

PDR



UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

December 30, 1999

Mr. Paul Leventhal, President
Nuclear Control Institute
1000 Connecticut Ave., NW
Washington, D.C. 20036

Dear Mr. Leventhal:

I am responding to your December 23, 1999, letter regarding the recent advisory issued by the Nuclear Regulatory Commission (NRC) on December 21, 1999 to operators of nuclear power reactors. In your letter, you requested that the NRC rescind the advisory, and issue a new one requiring heightened security measures at nuclear power plants during the next few weeks.

I cannot comment on the detailed content of the specific advisory as such information is sensitive. I would simply note that the NRC did require licensees to remain vigilant for millennium-related threats. Moreover, in preparing the advisory, staff considered lessons learned from OSRE exercises, reviewed and evaluated available intelligence information, and consulted and coordinated with the Federal Bureau of Investigation (FBI) and the Department of Energy (DOE). The NRC will continue to provide information and guidance to its licensees, as needed, to ensure that an adequate security posture is maintained.

The main thrust of your letter seems to be that the NRC will tolerate indifferent attention to security during the Y2K transition. In fact, the NRC requires a high level of security at all times, including the transition. Because the NRC concluded in the 1978 operating assumption that advance warning of an attack on a nuclear facility was unlikely, it promulgated physical protection requirements that established a prudent level of security to protect against a design-basis threat. Levels of security at power reactor facilities were increased in the late 1970s and again in response to the vehicle bomb threat in the early 1990s, and as a result, current levels of security are high. The continuous high level of protection of the facilities and materials provided by existing physical protection requirements obviates the need for reactive swings in security levels.

Although the 1978 guidance does seek to avoid over-reliance on intelligence information, it by no means suggests that such information is irrelevant. The operating assumption states, "[i]n spite of this 'conservative' operating assumption of no advance warning, an effective approach to the safeguards problem should include a key role for intelligence. Timely availability of such information from the Intelligence Community would give NRC additional options. Intelligence information can be an important element in the overall safeguards program and could play a vital role in minimizing the chances of successful sabotage, diversion or theft." Accordingly, we do seek to provide licensees with guidance about specific threats about which we have become aware. Our recent advisory was consistent with this practice.

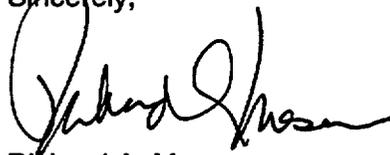
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Accordingly, I believe that the NRC's actions have been appropriate. I have directed the NRC staff to continuously evaluate threat information it receives from the Intelligence Community and to maintain contact with other Federal agencies during this period of millennial and Y2K concerns. The NRC will act promptly should events warrant.

As a final comment, I note that you expressed reservations about the recent rulemaking plan for a comprehensive review of NRC physical protection requirements, including exercise requirements and associated security regulations. The NRC strongly encourages active participation on the part of all stakeholders. We look forward to hearing your views during the proposed rulemaking's public comment period.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard A. Meserve". The signature is fluid and cursive, with a large initial "R" and "M".

Richard A. Meserve



CHAIRMAN

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D. C. 20555

December 30, 1999

Mr. Daniel Hirsch, President
Committee to Bridge the Gap
1637 Butler Avenue
Los Angeles, California 90025

Dear Mr. Hirsch:

I am responding to your December 23, 1999, letter regarding the recent advisory issued by the Nuclear Regulatory Commission (NRC) on December 21, 1999 to operators of nuclear power reactors. In your letter, you requested that the NRC rescind the advisory, and issue a new one requiring heightened security measures at nuclear power plants during the next few weeks.

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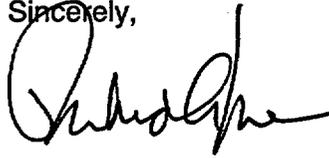
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Richard A. Meserve