

Enhanced Weapons, Firearms Background Checks, and Security Event Notifications Rulemaking Planned Changes

May 30, 2019

Meeting Ground Rules

- Limit interruptions
 - Turn off cell phones
 - Minimize side conversations
- Speak one at a time
- Identify yourself when speaking
 - Please state your name and organization
 - If you are in the meeting room please use the microphone
- Be respectful of other speakers/participants
- Webinar participants:
 - Please use the chat function or the bridgeline at the designated opportunities
 - Please mute your phone (*6)

Purpose of the Meeting

- This is an informational meeting to inform external stakeholders of certain planned changes made to the May 2018 draft final enhanced weapons, firearms background checks, and security event notifications rule (i.e., enhanced weapons rule) currently before the Commission
- The focus of this public meeting is to enable stakeholders to discuss and understand these changes
- The NRC is not accepting comments on the draft final rule

Meeting Agenda

- 1:00pm – 1:10pm:
Welcome/Introductions/Logistics
- 1:10pm – 2:00pm: Overview of the changes to the draft final enhanced weapons rule
- 2:00pm – 2:55pm: Discussion
- 2:55pm – 3:00pm: Closing remarks

Meeting Summary

- Today's discussion is being recorded and the meeting transcript and summary will be posted on www.regulations.gov under NRC Docket ID **NRC-2011-0018**
- All publicly available documentation related to the enhanced weapons rulemaking can be reviewed on the [regulations.gov](http://www.regulations.gov) website

Enhanced Weapons Rulemaking Background

- The NRC published the proposed enhanced weapons rule for public comment on February 3, 2011
- The NRC published a supplemental proposed rule for public comment on January 10, 2013
- The NRC published a second supplemental proposed rule for public comment on September 22, 2015
- The staff addressed all public comments in a comment/response document

Current Status of Rulemaking

- The staff submitted the draft final enhanced weapons rule to the Commission for review and approval on May 22, 2018 (ADAMS No. ML16264A000)
- The staff is planning to revise the rule language in the draft final *Federal Register* notice to:
 - Exempt certain Agreement State and NRC licensees possessing a Category III quantity of strategic special nuclear material (SSNM) from reporting suspicious activities
 - Revise and clarify the applicability of the physical security event notification and recordkeeping requirements
 - Make minor editorial and clarification changes

Change 1 – Exemptions to Report Suspicious Activities

- The draft final rule would subject certain Agreement State and NRC licensees possessing a Category III quantity of SSNM to suspicious activity reporting requirements
- The staff is revising the draft rule language in 10 CFR 73.1215(g) to exempt these licensees from the suspicious activity reporting requirements given the low risk posed by the form, type and quantity of this material

Change 2 - Exemptions to Physical Security Event Notifications & Recordkeeping

- The draft final rule did not identify specific physical security event and recordkeeping reporting requirements applicable to certain licensees as new requirements
- The staff reassessed the application of specific physical security event notifications and recordkeeping to these licensees and intends to make the following changes to the draft final rule

Change 2.1 - Exemptions to Physical Security Event Notification

- Exempt those licensees that possess Category III quantities of special nuclear material (SNM) from physical security event notification requirements for events involving:
 - The actual or attempted introduction of contraband into a licensee's "controlled access area"
 - An accidental criticality resulting from tampering
 - Damage or unauthorized access to the transport vehicle, the transport package, or the transported material occurring during the shipment of Category III quantities of SNM under 10 CFR 73.67

Change 2.2 - Exemptions to Physical Security Recordkeeping

- The new 10 CFR 73.1210 imposes safeguards event log recordkeeping requirements on licensees that possess or ship Category III quantities of SNM
- The staff is revising the draft final rule to exempt these licensees from some, but not all, safeguards event log recordkeeping requirements given the low security risk associated with this material

Change 2.3 – Clarify Physical Security Event Notification and Recordkeeping Requirements

- The draft final rule imposes new physical security event notification and safeguards event log recordkeeping requirements upon licensees possessing Category II quantities of SSNM or SNM
- The staff is revising the Statement of Considerations in the draft final rule to clarify that these are new requirements

Change 3 – Editorial Changes

- Removing the terms “non-power production or utilization facility” and “NPUF” from the Statement of Considerations section of the draft final rule
- Made minor format corrections

Draft Final Enhanced Weapons Rule

Public and Stakeholder Discussion

Next Steps

- The staff expects to submit the revised draft final enhanced weapons rule *Federal Register* notice to the Commission during the summer of 2019
- The staff has not scheduled any additional public meetings on the draft final enhanced weapons rule

Draft Final Enhanced Weapons Rule

Closing Remarks

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