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PETITION RULE FROM 73-12

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OFFICE OF SECRETARY  
RULEMAKINGS AND  
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(39)

Secretary  
U.S. Nuclear Regulatory Commission  
Attn: Rulemakings and Adjudications  
Washington, DC 20555-0001

Sir:

Please accept the following as comments on the Petition for Rulemaking posted in the Federal Register on November 8, 2004, Volume 69, Number 215 for "Upgrading the Design Basis Threat Regulations for Protection against Terrorist Attacks on Nuclear Reactors". Thank you.

I urge the Commission to implement all of the recommendations for upgrading the Design Basis Threat (DBT) regulations listed in the petition. However, I believe that implementing these situations should not be the end of the process. It should serve as the start of an ongoing process to analyze new threats to nuclear power stations. The September 11 Commission cited a lack of imagination on the part of government agencies as part of the reason why the 9/11 attacks were successful. As part of upgrading the DBT regulations, I believe that the Commission needs to create a panel charged with coming up with new scenarios for attacks on nuclear power plants. This panel should interview authors such as Tom Clancy and read their books as part of the process of creating new realistic attack scenarios.

The security forces at the plants need to be tested more frequently than once every three years and the utilities owning them should not get any advance warning about the tests. Terrorists do not give any warning, why should the Commission? Further, the NRC needs to conduct in-person reviews of compliance to security upgrades. Finally, there needs to be public input in future changes to the DBT through public meetings around the country and having a public comment period of at least 90 days.

Cost has dictated the level of nuclear security in the past. Both the September 11 Commission and the United Nations' High-level panel on Threats, Challenges and Change agree that nuclear terrorism is the biggest threat facing our country and the world, respectively. In this light, the Commission should spare no expense in securing nuclear power plants from a future 9/11-style attack or one of greater magnitude.

In closing, I once again urge the Commission to implement all of the recommendations contained in the petition in a timely manner and to consider these suggestions when upgrading the DBT regulations.

Respectfully submitted,

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