

July 17, 2006

MEMORANDUM TO: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons

FROM: Luis A. Reyes */RA/*
Executive Director for Operations

SUBJECT: PROPOSED CHANGES TO THE SECTOR SPECIFIC PLAN OF THE
NATIONAL INFRASTRUCTURE PROTECTION PLAN REGARDING
THREAT ASSESSMENT

The purpose of this memorandum is to solicit Commission direction regarding alternative language proposed by the industry for insertion into the Sector Specific Plan (SSP). The proposed insertion relates to the roles of the U.S. Nuclear Regulatory Commission (NRC), Department Homeland Security (DHS), and the industry in assessing the threat environment and proposing changes to the NRC's design basis threat (DBT). Following the July 12, 2006, joint Government Coordinating Council - Nuclear Sector Coordinating Council meeting presentation by Nuclear Energy Institute (NEI), on July 13, 2006, the industry provided two alternatives (Enclosure 1). After reviewing the industry proposals, the staff was concerned about the independent DHS actions in Option 1 Alpha and was more aligned with Option 2. However, the staff developed a third alternative (Enclosure 2) to clarify the purpose of the various interactions in the process and to clarify that the ultimate decision on inclusion of adversary characteristics in the DBT rests with the Commission. The staff recommends Option 3. SSP Section 5, "Develop and Implement Protective Programs," in which this text would be inserted, is provided for context (Enclosure 3).

DHS plans to issue the draft SSP for stakeholder comments on Thursday, July 20, 2006. To provide time for DHS to incorporate the NRC's input, the staff requests Commission direction by close of business on Tuesday, July 18, 2006. By providing DHS with the Commission's recommendation in advance of the draft being circulated, stakeholders will be informed regarding the NRC's recommendation, as they review the draft SSP.

SECY, please track.

Enclosure: As stated (3)

cc: SECY
OGC
OCA
OPA
CFO

CONTACT: John Tomlinson, NSIR/OD
(301) 415-0262

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Memo to: The Commissioners from: John Tomlinson, dated: 07/17/06

SUBJECT: PROPOSED CHANGES TO THE SECTOR SPECIFIC PLAN OF THE
NATIONAL INFRASTRUCTURE PROTECTION PLAN REGARDING THREAT
ASSESSMENT

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