

**Please stand by,
the Meeting on Source Security
Regulatory Relief for NRC Licensees
will begin shortly.**

**Please ensure you have called into the bridge
line, it's the only audio for today's meeting:**

Bridge Line: 877-891-6976

Pass Code: 4061382

Source Security Regulatory Relief Pathways for NRC Licensees During the COVID-19 Public Health Emergency

May 5, 2020

Division of Materials Safety, Security, State, and Tribal Programs,
Office of Nuclear Material Safety and Safeguards
Division of Nuclear Materials Safety,
NRC Region I

Purpose of Today's Meeting

- Discuss available regulatory relief pathways for licensees implementing 10 CFR Part 37 for physical protection of Category 1 and Category 2 radioactive materials during the COVID-19 public health emergency
- Discuss the process by which to submit requests for regulatory relief
- Hear from licensees on the types of regulatory relief they expect they might need

Agenda

Time	Topic	Speaker
1:00 p.m.	Introduction	Mike Layton, Director, Division of Materials Safety, Security, State, and Tribal Programs
1:05 p.m.	Meeting Logistics	Sarah Lopas, Facilitator
1:10 p.m.	Regulatory Relief Pathways	George Smith, Chief, Source Management and Protection Branch
1:20 p.m.	General Overview of Exemption Requests	Randy Ragland, Senior Health Physicist, Division of Nuclear Materials Safety, NRC Region I
1:30 p.m.	<i>Comments from Industry and Public</i>	
2:25 p.m.	Meeting Recap and Adjourn	George Smith

Meeting Logistics

- Meeting audio is through the bridge line only
(**Bridge Line: 877-891-6976, Pass Code: 4061382**)
- Participants are in listen-only mode until the public comment portion of the meeting
- Meeting materials include slides (ML20121A277), April 7 licensee letter (ML20094G166), and Part 37 licensee exemption letter (ML20121A222)
- During the public comment portion of meeting, comment by phone or by submitting a message via WebEx Chat
- **Please do not give any specific information about your facility or discuss classified, safeguards, or security-related information during the question and answer session**

Regulatory Relief Pathways

George Smith, Chief
Source Management Protection Branch

Materials Licensee Letter – April 7, 2020

- This letter outlines the regulatory options for materials licensees to seek regulatory relief that may be necessary during the COVID-19 public health emergency.
 - Exemptions to regulations and amendments for license conditions and tie downs
 - Potential for NRC to issue enforcement discretion
 - Emergency regulatory relief
 - Accessible at ADAMS Accession No. ML20094G166

