

Ms. Annette L. Viette-Cook  
January 16, 2002  
Page 2

~~DOCKET NUMBER~~  
~~PETITION FILE~~ 73-11  
(66FR55603)

4

DOCKETED  
USNRC

January 16, 2002 (4:43PM)

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF



NUCLEAR ENERGY INSTITUTE

Lynnette Hendricks  
DIRECTOR, LICENSING  
NUCLEAR GENERATION

January 16, 2002

Ms. Annette L. Vietti-Cook  
Secretary  
U.S. Nuclear Regulatory Commission  
Mail Stop O-16 C1  
Washington, DC 20555-0001

Attention: Rulemakings and Adjudications Staff

Subject: *Federal Register* Notice 66 FR 55603, November 2, 2001, Three Mile Island Alert; Receipt of Petition for Rulemaking

Dear Ms. Vietti-Cook:

The Nuclear Energy Institute (NEI)<sup>1</sup> appreciates the opportunity to provide comments on the Three Mile Island Alert rulemaking petition which requests the NRC amend its regulations to require licensees to post an armed security officer at each entrance to the owner controlled area. We recommend the Commission deny the petition.

Physical protection of nuclear power plants is designed to protect against the design basis threat of radiological sabotage. Through Information Notice 98-35, "Threat Assessment and Consideration of Heightened Physical Protection Measures" the NRC issues advisories to licensees "to notify them of specific changes in the threat environment which may prompt when temporary upgrades to a licensee's site physical protection posture may be advisable." Nuclear power plants are at a heightened level of security awareness as a result of several NRC advisories. Additional actions implemented as a result of being at a heightened level of awareness include increased patrols, augmented security forces and capabilities, additional security posts, and heightened coordination with local law enforcement.

<sup>1</sup> NEI is the organization responsible for establishing unified nuclear industry policy on matters affecting the nuclear energy industry, including the regulatory aspects of generic operational and technical issues. NEI's members include all utilities licensed to operate commercial nuclear power plants in the United States, nuclear plants designers, major architect/engineering firms, fuel fabrication facilities, materials licensees, and other organizations and individuals involved in the nuclear energy industry.

Template = SECY-067

SECY-02

Ms. Annette L. Viette-Cook  
January 16, 2002  
Page 2

Immediately following the September 11 terrorist attacks, the NRC announced its intention to conduct a top-to-bottom review of its existing security regulations and guidance. This review will include an assessment of the design basis threat and the licensee protective strategies. As part of this review we would expect the NRC to consider whether posting armed guards at entrances to the owner controlled areas is necessary for adequate physical protection of nuclear power plants.

Placing armed security officers at entrances to nuclear power plants may be appropriate depending on the threat that exists; however, such a decision should not be made in isolation; rather, it should be based on the results of the integrated top-to-bottom review.

Until the final determination is made, it is important to note that each nuclear plant has a well-armed security force trained to defend against armed assaults and acts of sabotage, and has a multiple barrier, defense-in-depth design to ensure against a potential release of radioactivity.

Please contact Doug Walters at 202.739.8093 or me if there are any questions.

Sincerely,



Lynnette Hendricks