

December 22, 2006

The Honorable Edward J. Markey
United States House of Representatives
Washington, D.C. 20515

Dear Congressman Markey:

In our letter of October 20, 2006, the Commission indicated that, upon its completion, it would inform you of the results of our on-site review of the concerns raised in the Union of Concerned Scientists report. The results of that review are now complete and we are providing you with those results. In addition, at the request of your staff, the Commission has prepared this letter and provided as Enclosure 1 responses to the specific questions from your September 5, 2006 letter that are releasable to the public; any sensitive information provided in my previous letter has been removed.

The Commission wants to assure you that security at nuclear power plants is of the utmost importance to the NRC. With regard to the South Texas Project nuclear plant, the NRC inspected the facility numerous times in 2006 as part of the security baseline inspection program and determined that the security program at South Texas is sound and that the licensee promptly corrects identified problems or vulnerabilities. As previously mentioned, the NRC staff conducted an on-site review of the concerns raised in the Union of Concerned Scientists report. A summary of the results is posted on the NRC web site at <http://www.nrc.gov/reading-rm/doc-collections/for-the-record/2006/south-texas-project.pdf>. A copy of the summary is provided as Enclosure 2. In addition, the staff accelerated the schedule for Force-on-Force (FOF) testing at the South Texas Project in order to gain additional insights on the licensee's implementation of the security program. We completed the FOF inspection at the South Texas Project and determined that the site's protective strategy is effective. The NRC is in the process of reviewing the results of the inspection to determine if any further licensee or NRC actions are necessary.

With respect to your concerns about the Composite Adversary Force (CAF), the performance of the adversary force is a critical attribute of the FOF program's ability to provide a meaningful evaluation of licensee's security performance. The NRC uses a uniform, high quality adversary force trained to NRC standards for all FOF exercises conducted by the NRC. It is important to emphasize that the NRC runs, and evaluates the result of, the FOF exercises. The NRC establishes the exercise objectives, boundaries, or timeliness, and the CAF's performance is subject to continual observation by the NRC staff and its contractors. Any indication that the CAF members are not performing rigorously in their role will be promptly identified and addressed by the NRC. In the 44 NRC-evaluated exercises to date, the CAF has consistently demonstrated the physical and tactical skills required by NRC. The CAF team consists of nuclear plant security officers from multiple sources, not just from Wackenhut. The CAF's performance during NRC-conducted FOF exercises has been consistent regardless of

who provides the nuclear facility's protective force. Nonetheless, the NRC retains the authority to terminate this arrangement and provide the adversary force by other means should the CAF's performance change.

If you have any additional questions or comments please contact me.

Sincerely,

/RA/

Dale E. Klein

Enclosures:

1. NRC's Response to Questions
2. Summary of NRC Review