Temporary Exemption

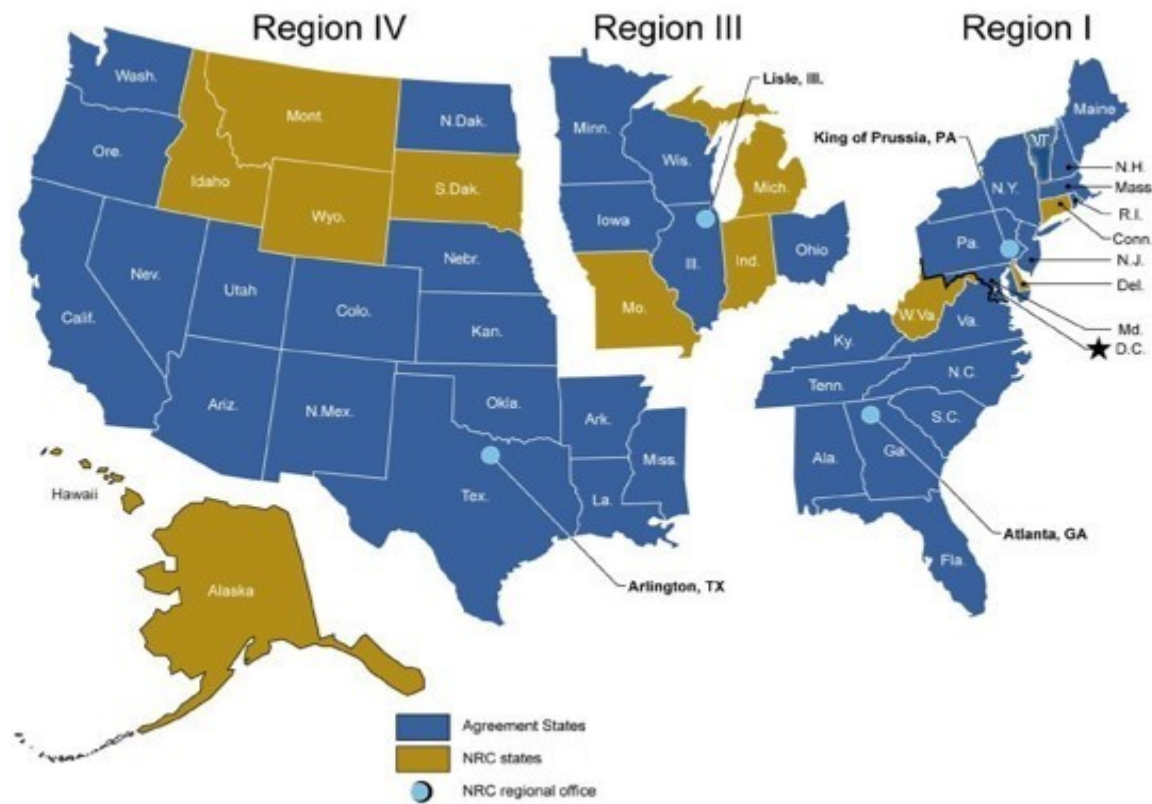
- Exemptions are expected to be temporary.
- The expiration date of the exemption and/or any extension of deadlines to comply with regulatory requirements will be specified.
- Should additional time beyond the exemption be needed, the NRC would consider an exemption based on a subsequent request that updates all the information in the initial request.

NRC Preparation for Anticipated Relief Requests

- Developed draft letter to allow NRC regions to quickly process anticipated exemption requests
- Continually reviewing information received from 10 CFR Part 37 licensees regarding the impact of the COVID-19 emergency to prepare for anticipated requests
- Requests not yet considered will be evaluated but may take more time to process

