



PRM-73-13  
(72FR17440)

Entergy

Entergy Operations, Inc.  
Entergy Nuclear Operations, Inc.  
440 Hamilton Avenue  
White Plains, New York  
10601

John F. McCann  
Director  
Nuclear Safety & Licensing



ENOC-07-00022

DOCKETED  
USNRC

June 25, 2007

June 26, 2007 (12:53pm)

Ms. Annette L. Vietti-Cook  
Office of the Secretary  
U.S. Nuclear Regulatory Commission  
Washington, DC 20555

OFFICE OF SECRETARY  
RULEMAKINGS AND  
ADJUDICATIONS STAFF

ATTN: Rulemakings and Adjudications Staff

SUBJECT: Comments on PRM-73-13, the Petition for Rulemaking Submitted by the Union of Concerned Scientists (72 Fed. Reg. 17440)

Dear Ms. Vietti-Cook:

Entergy is pleased to offer its comments on the above captioned petition.

In PRM-73-13, the petitioner requests that 10 CFR 73 be amended to require that licensees implement procedures to ensure that:

- (1) When information becomes known to a licensee about an individual that would prevent that individual from gaining unescorted access to the protected area of a nuclear power plant, the licensee will implement measures to ensure the individual does not enter the protected area, whether escorted or not; and
- (2) When sufficient information is not available to a licensee about an individual to determine whether the criteria for unescorted access are satisfied, the licensee will implement measures to allow that individual to enter the protected area only when escorted at all times by an armed member of the security force who remains in periodic communication with security supervision.

Entergy concurs with item (1) but does not agree with item (2). The industry has used trained individuals, rather than armed security officers, as escorts for visitors for many years without incident. In the heightened security environment, only persons with a specific work-related need for entry are typically allowed access as visitors. Their badged escorts are trained and selected, as appropriate, for the purpose of the visit.

On June 22, 2007 the Nuclear Energy Institute submitted comments in the above captioned matter arguing the subject petition should be denied because the petitioner had not demonstrated a benefit commensurate with the cost of increasing the size of licensee security forces to provide armed security officers as escorts. Nor had the petitioner cited a single instance demonstrating the inadequacy of the current process.

Template = SECY-067

SECY-02

Entergy concurs with the NEI position. Mere allegations of possibilities are not an adequate basis for regulatory action.

For the foregoing reasons, item (1) of the petition should proceed as proposed rulemaking while item (2) of the petition for rulemaking should be denied.

If you should have any questions or require additional information, please contact Les England at 601-368-5766.

Sincerely,

A handwritten signature in black ink, appearing to be 'JFM', written in a cursive style.

JFM/lae/bal

cc: Mr. Douglas J. Walters  
Nuclear Energy Institute  
1776 I Street, NW, Suite 400  
Washington, DC 20006-3708

**From:** Carol Gallagher  
**To:** SECY  
**Date:** Tue, Jun 26, 2007 10:46 AM  
**Subject:** Comment letter on PRM-73-13

Attached for docketing is a comment letter on the above noted PRM from John McCann, Entergy, that I received via the rulemaking website on 6/25/07.

Carol

**Mail Envelope Properties** (468126B6.463 : 5 : 35764)

**Subject:** Comment letter on PRM-73-13  
**Creation Date** Tue, Jun 26, 2007 10:46 AM  
**From:** Carol Gallagher

**Created By:** CAG@nrc.gov

**Recipients**

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 SECY (SECY)

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MESSAGE	534	Tuesday, June 26, 2007 10:46 AM
1858-0003.pdf	65053	Tuesday, June 26, 2007 10:44 AM

**Options**

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