

RAS 8368

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August 13, 2004

RELATED CORRESPONDENCE

DOCKETED
USNRC

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U.S. Nuclear Regulatory Commission
11555 Rockville Pike
Washington, D.C. 20852

August 20, 2004 (9:21AM)

OFFICE OF SECRETARY
RULEMAKINGS AND
ADJUDICATIONS STAFF

SUBJECT: *Security Plan for Catawba nuclear power plant*

Dear Antonio,

Now that Dr. Lyman and I have had a chance to review the excerpted version of the Security Plan for which the Staff has made a positive need-to-know determination, I have several requests to make of you regarding that document. I am also writing to request that you provide us with copies of certain security-related NRC Staff guidance documents that are unavailable on ADAMS.

Revised Security Plan

First, I am writing to request that you provide the version of the Security Plan that will be in effect when plutonium MOX fuel is in use at the Catawba nuclear plant. The version of the Security Plan that you have provided us does not appear to be current. The introductory pages of the plan show that it includes Revisions 9 through 14.

Duke's September 15, 2003, letter to the NRC Staff designates the Security Plan Submittal and request for regulatory exemptions for use of MOX LTAs as "Revision 16." Therefore, it is reasonable to presume that a Revision 15 exists. In addition, we understand that more recently, in response to the Commission's post-9/11 order of April 29, 2003, Duke has made further revisions to its Security Plan. These revisions are under review by the NRC Staff. We presume that these post-9/11 revisions will be in effect when the plutonium MOX LTAs are in use at Catawba.

We believe it is extremely important to ensure that the version of the Security Plan that we evaluate in preparation for litigation of Contention 5 is the same version that will be used when plutonium MOX fuel is present at the Catawba plant, rather than some outdated version. Accordingly, please provide us with:

- the dates of all revisions to the Security Plan, starting with Revision 9;
- a copy of Revision 15, including the date of the revision;

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- copies of any subsequent revisions to the Security Plan, including dates of each revision and an indication of whether the revision has been approved by the NRC Staff or is under Staff review.

Explanation for Certain Redactions

Second, I request that you provide further explanation of the reasons for some of the redactions you have made to the Security Plan. While we do not have any quarrel with the deletion of information related to the Oconee and McGuire nuclear power plants, it appears that other more general information and information related specifically to Catawba has also been redacted from the plan. Therefore, we request an explanation of the following redactions:

- Section 4.3 on page 4-4 – text blacked out;
- Section 4.3.4 on page 4-10 – general introductory text and text specifically related to Catawba is blacked out;
- Section 4.3.4 on page 4-11 – entirety of text is blacked out;
- Section 4.4 on page 4-12 – entirety of text in this section is blacked out;
- Section 4.4.1 on page 4-13 – entirety of text in this section is blacked out;
- Section 8.3.4 on page 8-10 – entirety of text in this section is blacked out;
- Section 8.3.4.1 on page 8-11 -- entirety of text in this section is blacked out;
- Section 15.0 on page 15-1 – entirety of text in this section is blacked out;
- Section 15.1 at page 15-1 -- entirety of text under heading “Catawba” is blacked out;
- Appendix 1 – significant portions of page I-5 and the entirety of page I-6 are blacked out, although the headers indicate they are relevant.

Please provide us with an explanation for the redactions on these pages.

Regulatory Guidance

We have obtained a copy of NUREG/BR-0252, “User’s Guide to Physical Protection Documents Published by the NRC” (November 30, 1998). NUREG/BR-0252 lists a

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number of NRC guidance documents that we would like to review, but they are not available on the NRC ADAMS system. Please provide us with copies of:

NUREG-0184, User's Guide for Evaluating Physical Security Capabilities of Nuclear Facilities by the EASI Method;

NUREG-0219, Nuclear Security Personnel – Interim Qualification and Training Requirements;

NUREG-0271, Physical Protection Equipment Study: Final Report;

NUREG-0273, Guide for the Evaluation of Physical Protection Equipment, Vols. I-VII;

NUREG-0274, Catalog of Physical Protection Equipment, Vols. I-VII;