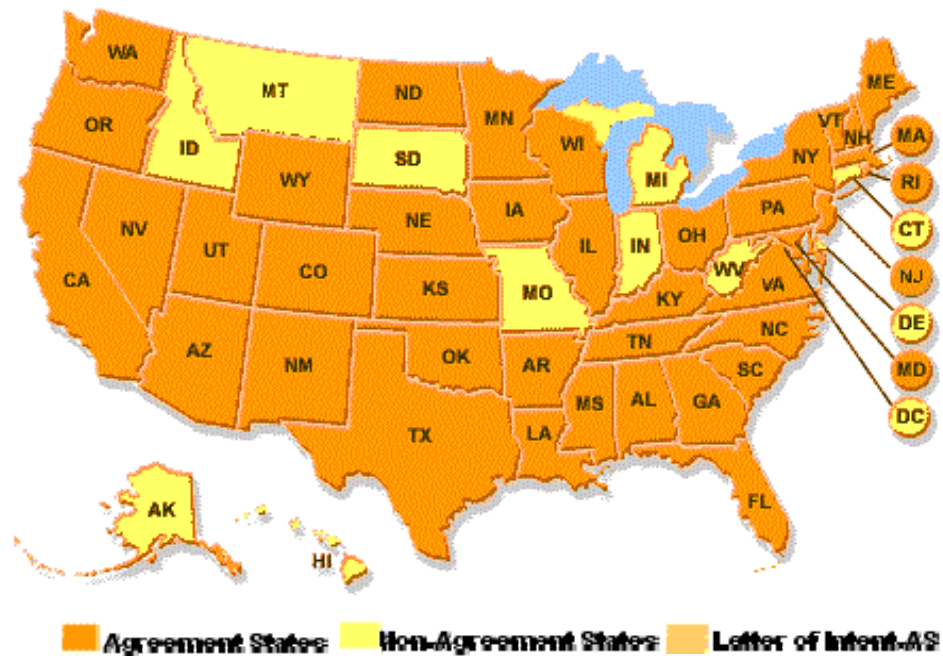
Points of Contact for Regulatory Relief

- Region I
James Trapp, Director
James.Trapp@nrc.gov
- Region III
David Pelton, Director
David.Pelton@nrc.gov
- Region IV
Mary Muessle, Director
Mary.Muessle@nrc.gov
- DANU
John Monninger, Director
John.Monninger@nrc.gov
- DFM
Andrea Kock, Director
Andrea.Kock@nrc.gov
- DUWP
Patricia Holahan, Director
Patricia.Holahan@nrc.gov



Agreement State Licensees

- See the Organization of Agreement States (OAS) Web site for links to Agreement State COVID-19 responses:



<https://www.agreementstates.org/covid-19-response.html>

Exemption Request Overview

Randy Ragland, Senior Health Physicist
Division of Nuclear Materials Safety, NRC Region I

Many Licensees May Not Require Relief

- Physical security measures are already in-place
- Requirement due dates may not occur during access restrictions
- Some requirements can possibly be accomplished remotely
 - Training
 - LLEA Coordination
 - Annual review of access authorization program
 - Annual review of physical security program

What IF You Need Relief?

- NRC Headquarters developed a draft exemption letter:
 - 37.23(b)(2): Recertification of reviewing official
 - 37.25(c): Reinvestigation
 - 37.43(c)(3): Refresher training
 - 37.51(a): Maintenance and testing
 - To submit requests for temporary exemptions, see the nuclear materials relief request form at <https://www.nrc.gov/about-nrc/covid-19/materials/med-indust-academic.html>

