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February 1, 2016

Ms. Maureen E. Wylie
Chief Financial Officer
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Subject: Fee Exemption Request for NEI White Paper, *Proposed Consequence-Based Physical Security Framework for Small Modular Reactors and Other New Technologies*, November 2015

Project Number: 689

Dear Ms. Wylie:

On November 19, 2015, NEI¹ submitted the white paper, *Proposed Consequence-Based Physical Security Framework for Small Modular Reactors and Other New Technologies*, dated November 2015, for NRC consideration and feedback (ML15349A067). The intent of the white paper is to discuss generic policy and technical issues associated with security for small modular reactors (SMRs) and other new technologies, such as non-light-water reactors (non-LWRs), that have not been addressed to-date, and to propose a consequence-based physical security framework that is more appropriate for these designs. The white paper provides a means to resolve—and engage the Commission on—a substantive policy issue for SMRs in response to Staff Requirements Memorandum SRM-COMGBJ-10-0004/COMGEA-10-0001, *Use of Risk Insights to Enhanced Safety Focus of Small Modular Reactor Reviews*. Developing the approach discussed in the white paper would be more efficient than the staff's current approach, in which applicants would seek, on a case-by-case basis, exemptions, alternative measures and license conditions to meet the intent of the regulatory requirements.

We request that the NRC's review of this white paper, and any future submissions related to a consequence-based framework for SMRs and other new technologies, be granted a fee waiver pursuant to the provisions of 10 CFR 170.11. The report meets the exemption requirement in 10 CFR 170.11(a)(1)(iii) in that it is "a

¹ NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plant designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

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means of exchanging information between industry organizations and the NRC...for the specific purpose of supporting ongoing NRC generic regulatory improvements or efforts." In this case, the generic regulatory improvement is the NRC's consideration of a more efficient and effective regulatory framework for designs that incorporate enhanced safety and security features.

Please contact me should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "RJ Bell", is positioned above the printed name.

Russell J. Bell

c: Mr. Michael E. Mayfield, NRO/DEIA, NRC
Mr. Brian E. Holian, NSIR, NRC
Mr. Melanie A. Galloway, NSIR/DSP, NRC
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