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Secretary, NRC, Washington, DC 20555-0001 Attention: Rulemakings and Adjudications

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USNRC

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OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

Re: RIN 3150-AH60

Ladies and Gentlemen:

Since the 1970s, reactors have only been required to protect against a "Design Basis Threat" (DBT) of three external attackers with the possible assistance of one insider. Furthermore, they have not been required to have any protection against air attack. By contrast, the 9/11 attack involved 19 external attackers, deadly serious, with sophisticated planning (even learning how to fly jumbo jets), and they of course came in by air.

After 9/11, NRC resisted calls from Congress and the public interest community to increase the DBT to at least the number of attackers seen on 9/11 and to include air attack. Instead, it worked out a sweetheart deal with the nuclear industry, in closed door meetings to which the public was excluded, to make only minor changes to the security requirements so as not to burden industry. As TIME Magazine has reported, these changes increased the DBT marginally, from three external attackers to "less than twice" that number.

The revised DBT was issued not by regulation, but by secret Orders, with the public frozen out of the process. Public Citizen sued NRC, asserting it violated the Administrative Procedure Act for cutting a deal in secret with industry and not adopting rules with opportunity for public input. In an effort to avoid the court ruling against it, NRC announced it would commence a rulemaking to address security regulation changes.

Committee to Bridge the Gap had submitted a Petition for Rulemaking to upgrade the DBT to at least the 19 attackers seen on 9/11 and to require construction of "Beamhenge" shields (steel I-beams and cabling at offset distances from reactor buildings so planes would hit the shields, rather than the reactor or spent fuel pools). NRC received over 800 comments, all favorable (with the exception of a handful from industry).

I urged you as strongly as possible to approve and immediately adopt the recommendations of Committee To Bridge the Gap's Petition. Thank you.

SINCERELY,



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