

SAFEGUARDS INFORMATION

November 7, 2006

Mr. Anthony R. Pietrangelo
Vice President, Regulatory Affairs
Nuclear Generation Division
Nuclear Energy Institute
1776 I Street, NW, Suite 400
Washington, DC 20006-3708

SUBJECT: NUCLEAR REGULATORY COMMISSION STAFF REVIEW OF NUCLEAR ENERGY INSTITUTE 03-12 - TEMPLATE FOR THE SECURITY PLAN, TRAINING AND QUALIFICATION PLAN, SAFEGUARDS CONTINGENCY PLAN, [AND INDEPENDENT SPENT FUEL STORAGE INSTALLATION SECURITY PROGRAM] (REVISIONS 3 & 4)

Dear Mr. Pietrangelo:

The U.S. Nuclear Regulatory Commission (NRC) staff issued Orders dated April 29, 2003, modifying the operating licenses of all operating commercial nuclear power plants to require compliance with a supplemented Design Basis Threat (DBT), and to implement new security force personnel training requirements. The DBT Order also required that licensees submit revised physical security plans, safeguards contingency plans, and security force training and qualification plans, including an implementation schedule, to the NRC for review and approval no later than April 29, 2004.

As you know, the Nuclear Energy Institute (NEI) developed generic templates NEI 03-12, "Template for the Security Plan, Training and Qualification Plan, Safeguards Contingency Plan, [and Independent Spent Fuel Storage Installation Security Program]," and NEI 03-09, "Security Officer Training Program," to assist the industry in preparing such plans pursuant to the DBT Order. The objective of these templates was to help licensees develop standard plans to achieve consistent, industry-wide implementation of regulations and the requirements in the February 25, 2002, January 7, 2003 and April 29, 2003, Orders.

Several generic Requests for Additional Information (RAIs) developed by the NRC staff during the April 2004 Security Plan reviews, Security Frequently Asked Questions (SFAQs), and the NRC Adversary Characteristics Order dated March 20, 2006, (EA-06-037), have prompted changes to the NEI 03-12 (Revision 1) April 5, 2004, NRC-endorsed template. NEI 03-12, Revision 3, contains changes to reflect industry's responses to RAIs and SFAQs. NEI 03-12, Revision 4, contains changes to reflect industry's response to the NRC's March 20, 2006, Order (EA-06-037). The NRC staff had comments on Revision 3 that were also identified in Revision 4.

WARNING: Violation of Section 147 of the Atomic Energy Act, "Safeguards Information" is subject to Civil and Criminal Penalties

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Based on interactions with your staff and industry representatives over the last several months, the staff is providing conditional endorsement of NEI 03-12, Revision 4, with certain exceptions (enclosed) for industry use to reflect existing regulations and NRC issued Orders for power reactors. Conditions for and clarification of the staff's endorsement of the current revision of NEI 03-12, Revision 4, are summarized in the Enclosure.

Please contact Mr. Vince Williams at (301) 415-6844, if you have any questions.

Sincerely,

/RA/

Roy P. Zimmerman, Director
Office of Nuclear Security and Incident Response

Enclosure:
(SGI) Comments on NEI 03-12, Revision

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Enclosure:
(SGI) Comments on NEI 03-12, Revision

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