revision 1 (not publicly available), currently operating reactor licensees need to be capable of defending against the DBT adversary for at least 8 hours without outside assistance. Therefore, the existing compensatory measures requirements do not require consideration that a licensee's capability to interdict and neutralize the DBT adversary may be degraded or unavailable.

staff determined that the proposed action would not have a significant effect on the quality of the human environment.

Regulatory Analysis

The staff prepared a draft regulatory analysis (Enclosure 3) to determine the expected quantitative and qualitative costs and benefits of the proposed rule. The regulatory analysis concludes that the rulemaking would be cost beneficial, meaning the total quantified benefits would exceed the costs. The proposed rule would result in net averted costs to industry and the NRC of approximately $80,000 using a 7-percent discount rate. In addition, the staff finds that the qualitative benefits (regulatory certainty, public confidence, and other nonquantified benefits), considered along with the quantitative net benefits, further support proceeding with the proposed regulatory action. The staff believes the use of qualitative factors is appropriate in this case because implementation of these alternatives would be voluntary, and they were developed with feedback from stakeholders that would be the end users.

The estimated benefits of the proposed rule include (1) fewer exemption requests as compared to those made under current regulations, (2) fewer security staff or other security features compared to those currently required by 10 CFR 73.55 commensurate with offsite consequences and radiation risks to public health and safety, (3) consistent regulatory applicability in the review of physical security plans in accordance with 10 CFR Part 73, and (4) the use of a more risk-informed, performance-based physical security framework.

The staff believes that this approach is consistent with Commission direction in SRM-SECY-14-0087, “Staff Requirements—SECY-14-0087—Qualitative Consideration of Factors in the Development of Regulatory Analyses and Backfit Analyses” (ADAMS Accession No. ML15063A568), because this approach quantifies the incremental costs of the two alternatives in the draft regulatory analysis to the extent practical, and discusses qualitative factors in detail without relying on them exclusively when determining the recommended alternative.

Cumulative Effects of Regulation

The staff is considering the cumulative effects of regulation by engaging with external stakeholders throughout this rulemaking process. The staff has held public meetings at several key steps in the process and provided a 30-day public comment period on the regulatory basis document. Based on interactions with stakeholders, the staff has determined that this rulemaking would potentially reduce the regulatory burden of complying with the NRC’s physical security requirements for applicants for, or holders of, an advanced reactor license under 10 CFR Part 50 or 10 CFR Part 52. As non-mandatory alternative requirements, the proposed rule’s provisions would not impose any burden on these applicants or licensees. Additionally, the staff has not identified any activities that would significantly impact the implementation of the proposed rule. Accordingly, for purposes of the cumulative effects of regulation, the staff has determined that this rulemaking would have a net positive impact.

Implementing Guidance

The staff has prepared new draft regulatory guide DG-5072, "Guidance for Alternative Physical Security Requirements for Small Modular Reactors and Non-Light-Water Reactors," proposed Regulatory Guide 5.90 (ADAMS Accession No. ML20041E037). This draft regulatory guide provides the guidance on the following topics:

(1) determining eligibility for the alternative measures based on potential offsite radiological consequences, including:
    i. conducting a radiological consequence analysis;
    ii. using information from the target set process and safety analysis;
(2) implementing each of the specific alternatives; and
(3) demonstrating how the requirements set forth in 10 CFR 73.55 are met when selected alternative(s) are used.

The staff has prepared revised draft regulatory guidance DG-5071, "Target Set Identification and Development for Nuclear Power Reactors," proposed Revision 2 to Regulatory Guide 5.81 (ADAMS Accession No. ML22021B529), for implementing the conforming changes to 10 CFR 73.55(b)(3) that would be required for an SMR or a non-LWR, including that the physical protection program must be designed to prevent a significant release of radionuclides from any source. The revised guidance that would modify the target set identification process to accommodate the proposed change to the performance design requirement in 10 CFR 73.55(b)(3) is designated official-use-only security-related information since it includes information that is reasonably expected to be useful to terrorists in planning or executing an attack on critical infrastructure. Therefore, DG-5071 is being withheld from public disclosure but is available to affected stakeholders who qualify for access and have a demonstrated need to know.

Committee to Review Generic Requirements

In SRM-SECY-18-0076, the Commission approved the staff's recommendation that the NRC's Committee to Review Generic Requirements does not need to review this rule.

