



**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 MARCH 31, 2016, 10 CFR PART 37 ASSESSMENT
WEBINAR

On March 31, 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 178 stakeholders participated in the webinar. A list of the meeting participants is provided in Enclosure 2. The staff received 25 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
NAME	LEusebio	SAtack
DATE	6/6/16	6/9/16

OFFICIAL RECORD COPY

NRC Staff Attendees

1. Adams, John (NRR)
2. Attack, 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. Andersen, Eric
2. Angel, Adam
3. Antony, Jose
4. Barnes, Jaime
5. Bellscheidt, Paul
6. Bertocchi, Dave
7. Blacker, James
8. Bowden, Beverly
9. Burchell, Nanci
10. Burkhart, Mary
11. Caster, Michael
12. Chase, Vincent
13. Chibbaro, Anthony
14. Chippo, John
15. Clark, Nicole
16. Clarke, Kat
17. Classic, Kelly
18. Collier, Jason
19. Cowart, Logan
20. Cox, Whitney
21. Crase, Michele
22. Crawford, Carrie
23. Davis, Philip
24. Davis, Claude
25. DelGaudio, Jeffrey
26. Diaz, Victor
27. Dorman, Mary
28. Dresios, Richard
29. Edens, Cristina
30. Edmonds, Cathleen
31. Edwards, Ben
32. Epp, Michael
33. Esteban-Trexler, Josephine
34. Fairobent, Lynne
35. Farnum, Debi
36. Fay, Steve
37. Fitzmaurice, Matthew
38. Flaherty, Sherrie
39. Fonderwhite, Abigail
40. Franklin, Serelia
41. Fravel, Melvin
42. Freeman, Billy
43. Frick, Ronald
44. Fulford, Greg
45. Furr, Walter
48. Gersman, Jennifer
49. Gonzalez, Mariza
50. Gottsacker, Cheryl
51. Gough, John
52. Graves, Joe
53. Gray, Paul
54. Greif, Andrew
55. Grooms, Arlene
56. Guo, Yuanqing
57. Gutierrez, Janet
58. Hadden, Matt
59. Hall, Angie
60. Hampton, Stan
61. Harrison, Steven
62. Hayes, Pat
63. Hibbing, Dan
64. Hollander, William
65. Hope, Patrick
66. Horn, Kelly
67. Jackson, David
68. James, Stephen
69. Jaqua, Scott
70. Jo, Myung
71. Johnson, Martin
72. Kantack, Kelly
73. Kaounas, Kostas
74. Kostas, Joanne
75. Kleehammer, Danielle
76. Konate, Dramane
77. Korienek, John
78. Kovats, Catalina
79. Krieman, Christine
80. Kuney, Marc
81. Lahey, Ed
82. Langley, Karen
83. Laramée, Tina
84. Lawrence, Craig
85. Leavey, Jeff
86. Lemieux, Bryan
87. Lesses, Elliott
88. Lieto, Ralph
89. Lindley, Terry
90. Lorah, Brian
91. Lorenzen, William
92. Lemieux, Bryan
95. Loween, Melissa
96. Manley, Raymond
97. Mar, Gloria
98. Martin, David
99. Mathews, Barbara
100. McCoy, Mike
101. McDonald, Nancy
102. McGuire, Jeanne
103. McKenney, Sarah
104. Melnic, Joseph
105. Miller, Bryan
106. Miller, John
107. Mohaupt, Tom
108. Morgan, Thomas
109. Morris, Kimberly
110. Mossman, Tim
111. Mothersell, Micky
112. Muzzalupo, Robin
113. Myers, Joshua
114. Nelson, Robert
115. Nordstrom, Jeffrey
116. Noska, Michael
117. O'Brien, Dan
118. Ortiz, Michael
119. Owens, Greg
120. Parker, Larry
121. Pegram, Amy
122. Pleasant, Helen
123. Quinn, Justin
124. Quinones, Ernesto
125. Richardson, Martin
126. Ramirez, Linda
127. Reddick, Darani
128. Reiter, Matt
129. Rice, Shawn
130. Rodriguez, Santiago
131. Roque, Myria
132. Rost, Justin
133. Ruiz, Alyssa
134. Stinson, Narvare
135. Scalise, David
136. Schlueter, Janet
137. Senglaub, Todd
138. Sinisterra, Andres
139. Skydel, David

140. Galanek, Mitchell
141. Lynch, Jim
142. Macklin, Roger
143. Smith, Ken
144. Smith, Henry
145. Smith, Lauren
146. Snapp, Sandra
147. Snyder, Paula
148. Stemen, Tammy
149. Stephens, Mike
150. Stone, Craig
151. Sutton, Craig
152. Swinger, Tracy
153. Tallman, Jimmy
154. Teager, Sharon
155. Tirrell, Adam
156. Tygart, Vicky
157. Uitti, Stan
158. Vassy, David
159. Walsh, Mark
160. Wang, Chu
161. Wassenaar, Richard
162. Wen, Xiaoqian (Carol)
163. Wickline, Robert
164. Wynne, Paul
165. Younan, Jack
166. Young, Jonathan
167. Zimmer, Mike
169. Andrews, Mark
166. Hickey, Danna
170. Kamen, Jacob
171. Kennan, Wendy
172. Kessinge, Sandi
173. Lorenzo, Jose
174. Miller, Norman
175. Navara, Mary
176. Trump, mark
177. Vansickle, Monica
178. Welling, Mike

Stakeholder Comments

The NRC received 25 comments from stakeholders during the webinar:

- Four comments were related to clarification related of the Local Law Enforcement Agency (LLEA) requirements. These comments covered the expectations of a reasonable LLEA agreement and guidance related to LLEA notifications that also require a notification to the regulatory agency;
- Fourteen comments were related to the trustworthiness and reliability (T&R) process. These comments were related to alignment of requirements in 10 CFR Parts 37 and 73; guidance for third party arbitration; relief of some T&R background investigation requirements for hired police officers and individuals who have received a Federal background check; frequency of criminal history checks; establishment of a for-fee background check service by the NRC; clarification related to individuals requiring T&R determinations; clarification of information required for 7-year period review, clarification for where to submit information on newly approved Reviewing Officials; provisions for information sharing between licensees for T&R determinations; and guidance to support licensees with bifurcated T&R processes involving Human Resources; and
- Seven comments were related to communications between the regulators and licensees regarding writing of clear and succinct requirements and guidance; early stakeholder feedback for guidance and requirements; providing samples of T&R-related letters; and providing expectations for inspection oversight.