NUREG-0320, Interior Intrusion Alarm Systems;

NUREG-0459, Generic Adversary Characteristics Summary Report;

NUREG-0464, Site Security Personnel Training Manual, Vols. I-IV;

NUREG-0506, Fixed Site Physical Protection Upgrade Rule Guidance Compendium;

NUREG-0508, Design Methodology for the Physical Protection Upgrade Rule Requirements for Fixed Sites;

NUREG-0576, Nuclear Power Reactor Security Personnel Training and Qualification Plans;

NUREG-0703, Insider Study;

NUREG-0907, Acceptance Criteria for Determining Armed Response Force Size at Nuclear Power Plants;

NUREG-0908, Acceptance Criteria for Evaluation of Nuclear Power Reactor Security Plans;

NUREG-0992, Report of the Committee to Review Safeguards Requirements at Nuclear Power Plants;

NUREG-1045, Guidance on the Application of Compensatory Safeguards Measures for Power Reactor Licensees;



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NUREG-1321, Testing Standards for Physical Protection Systems at Category I Fuel Cycle Facilities;

NUREG-1322, Acceptance Criteria for the Evaluation of Category I Fuel Cycle Facility Physical Security Plans;

NUREG-1328, use of Perimeter Alarms at Fuel Fabrication Facilities Using or Possessing Formula Quantities of Strategic Special Nuclear Material;

NUREG-1329, Entry/Exit Control at Fuel Fabrication Facilities Using or Possessing Formula Quantities of Strategic Special Nuclear Material;

NUREG-1404, Licensee Use of Tactical Exercise Results;

NUREG-1456, An Alternative Format for Category I Fuel Cycle Facilities Physical Protection Plans;

NUREG-1485, Unauthorized Forced Entry into the Protected Area at Three Mile Island Unit 1 on February 7, 1993;

NUREG/CR-0027, Capability for Intrusion Detection at Nuclear Fuel Sites;

NUREG/CR-0040, Evaluation of Cost Estimates of Physical Security Systems for Recycled Nuclear Fuel;

NUREG/CR-0364, Simulating Barrier Penetration During Combat;

NUREG/CR-0508, Security Communication Systems for Nuclear Fixed Site Facilities;

NUREG/CR-0509, Emergency Power Supplies for Physical Security Systems;

NUREG/CR-0532, Safeguards Against Insider Collusion;

NUREG/CR-0543, Central Alarm Station and Secondary Alarm Station Planning Document;

NUREG/CR-1166, COPS Model Estimates of LLEA Availability Near Selected Reactor Sites;

NUREG/CR-1169, Safeguards Vulnerability Analysis Program, Vols. I-III;

NUREG/CR-1234, The Insider Threat to Security Facilities: Data Analysis;

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NUREG/CR-1345, Nuclear Power Plant Design Concepts for Sabotage Protection, Vols. I and II;

NUREG/CR1381, Methodology for Evaluating Safeguards Capabilities for Licensed Nuclear Facilities;

NUREG/CR-1385, Development of a Good Physical Protection Plan;

NUREG/CR-2217, Detection of Special Nuclear Materials at Portal Monitors and Locations;

NUREG/CR-2297, Security management Techniques and Evaluative Checklists for Security Force Effectiveness;

NUREG/CR-2588, Security Officer Response Strategies;

NUREG/CR-3251, The role of Security During Safety-Related Emergencies at Nuclear Power Plants;

NUREG/CR-5081, Tactical Exercise Planning Handbook;

NUREG/CR-5172, Tactical Training Reference Manual;

NUREG/CR-5690, Physical Fitness Training Reference Manual for Security Force Personnel at Fuel Cycle Facilities Possessing Formula Quantities of Special Nuclear Material;

NUREG/CR-5929, Locking Systems for Physical Protection and Control;

NUREG/CR-6190, Protection Against Malevolent Use of Vehicles at Nuclear Power Plants, Vols. I & II.

Thank you for your assistance in these matters.

Sincerely,



Diane Curran

cc: Service list