



DOCKET NUMBER  
PETITION RULE PRM-73-12  
(69 FR 64690)

D. R. Woodlan, Chairman  
Integrated Regulatory Affairs Group  
P.O. Box 1002, Glen Rose, Texas 76043

Ref: PRM-73-12

STARS-05002

DOCKETED  
USNRC

January 28, 2005

February 8, 2005 (3:25pm)

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

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

**STRATEGIC TEAMING AND RESOURCE SHARING (STARS)  
COMMENTS ON THE PETITION FOR RULEMAKING  
FROM THE COMMITTEE TO BRIDGE THE GAP REGARDING  
DESIGN BASIS THREAT  
(PRM-73-12, 69 FR 64690)**

Gentlemen:

Attached are comments from the Strategic Teaming and Resource Sharing (STARS)<sup>1</sup> nuclear power plants on Committee to Bridge the Gap petition for rulemaking regarding the design basis threat (DBT) for nuclear power plants (PRM-73-12). The federal register notice for the petition summarizes it as follows:

The petitioner states that the Commission's DBT regulations remained essentially unchanged, with one exception, for nearly thirty years, despite dramatic increases in terrorist incidents, casualties, and capabilities. The petitioners seek a revision of the threat basis to include attack from the air by airplanes and jets, and attacking forces by land, water, or air—at least equal to the nineteen terrorists involved in the September 11, 2001, attacks in numbers, capacity, ruthlessness, dedication, skills, planning, and willingness to die and create large numbers of casualties. Additionally, the petitioners propose that the security requirements in part 73 be upgraded to provide high confidence in the ability of the security system to protect against the proposed upgraded September 11, 2001-equivalent DBT. In particular, the petitioners propose requiring, under a time-urgent schedule, construction at reactor sites of shields consisting of I-beams and cabling

<sup>1</sup> STARS is an alliance of six plants (eleven nuclear units) operated by TXU Power, AmerenUE, Wolf Creek Nuclear Operating Corporation, Pacific Gas and Electric Company, STP Nuclear Operating Company and Arizona Public Service Company.

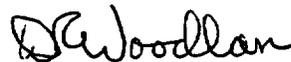
(Beamhenge [sic]) at stand-off distances from buildings and other assets important to safety at reactor sites so that airplanes or jets attempting to attack sensitive structures would instead crash into the surrounding Beamhenge [sic] shield, leaving intact the reactor, spent fuel pool, and support facilities, thus protecting the public from damage that could result in substantial radioactivity releases.

The STARS plants do not agree with the petitioner's characterization of the current design basis threat for commercial nuclear power plants and do not agree with the proposed changes to the regulations. Both the licensees of the U.S. commercial nuclear power plants [licensees] and the Nuclear Regulatory Commission and its staff [NRC] have been working since September 11, 2001, to assess and upgrade as appropriate all aspects of security for the commercial nuclear power plants. These efforts take into consideration the guidance and criteria being developed by the Department of Homeland Security. Advisories and orders have been issued by the NRC and licensees have taken steps which enhance the security at their plants. The actions have been designed to establish and maintain the physical protection of the nuclear power plants at or above that appropriate for the private sector (see 10 CFR 50.13). The U.S. commercial nuclear power plants were well protected prior to September 11, 2001, and, with the enhancements made since are even better protected.

The STARS plants recommend that this petition be denied.

The STARS plants appreciate the opportunity to comment on this petition for rulemaking. If there are any questions regarding these comments, please contact me at 254-897-6887 or [dwoodla1@txu.com](mailto:dwoodla1@txu.com).

Sincerely,



D. R. Woodlan, Chairman  
Integrated Regulatory Affairs Group  
STARS