

July 19, 2006

MEMORANDUM TO: Luis A. Reyes
Executive Director for Operations

FROM: Annette L. Vietti-Cook, Secretary **/RA/**

SUBJECT: STAFF REQUIREMENTS - COMSECY-06-0036 - PROPOSED
CHANGES TO THE SECTOR SPECIFIC PLAN OF THE
NATIONAL INFRASTRUCTURE PROTECTION PLAN
REGARDING THREAT ASSESSMENT

The Commission has approved the staff's proposed changes to the Sector Specific Plan of the National Infrastructure Protection Plan regarding threat assessment, subject to the changes noted in the attachment. This should be shared with the Department of Homeland Security as soon as possible, conveying the message that the NRC must maintain its authority as an independent regulator.

Attachment: Changes to Option 3

cc: Chairman Klein
Commissioner McGaffigan
Commissioner Merrifield
Commissioner Jaczko
Commissioner Lyons
OGC
CFO
OCA
OPA

Since any revision to the NRC DBTs (i.e., for radiological sabotage and theft and diversion) should include an assessment of the best available intelligence information, the NRC will maintain its collaboration with the Intelligence and law enforcement communities, including DHS, regarding its assessment of the threat environment as part of the DBT development process. In addition, recognizing that the DBT characteristics form the basis for the design of the protective strategies for commercial nuclear power plants and Category I fuel cycle facilities, in developing proposed changes to either DBT the NRC intends to, in the absence of extraordinary circumstances, continue to seek the views of plant owner/operators and Sector Security Partners regarding the impacts of proposed changes. DHS will review proposed changes for consistency with the National Infrastructure Protection Plan approach to risk management and provide feedback to the NRC. The NRC will consider these and other inputs as part of its decision-making process consistent with its statutory responsibilities and authority.