

WOLF CREEK NUCLEAR OPERATING CORPORATION

Richard A Muench
President and Chief Executive Officer

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WM 03-0016

Mr. Roy P. Zimmerman
Director, Office of Nuclear Security and Incident Response
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

- Reference:
- 1) Letter from R. P. Zimmerman, USNRC, to R. A. Beedle, NEI, dated January 2, 2003. Subject: Staff View of Adversary Attributes for Radiological Sabotage
 - 2) Letter dated March 5, 2003, from S. D. Floyd, NEI, to R. P. Zimmerman, USNRC

Subject: Wolf Creek Nuclear Operating Corporation's Second Set of Comments on [NRC] Staff View of Adversary Attributes for Radiological Sabotage

Dear Mr. Zimmerman:

Wolf Creek Nuclear Operating Corporation (WCNOC) is taking this opportunity to provide a second set of comments on the "Staff View of Adversary Attributes for Radiological Sabotage" that was transmitted to the industry by Reference 1. This submittal compliments and re-enforces our original comments provided in letter WO 03-0006, dated February 21, 2003. WCNOC strongly endorses the NEI response (Reference 2) for this issue and takes this opportunity to emphasize key points regarding actions being taken to strengthen security requirements in the present threat environment.

WCNOC believes the proposed adversary attributes described in Reference 1, in aggregate, require licenses to defend against enemies of the state. Because of the defensive weaponry required and the limited legal authority afforded licensees, it is WCNOC's position that it would be ineffective to require licensees to cope with the complete range of proposed adversary attributes. Such adversaries should rightfully be the responsibility of the national defense establishment, the intelligence community, and the Department of Homeland Security (DHS). These organizations have the statutory authority and resources to effectively counter such threats.

The NRC must seriously reconsider the proposed "Staff View of Adversary Attributes for Radiological Sabotage." The adversary attributes described in attachment 2 to NEI's comment letter dated March 5, 2003, better reflects a design basis threat that is not an "enemy of the state" and that a private security force is currently legally capable and equipped to defend against. Additionally, WCNOG recommends the NRC adopt an implementation schedule and protective strategy revisions that are more consistent with the report issued by President George W. Bush entitled "The National Strategy for the Protection of Critical Infrastructures and Key Assets."

WCNOG appreciates the opportunity to provide this second set of comments. There are no commitments contained in this correspondence. If you have any questions concerning this matter, please contact me at (620) 364-4000, or Mr. Tony Harris, Manager Regulatory Affairs, at (620) 364-4038.

Very truly yours,



Richard A. Muench

RAM/rlg

cc: J. N. Donohew (NRC)
S. D. Floyd (NEI)
D. N. Graves (NRC)
E. W. Merschoff (NRC)
Document Control Desk (NRC)
Senior Resident Inspector (NRC)