Advisory Committee on Reactor Safeguards

The Advisory Committee on Reactor Safeguards (ACRS) did not review the draft proposed rule because the Commission determined in SRM-M031002, "Staff Requirements—Meeting with Advisory Committee on Reactor Safeguards (ACRS)," dated October 31, 2003 (ADAMS Accession No. ML033040278), that "[i]n the security arena, the ACRS should continue to focus its attention and expertise on technical issues associated with the progression and potential consequences of postulated terrorist actions, and the assessment of the effectiveness of mitigation strategies. The ACRS should not involve itself in issues associated with threat assessment (i.e., assessments of the likelihood of various types of events), physical security, or force-on-force assessments since these are outside the committee's area of expertise and involve intelligence information not available to the committee."

Backfitting and Issue Finality Considerations

This proposed rule would contain new voluntary alternative requirements for advanced reactor applicants and licensees. These alternative requirements would not be imposed upon applicants and licensees and would not prohibit any applicant or licensee from following existing requirements. Therefore, the proposed requirements would not meet the definition of "backfitting" in 10 CFR 50.109(a)(1) or affect the issue finality of any approval granted under 10 CFR Part 52.

Differing Views

Enclosures 4 and 5 of this paper contain differing views of staff members from the Office of Nuclear Security and Incident Response (NSIR) as summarized below. Several meetings were held among staff to discuss these views and several aspects of staff's concerns were addressed within the proposed rule text.

Differing View under Enclosure 4

An NSIR staff member provided a differing view with four problem statements on the proposed rule. The staff member's differing view arises from the proposed provisions within 10 CFR 73.55(s)(1)(ii), "Eligibility*,"* where "[t]he applicant or licensee must demonstrate that the consequences of a postulated radiological release that results from a postulated security-initiated event do not exceed the offsite dose reference values defined in 10 CFR 50.34 and 52.79 of this chapter" and 10 CFR 73.55(s)(1)(iv), "Analysis," where "[t]he applicant or licensee electing to meet one or more of the alternative security requirements in paragraph (s)(2) of this section must perform a technical analysis demonstrating how it meets the criteria in paragraph (s)(1)(ii) of this section." The differing view is characterized in the following problem statements:

- The proposed rule imposes unnecessary regulatory burden, which would be an avoidable impediment to a licensee or applicant that wants to apply the proposed alternative physical security requirement(s) in the design of their physical protection program to meet the requirements of 10 CFR 73.55.

- The proposed rule and its implementation set forth a radiation dose of 25 rem total effective dose equivalent (25 rem TEDE) (in any 2-hour period following the onset of the postulated fission product release) as an acceptable dose limit for members of the public and establish a consequence-based approach that uses this 25 rem TEDE as the acceptable criterion for determining offsite release that would not endanger public health and safety.

- The proposed rule and implementation of 10 CFR 73.55(s)(1)(ii) and (s)(1)(iv) allows for relying on human actions in lieu of plant design features; systems, structures, and components; and barriers that would not meet the Commission's expectations in the 2008 Policy Statement on Regulation of Advanced Reactors to reduce reliance on human actions.

- The proposed rule, a more specific requirement in 10 CFR 73.55, would provide a regulatory pathway for circumventing regulatory requirements established in the current framework for safety and security.

The differing view problem statements are documented in detail in Enclosure 4. Management and staff's response to those statements is documented in detail in Enclosure 6.

Differing View under Enclosure 5 (nonpublic)

NSIR staff members provided their differing view regarding significant concerns related to some of the risks associated with allowing licensees to rely on law enforcement to interdict and neutralize the DBT adversary. The differing view asserts that there are differences in the risks between the use of proprietary or contract armed responders and law enforcement that the differing view has characterized as residual or unmitigated risks. In developing the provisions in the proposed 10 CFR 73.55(s)(2)(ii) related to relying on law enforcement, the staff leveraged its experience regulating the large LWR fleet. Drawing on this experience, the proposed rule language tries to address the challenges a licensee may encounter when implementing this novel approach for interdiction and neutralization. The proposed requirements in 10 CFR 73.55(s)(2)(ii) are intended to mitigate a significant number of the risks associated with relying on law enforcement to interdict and neutralize the DBT adversary. The differing view is documented in detail in Enclosure 5. Management and staff's response to this differing view is documented in detail in Enclosure 6.

