



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

June 27, 2016

MEMORANDUM TO: Sabrina Atack, Acting Chief  
Source Management and Protection Branch  
Division of Material Safety, State, Tribal,  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

FROM: George E. Smith, Senior Project Manager /RA/  
Source Management and Protection Branch  
Division of Material Safety, State, Tribal,  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: SUMMARY OF APRIL 19, 2016, 10 CFR PART 37 ASSESSMENT  
WEBINAR

On April 19, 2016, a webinar was held to attain feedback from NRC stakeholders on the effectiveness of the requirements in Title 10 of the *Code of Federal Regulations* (10 CFR) Part 37, "Physical Protection of Category 1 and Category 2 Quantities of Radioactive Material," and associated guidance documents.

The feedback received during the webinar will be used to inform the ongoing assessment of the effectiveness of 10 CFR Part 37. The results of the staff's assessment will be reported to Congress in December 2016.

In order to encourage stakeholder feedback on the rule and associated guidance documents, specific questions were provided in a *Federal Register* Notice (81 FR 13263) that was issued on Monday, March 14, 2016. These questions were used to facilitate discussion during the webinar.

A total of 61 stakeholders participated in the webinar. A list of the meeting participants is provided in Enclosure 2. The staff received 18 comments relating to 10 CFR Part 37 and its associated guidance documents during the webinar. These comments are summarized in Enclosure 3.

CONTACT: George E. Smith, NMSS/MSTR  
(301) 415-7201

Enclosures:

1. List of NRC Attendees
2. List of Meeting Participants
3. Summary of Stakeholder Comments

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OFFICE	SMPB	SMPB/Chief
NAME	LEusebio	SAtack
DATE	6/6/16	6/9/16

OFFICIAL RECORD COPY

## **NRC Staff Attendees**

1. Adams, John (NRR)
2. Atack, Sabrina (NMSS)
3. Cervera, Margaret (NMSS)
4. Coggins, Angela (OGC)
5. Crawford, Carrie (NMSS)
6. Eusebio, Linda (NMSS)
7. Gattone, Robert (RIII)
8. Goldberg, Paul (NMSS)
9. Gray, Anita (NMSS)
10. Lee, Willie (NMSS)
11. Lukes, Kim (NMSS)
12. Peralta, Juan (NRR)
13. Smith, George (NMSS)
14. Williams, Vince (NSIR)
15. Wu, Irene (NMSS)

## Stakeholder Attendees

1. Allison, Don
2. Amoroso, LeAnne
3. Ashkeboussi, Nima
4. Bacon, Gerald
5. Bartelme, Jeffrey
6. Bevill, Bernard
7. Bici, Narenta
8. Conly, John
9. Cookie, Alan
10. Dickinson, Terrance
11. Dionne, Bruce
12. Elliott, Susan
13. Flynn, Chuck
14. Freeman, Billy
15. Gonzalez, Antonio
16. Greger, L. Robert
17. Grenier, Fran
18. Hammel, Lee
19. Haniffy, Fred
20. Hesch, James
21. Hyland, Jay
22. Kark, Joanne
23. Kern, Philip
24. Krahenbuhl, Melinda
25. Krishnasarma, Sasikala
26. Kuhl, Dan
27. Leon, Daryl
28. Magda, Dominic
29. Manley, Raymond
30. Martin, David,
31. McLain, Michael
32. Meyer, Steve
33. Minden, Angela
34. Moak, Jayson
35. Muzzaklupo, Robin
36. Osborn, Chris
37. Parsons, Ronald
38. Pawlowski, Marc
39. Quinn, Shannon
40. Rezab, Steven
41. Ribauda, Cathy
42. Rolph, James
43. Sant, Robert
44. Schlueter, Janet
45. Schmidt, Michael
46. Schmitt, Julia
47. Sheehan, Karen
48. Snee, Michael
49. Stephens, Mike
50. Stone, Craig
51. Sullivan, Carl
52. Taylor, Larry
53. Tedla, Hailu
54. Trump, Mark
55. Tubman, Christopher
56. Tucker, Susan
57. Vinson, Gibb
58. Von Ahn, Karl
59. Welty, Richard
60. Yates, Vaughn
61. Yusuf, Siaka

## **Stakeholder Comments**

The NRC received 18 comments from stakeholders during the webinar:

- Three comments were related to defining terminology in the rule and in the associated guidance documents;
- Six comments were related to clarifying and aligning 10 CFR Part 37 requirements with requirements contained in 10 CFR Part 72 and 10 CFR Part 73;
- Four comments were related to the requirements in Subpart B of the rule and included discussion of adjusting the 10-year reinvestigation periodicity; clarification of what information is required for a 7-year period review for trustworthiness and reliability (T&R); accepting service provider's T&R certification; and relief from background investigation under transport; and
- Five comments were related to the requirements in Subpart C of the rule and included the following topics: physical security requirements for radioactive material collocated with spent fuel; clarification of requirements for continuous monitoring of Category 1 sources and weekly verification of category 2 sources; physical barrier requirements for mobile devices; requirements for a temporary security zone; and responsibility for material in a nuclear power plant's owner-controlled area.