



**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  
Source Management and Protection Branch  
Division of Material Safety, State, Tribal,  
and Rulemaking Programs  
Office of Nuclear Material Safety  
and Safeguards

SUBJECT: SUMMARY OF MAY 5, 2016, 10 CFR PART 37 ASSESSMENT  
PUBLIC MEETING AND WEBINAR

On May 5, 2016, a public meeting was held at NRC Headquarters in Rockville, Maryland, to attain feedback from NRC stakeholders on the effectiveness of the requirements in Title 10 of the *Code 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 meeting and the associated 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 meeting.

A total of 27 stakeholders participated in the webinar. A list of the meeting participants is provided in Enclosure 2. The staff received eight comments relating to 10 CFR Part 37 and its associated guidance documents during the meeting. 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

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 MAY 5, 2016, 10 CFR PART 37 ASSESSMENT  
PUBLIC MEETING AND WEBINAR

On May 5, 2016, a public meeting was held at NRC Headquarters in Rockville, Maryland, to attain feedback from NRC stakeholders on the effectiveness of the requirements in Title 10 of the *Code 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 meeting and the associated 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 meeting.

A total of 27 stakeholders participated in the webinar. A list of the meeting participants is provided in Enclosure 2. The staff received eight comments relating to 10 CFR Part 37 and its associated guidance documents during the meeting. 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

**ML16158A204**

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. Blackwell, Richard
2. Courchesne, Amy
3. Dahl, George
4. Dugan, Chris
5. Flaherty, Sherrie
6. Fravel, Melvin
7. Loween, Melissa
8. Lundberg, Rusty
9. Luongo, Domenico
10. Manley, Raymond
11. Martin, Richard
12. Martinez, Carlos
13. Melnic, Joseph
14. Nam, Sangho
15. Parker, Larry
16. Perrero, Daren
17. Ribaud, Cathy
18. Richard, Mack
19. Schippers, Dale
20. Sheehan, Karen
21. Sykes, Kevin
22. Walter, David
23. Welding, Andrew
24. Wen, Xiaoqian (Carol)
25. Williams, VI
26. Yusuf, Siaka
27. Welling, Mike

## **Stakeholder Comments**

### **Public Meeting**

The NRC received 8 comments from stakeholders during the public meeting:

- Four comments were related to the trustworthiness and reliability (T&R) process and included comments and questions in the areas of extensiveness of T&R determinations that do not require fingerprinting; what information is required for the 7-year period review; when the start of the 7-day determination period to remove unescorted access for individuals occurs; and expectations for background checks for individuals from foreign countries;
- Two comments were related to the control of sensitive information;
- One comment was related to clarification of requirements for continuous monitoring of Category 1 sources and weekly verification of Category 2 sources; and
- One comment was related to training.