Non-Concurrence Process:

Enclosure 7 of this paper contains a copy of the non-concurrence (NCP-2022-003) submitted by a staff member from NSIR and the respective Form 757 evaluation. NCP-2022-003 is based on the differing view in Enclosure 4 authored by the same staff member.

RECOMMENDATION:

The staff recommends that the Commission approve the enclosed proposed rule (Enclosure 1) for publication in the *Federal Register*.

The following four activities are related to the publication of the proposed rule:

(1) Upon Commission approval, the NRC will publish the proposed rule in the *Federal Register* for a 75-day comment period.

(2) This proposed rule contains revised information collection requirements that are subject to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501–3521). The NRC staff will submit information collection requirements to the Office of Management and Budget for its review and approval on or immediately after the date of publication of the proposed rule in the *Federal Register*.

(3) The Office of Congressional Affairs will inform the appropriate congressional committees.

(4) The Office of Public Affairs will issue a press release when the Commission votes on the proposed rule.

RESOURCES:

Enclosure 8 (nonpublic) describes the estimated resources needed to complete this rulemaking.

COORDINATION:

The Office of the General Counsel reviewed this package, including the differing views, and has no legal objection to the publication of the proposed rule.

The Office of the Chief Financial Officer reviewed this paper for resource implications and has no objections.

The staff will coordinate with the Office of Public Affairs on an appropriate public communication for the proposed rule.

Darrell J. Roberts Digitally signed by Darrell J. Roberts
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Darrell J. Roberts for Daniel H. Dorman
Executive Director
for Operations

Enclosures:
1. Proposed Rule *FR* notice
2. Draft Environmental Assessment
3. Draft Regulatory Analysis
4. Differing View
5. Differing View – Risks associated with Relying on Law Enforcement (nonpublic)
6. Staff Disposition of Differing Views
7. Non-Concurrence No. NCP-2022-003
8. Estimated Resources (nonpublic)

SUBJECT: PROPOSED RULE: ALTERNATIVE PHYSICAL SECURITY REQUIREMENTS FOR ADVANCED REACTORS (RIN 3150-AK19) DATED: August 2, 2022

WITS: SRM-S18-0076-3

ADAMS Accession Numbers: PKG: ML21334A003
Commission Paper: ML21334A004
***Federal Register* notice: ML21334A006**
Draft Environmental Assessment: ML21334A008
Draft Regulatory Analysis: ML21334A007
Differing View (public): ML22042A677
Differing View - Risks Associated with Allowing Licensees to Rely on Law Enforcement to Interdict and Neutralize the Design Basis Threat of Radiological Sabotage (nonpublic): ML22038A004
Staff Disposition of Differing Views: ML22159A213
Non-Concurrence Number NCP-2022-003: ML22161A919
Estimated Resources: ML22020A009 **SECY-012**

OFFICE	NMSS/REFS/RRPB/PM	QTE	NMSS/REFS/RRPB/RS	NMSS/REFS/RASB/TL	NMSS/REFS/RRPB /BC
NAME	DAndrukat	JDougherty	GLappert	FSchofer	IBerrios
DATE	1/10/22	1/11/22	2/14/22	3/22/22	3/22/22
OFFICE	NRR/DANU/UARP/BC	NSIR/DPCP/RSB/BC	NMSS/REFS/ENRB/BC	RES/DE/RGPMB/BC	RES/DE/D
NAME	JSegala	ABowers	KErwin	MRahimi	LLund
DATE	3/22/22	3/22/22	3/22/22	2/23/22	2/23/22
OFFICE	NRR/DANU/D	NSIR/DPCP/D	NMSS/REFS/D	OCFO/D	NSIR/D
NAME	MShams	MSampson	JTappert	RAllwein	MGavrilas
DATE	3/23/22	3/22/22	3/22/22	3/24/22	3/31/22
OFFICE	NMSS/REFS/RASB/BC	NSIR/DPCP/RSB	OCIO/GEMSD/FLICB/ICT	OGC	NRR/D
NAME	CBladey	PLee Nonconcur	DCullison	NSt. Amour	AVeil (RTaylor for)
DATE	4/22/22	4/28/22	6/6/22	5/27/22	6/9/22
OFFICE	EDO				
NAME	DDorman (DRoberts for)				
DATE	08/02/22				

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