

January 18, 2006

Mr. Douglas J. Walters
Senior Director, Security
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street NW, Suite 400
Washington, D.C. 20006

Dear Mr. Walters:

I am responding to your request of December 21, 2005, that the U.S. Nuclear Regulatory Commission (NRC) extend the public comment period for proposed amendments to 10 CFR Part 73, Design Basis Threat for an additional 30 days. The basis of your request is the fact that supporting documents related to the proposed rule were only made available on December 19, 2005.

The NRC issued a proposed rule that would consolidate the supplemental requirements established by the April 29, 2003 design basis threat (DBT) order with the existing DBT requirements in 10 CFR Part 73.1(a). The proposed rule was published in the *Federal Register* (70 CFR 67380) on November 17, 2005. Supporting documents for the proposed rule, draft Regulatory Guides and Adversary Characteristics Documents, were made available to the properly cleared individuals with a need-to-know on December 19, 2005. These documents provide guidance to licensees concerning the DBT for radiological sabotage, theft, and diversion, and contain the specific details of the attributes of the threat which licensees need to know in order to evaluate what is necessary to comply with the proposed rule.

Please be advised that through this letter, the NRC is acknowledging the stakeholders needs for additional time for reviewing and evaluating appropriate measures of the attributes of the threat, and therefore is extending the comment period by an additional 30 days. The February 22, 2006, date extends the comment period from its earlier expiration date of January 23, 2006. A notice of this extension of the comment period will also be published in the *Federal Register* (enclosed).

Sincerely,

/RA/

Annette L. Vietti-Cook

Enclosure:
Federal Register Notice,
regarding Design Basis Threat