What to Include in COVID-19 Exemption Request

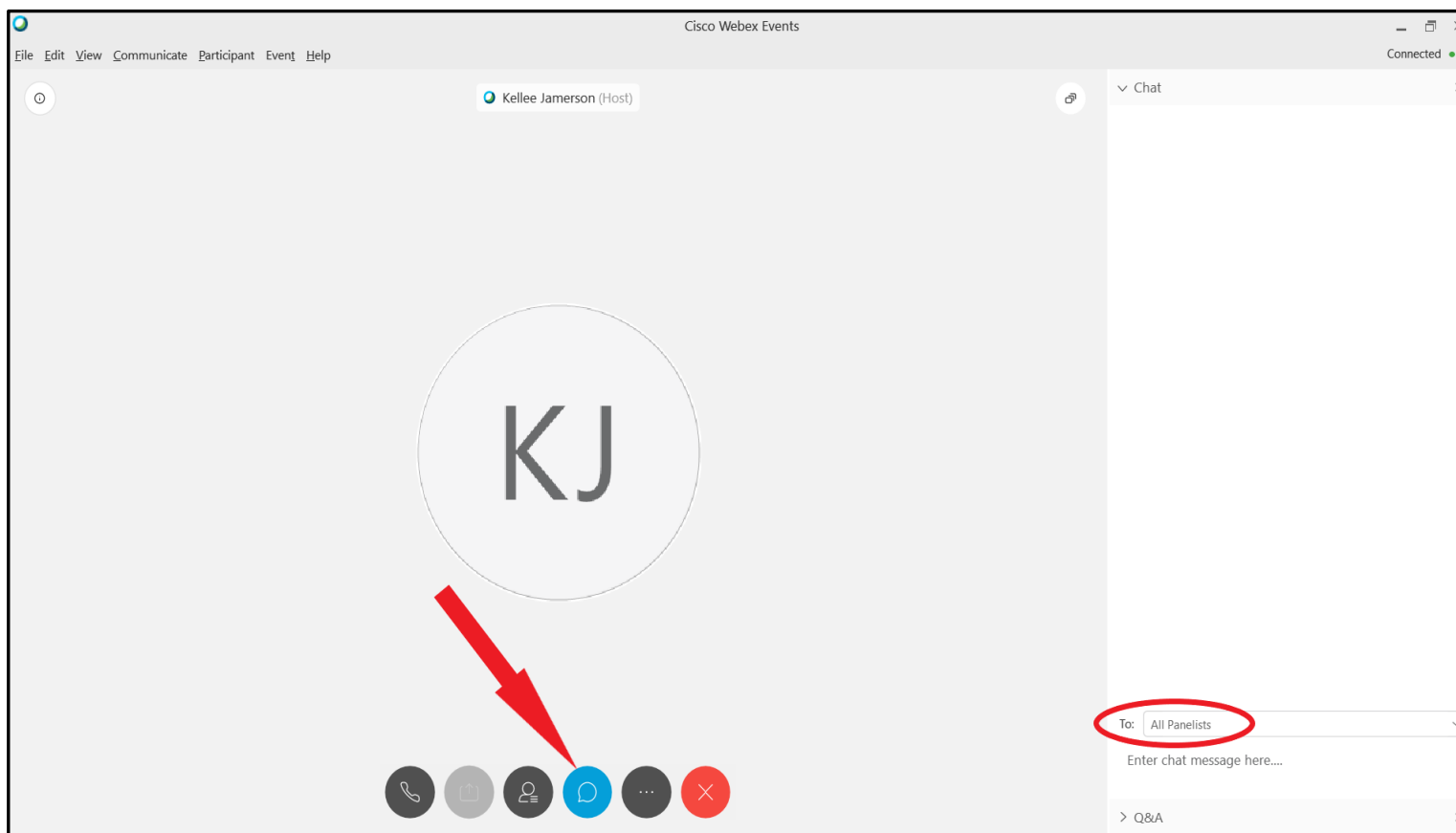
- Request regulatory relief that may be necessary during the COVID-19 public health emergency
- Describe which areas and activities are shut down or have limited access and which are fully operational
- Describe required activities that cannot be met during the shut-down:
 - Regulations
 - License conditions or commitments
- Compensatory measures to ensure that licensed material is being stored and used safely
- Expected length of time that you will be shut down or have access restrictions in place

Emergency Relief Requests

- If necessary, licensees may request immediate exemptions via e-mail or phone
- Oral requests must be followed up within 24 hours with a written requests
- In urgent, off-hours cases, call the Headquarters Emergency Operations Center at 301-816-5100

Industry and Public Comments

- To make a comment over the phone, press “*” then “1” and follow the prompts
- You can also submit shorter comments or questions by sending a WebEx chat message to “All Panelists”



Questions for Licensees

- What hardships related to NRC regulations are you experiencing or expect to experience in the next 3 months due to the COVID-19 emergency?
- Are there any specific NRC regulations which you do not think you will be able to meet?
- How long do you believe exemptions might be necessary?
- To inform our approach regarding inspections: Are licensees able to support routine in-person inspections? What conditions would be necessary?

Contacts

- For questions:
 - Region I: James Trapp, Director
James.Trapp@nrc.gov
 - Region III: David Pelton, Director
David.Pelton@nrc.gov
 - Region IV: Mary Muessle, Director
Mary.Muessle@nrc.gov
 - DANU
John Monninger, Director
John.Monninger@nrc.gov
 - DFM
Andrea Kock, Director
Andrea.Kock@nrc.gov
 - DUWP
Patricia Holahan, Director
Patricia.Holahan@nrc.gov
- Send meeting format feedback to Sarah.Lopas@nrc.gov

In Closing

Address to submit certification for reviewing official:

Director, Office of Nuclear Material Safety and Safeguards,
U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001
ATTN: Source Management and Protection Branch

Mail Stop to submit fingerprints to the NRC:

U.S. Nuclear Regulatory Commission
Director, Division of Physical and Cyber Security Policy
Attn: Criminal History Program/Mail Stop – **T-08B20**
11545 Rockville Pike
Rockville, MD 20852